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FEDERAL REGISTER

VOLUME 31 • NUMBER 28

Thursday, February 10, 1966 • Washington, D.C.

Pages 2579-2640

Agencies in this issue—

- Agricultural Research Service
- Agricultural Stabilization and Conservation Service
- Atomic Energy Commission
- Civil Aeronautics Board
- Civil Service Commission
- Coast Guard
- Commerce Department
- Federal Aviation Agency
- Federal Communications Commission
- Federal Maritime Commission
- Fiscal Service
- Fish and Wildlife Service
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- Internal Revenue Service
- Interstate Commerce Commission
- Land Management Bureau
- Library of Congress
- Public Buildings Service
- Securities and Exchange Commission
- Smithsonian Institution
- Tariff Commission

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[Revised as of January 1, 1965]

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Rules and Regulations

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Wapanocca and White River National Wildlife Refuges, Ark.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ARKANSAS

WAPANOCCA NATIONAL WILDLIFE REFUGE

Sport fishing on the Wapanocca National Wildlife Refuge, Turrell, Ark., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 600 acres, are delineated on a map available at the refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The sport fishing season on the refuge extends from April 1, 1966, through September 30, 1966.

(2) Fishing permitted during daylight hours only.

(3) Boats with motors no larger than 5½ horsepower permitted.

(4) The use of jug, drop, or trotlines is prohibited.

(5) Bank fishing along Ditch No. 8, 12 and the adjacent borrow pits is permitted.

(6) The "Little Lake" area is closed to sport fishing.

(7) No fishing permitted within 100 yards of the bridge, water control structure, and boat dock which is located behind the refuge headquarters.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

WHITE RIVER NATIONAL WILDLIFE REFUGE

Sport fishing on the White River National Wildlife Refuge, De Witt, Ark., is permitted only on the areas designated by signs as open to fishing. These open

areas, comprising 2,592 acres, are delineated on a map available at the refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The sport fishing season on the refuge extends from March 16, 1966, through October 31, 1966.

(2) Rowboats, canoes and other type boats and motors are permitted to use refuge waters. Boats without owner's name plate affixed in a conspicuous place may not be left overnight.

(3) Taking of frogs, water skiing and firearms prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

W. L. TOWNS,

Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 66-1432; Filed, Feb. 9, 1966; 8:45 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of State

Section 213.3104 is amended to show that 5 positions of Protocol Officer in the Office of Protocol and 10 positions of Representational Services Officer in the Office of Special Representational Services are no longer excepted under Schedule A. Effective on publication in the FEDERAL REGISTER, subparagraph (7) of paragraph (a) of § 213.3104, having expired by its own terms, is revoked.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; 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. 66-1447; Filed, Feb. 9, 1966; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 65-WE-104]

PART 73—SPECIAL USE AIRSPACE

Designation of Temporary Time of Use for Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to designate a temporary time of use for Restricted Area R-6411 at Hanks-ville, Utah.

On April 8, 1965, a rule designating a temporary restricted area, R-6411, at Hanks-ville, Utah, was published in the FEDERAL REGISTER (30 F.R. 4534). The time of designation for this restricted area, was established as follows:

Time of designation: The first time of use shall be from 0530 to 1800 hours m.s.t., May 26, 1965, through June 26, 1965, unless canceled sooner by Notices to Airmen. All subsequent biannual firing periods shall be designated by a rule published in the FEDERAL REGISTER.

Since the precise times when R-6411 will be needed during each year, subsequent to the first designated period, are indefinite and were not capable of predetermination at the time the rule designating the restricted area was published, it was determined, as set forth above, to establish all subsequent biannual firing periods by a rule published in the FEDERAL REGISTER.

Since this amendment is made in accordance with the procedures set forth in the notice and previous rule, additional notice and public procedure hereon are unnecessary.

Therefore, action is taken herein to amend Part 73 of the Federal Aviation Regulations, effective 0001 e.s.t., June 1, 1966, as hereinafter set forth.

In § 73.64 (29 F.R. 17768, 30 F.R. 4534), the Hanks-ville, Utah, Restricted Area R-6411 is amended by deleting the present time of designation and substituting the following therefor:

Time of designation: From 0530 to 1800 hours m.s.t., June 1, 1966, through June 30, 1966, unless canceled sooner by Notices to Airmen. All subsequent biannual firing periods will be designated by a rule published in the FEDERAL REGISTER.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on February 3, 1966.

ARCHIE W. LEAGUE,
Director, Air Traffic Service.

[F.R. Doc. 66-1430; Filed, Feb. 9, 1966; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7105; Amdt. 464]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

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

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

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

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Snake Int.....	AIA RBN.....	Direct.....	5600	T-dn..... Minimums when control zone is effective: C-dn&%..... S-dn-30&..... A-dn&..... Minimums when control zone not effective: C-dn%..... S-dn-30..... A-dn.....	300-1 400-1 400-1 800-2 500-1 500-1 NA	300-1 500-1 400-1 800-2 600-1 600-1 NA	200-1/2 500-1 1/2 400-1 800-2 600-1 1/2 500-1 NA

Procedure turn E side of ers, 133° Outbnd, 313° Inbnd, 5600' within 10 miles.
Minimum altitude over facility on final approach ers, 4000'.

Crs and distance, facility to airport, 312°-2.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 miles after passing the AIA RBN, make right turn climbing to 5600' on 133° bearing from AIA RBN within 10 miles, make left turn and return to the AIA RBN.

Notes: (1) Approach from holding pattern at RBN not authorized; procedure turn required. (2) Altitude setting from BFF FSS when control zone is not effective.

%No lights on Runways 17/35.

&These minimums apply at all times for air carriers with approved weather reporting service.

MSA within 25 miles of facility: 000°-090°-5600'; 090°-180°-5900'; 180°-270°-5900'; 270°-360°-5200'.

City, Alliance; State, Nebr.; Airport name, Alliance Municipal; Elev., 3930'; Fac. Class., IIW (State owned); Ident., AIA; Procedure No. 1, Amdt. 1; Eff. date, 12 Feb. 66; Sup. Amdt. No. Orig.; Dated, 27 Nov. 65

Peabody FM, radar or 10-mile DME Fix, R 030°, BOS VORTAC.....	Revere Int, radar or 5-mile DME Fix, R 030°, BOS VORTAC (final).....	Direct.....	1200	T-dn%..... C-dn..... S-dn-22L**.....	300-1 800-1 800-1	300-1 800-1 800-1	200-1/2 800-1 1/2 800-1
Bedford RBN.....	OS LMM.....	Direct.....	2000	A-dn.....	800-2	800-2	800-2
Dorchester Int.....	OS LMM.....	Direct.....	2000	After Revere Int, radar or 5-mile DME Fix:			
Whitman VO R.....	OS LMM.....	Direct.....	2000	C-dn#..... S-dn-22L**.....	600-1 600-1	600-1 600-1	600-1 1/2 600-1

Radar available.

Procedure turn E side of ers, 035° Outbnd, 215° Inbnd, 1500' within 12 miles of OS LMM.

Minimum altitude over facility on final approach ers, 819' basic ADF; Revere Int (radar or 5-mile DME Fix) final, 1200'.

Crs and distance, Revere Int (radar or 5-mile DME Fix) to airport, 215°-4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 miles after passing Revere Int, 2 miles DME Fix, or passing BOS SABH, climb straight ahead to 2000' direct to BO LOM. Hold SW of BO LOM 035° Inbnd, 1-minute right turns or, when directed by ATC, make left-climbing turn to 2000' direct E Boston Int. Hold SE of E Boston Int, 293° Inbnd, 1-minute right turns.

CAUTION: 370' stack, 1 mile SW of airport; 503' building, 1.7 miles W of airport; 843' building and antenna, 3.1 miles W of airport; 1349' antenna, 10.5 miles W of airport.

%Departures from Runway 27, make left turn to ers, 260° as soon as practical after takeoff.

#No circling W of airport authorized from centerline extended Runway 4L to centerline extended Runway 15 when ceiling is less than 800'.

**Reduction not authorized.

MSA within 25 miles of facility: 000°-180°-2000'; 180°-360°-2500'.

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19'; Fac. Class., LMM; Ident., OS; Procedure No. 2, Amdt. 5; Eff. date, 12 Feb. 66; Sup. Amdt. No. 4; Dated, 22 Jan. 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Oshkosh VOR	FLD RBn	Direct	2600	T-dn	300-1	300-1	200-1½
Eden Int.	FLD RBn	Direct	2600	C-d	700-1	700-1	700-1½
Calvary Int.	FLD RBn	Direct	2600	C-n	700-2	700-2	700-2
				S-d-90	700-1	700-1	700-1
				S-n-90	700-2	700-2	700-2
				A-dn	NA	NA	NA
Following minimums apply if Eldorado Int identified when Oshkosh, Wis., control zone not effective:							
				C-d	600-1	600-1	600-1½
				C-n	600-2	600-2	600-2
				S-d-90	400-1	400-1	400-1
				S-n-90	400-2	400-2	400-2
Following minimums apply if Eldorado Int identified when Oshkosh, Wis., control zone not effective:							
				S-d-90	500-1	500-1	500-1
				S-n-90	500-2	500-2	500-2

Radar available.
 Procedure turn S side of crs. 271° Outbd, 091° Inbd, 2200' within 10 miles.
 Minimum altitude over facility on final approach crs. 1500'.
 Facility on airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of FLD RBn, climb to 2600' on 091° bearing from FLD RBn within 10 miles then return to FLD RBn and hold E, 271° Inbd with right-hand turns.
 Obtain Oshkosh or Green Bay, Wis., altimeter setting.
 Obtain Oshkosh, Wis., altimeter setting.
 Obtain Green Bay, Wis., altimeter setting.
 MSA within 25 miles of facility: 000°-090°-2700'; 090°-360°-2300'.

City, Fond du Lac; State, Wis.; Airport name, Fond du Lac County; Elev., 809'; Fac. Class., MHW; Ident., FLD; Procedure No. 1, Amdt. 2; Eff. date, 12 Feb. 66; Sup. Amdt. No. 1; Dated, 22 Aug. 64

From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
SNS VOR	LOM	Direct	4300	T-dn	300-1	300-1	200-1½
Moss Landing Int.	LOM	Direct	4300	C-d	700-1	700-1	700-1½
MRY LOM	LOM	Direct	4300	C-n	700-2	700-2	700-2
				A-dn	800-2	800-2	800-2

Radar available.
 Procedure turn N side of crs. 060° Outbd, 270° Inbd, 4300' within 10 miles.
 Minimum altitude over facility on final approach crs. 2300'.
 Crs and distance, facility to airport, 286°-4.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing LOM, climb to 2400' on 286° bearing from LOM within 15 miles. Reverse crs, climbing to cross LOM at 4300', or when directed by ATC, climb on 286° bearing from LOM to intercept the 015° bearing from Monterey LOM and continue climb to 2000' direct to Monterey LOM.
 NOTE: Authorized for military use only except by prior arrangement.
 IFR departures: To help insure adequate terrain and obstruction clearance, published Fritzsche AAF SID's should be used.
 MSA within 25 miles of facility: 000°-090°-5000'; 090°-180°-6100'; 180°-270°-5500'; 270°-360°-5000'.

City, Fort Ord; State, Calif.; Airport name, Fritzsche AAF; Elev., 134'; Fac. Class., LOM; Ident., OAR; Procedure No. 1, Amdt. Orig.; Eff. date, 12 Feb. 66

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

VOR STANDARD INSTRUMENT APPROACH PROCEDURES

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Monterey LMM	SNS VOR	Direct	4500	T-dn	300-1	300-1	200-1½
				C-d	600-1	600-1	600-1½
				C-n	600-2	600-2	600-2
				A-dn	800-2	800-2	800-2

Radar available.
 Procedure turn E side of crs. 114° Outbd, 294° Inbd, 4500' within 10 miles.
 Minimum altitude over facility on final approach crs. 2500'.
 Crs and distance, facility to airport, 200°-7.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.5 miles after passing SNS VOR, turn right, climb to 2000' on SNS VOR, R 293° to Moss Landing Int. Hold SE in a 1-minute holding pattern, 293° Inbd, right turn, or when directed by ATC, turn right, climb to 4000' direct to SNS VOR. Hold NW of SNS VOR, 1-minute pattern, 113° Inbd, left turns.
 NOTE: Authorized for military use only except by prior arrangement.
 IFR departures: To help insure adequate terrain and obstruction clearance, published Fritzsche AAF SID's should be used.
 MSA within 25 miles of facility: 000°-090°-5000'; 090°-180°-6100'; 180°-270°-5600'; 270°-360°-5000'.

City, Fort Ord; State, Calif.; Airport name, Fritzsche AAF; Elev., 134'; Fac. Class., BVORTAC; Ident., SNS; Procedure No. 1, Amdt. 1; Eff. date, 12 Feb. 66; Sup. Amdt. No. Orig.; Dated, 27 Feb. 65

RULES AND REGULATIONS

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn.....	300-1	300-1	200-1/2
				C-dn.....	500-1	500-1	500-1 1/2
				S-dn-32.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 123° Outbd, 303° Inbd, 2600' within 10 miles.
 Minimum altitude over facility on final approach crs, 2400'.
 Crs and distance, facility to airport, 303°—6.7 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.7 miles after passing VOR, make right turn, climbing to 2600' and return to OTM VOR.
 MSA within 25 miles of facility: 000°-360°—2300'.
 City, Ottumwa; State, Iowa; Airport name, Ottumwa Industrial; Elev., 845'; Fac. Class., BVORTAC; Ident., OTM; Procedure No. 1, Amdt. 6; Eff. date, 12 Feb. 66; Sup. Amdt. No. 5; Dated, 25 May 63

SVM VOR.....	PTK VOR.....	Direct.....	2800	T-dn.....	300-1	300-1	200-1/2
FNT VOR.....	PTK VOR.....	Direct.....	2800	C-dn.....	500-1	500-1	500-1 1/2
Russell Int.....	PTK VOR (final).....	Direct.....	1900	A-dn*.....	800-2	800-2	800-2

Procedure turn S side final approach crs, 275° Outbd, 095° Inbd, 2200' within 10 miles.
 Minimum altitude over facility on final approach crs, 1900'.
 Crs and distance, facility to airport, 119°—4.9 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles after passing PTK VOR, make climbing left turn to 3000' on heading, 360° to intercept PTK, R 058° then proceed to Dennis Int or, when directed by ATC, make left turn to 2200' and return to PTK VOR.
 NOTES: (1) Radar available. (2) When authorized by ATC, DME may be used to position aircraft on final approach crs via 8-mile Arc of PTK VORTAC between R 155° clockwise thru R 035° at 2700' with the elimination of procedure turn.
 *Alternate minimums authorized only during hours of control zone operation or for air carrier with approved weather reporting service.
 MSA within 25 miles of facility: 000°-090°—2500'; 090°-180°—2800'; 180°-270°—2600'; 270°-360°—2300'.
 City, Pontiac; State, Mich.; Airport name, Pontiac Municipal; Elev., 974'; Fac. Class., L-BVORTAC; Ident., PTK; Procedure No. 1, Amdt. 9; Eff. date, 12 Feb. 66; Sup. Amdt. No. 8; Dated, 25 Sept. 65

SVM VOR.....	Keego Int.....	Direct.....	2700	T-dn.....	300-1	300-1	200-1/2
PTK VOR.....	Keego Int.....	Direct.....	2700	C-dn.....	500-1	500-1	500-1 1/2
Troy Int.....	Keego Int (final).....	Direct.....	2400	S-dn-27.....	500-1	500-1	500-1
				A-dn*.....	800-2	800-2	800-2

Procedure turn N side of final approach crs, 115° Outbd, 295° Inbd, 2700' within 10 miles of Keego Int.
 Minimum altitude over Keego Int on final approach crs, 2400'.
 Crs and distance, Keego Int to airport, 295°—4.3 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing Keego Int, climb to 2700' on PTK R 115° and proceed to PTK VOR. When authorized by ATC, DME may be used to position aircraft on final approach crs via 17-mile DME Arc of PTK VORTAC between R 360° clockwise thru R 235° at 2800' with elimination of procedure turn.
 *Alternate minimums authorized during hours of control zone operation or for air carrier with approved weather reporting service.
 MSA within 25 miles of facility: 000°-090°—2500'; 090°-180°—2800'; 180°-270°—2600'; 270°-360°—2300'.
 City, Pontiac; State, Mich.; Airport name, Pontiac Municipal; Elev., 974'; Fac. Class., BVOR; Ident., PTK; Procedure No. 2, Amdt. 3; Eff. date, 12 Feb. 66; Sup. Amdt. No. 2; Dated, 25 Sept. 65

3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bedford RBN.....	BOS VOR.....	Direct.....	2000	T-dn%.....	300-1	300-1	200-1/2
				C-dn#.....	700-1	700-1	700-1 1/2
				S-dn-22L.....	NA	NA	NA
				A-dn.....	800-2	800-2	800-2
				DME minimums:			
				C-dn#.....	600-1	600-1	600-1 1/2
				S-dn-22L**.....	600-1	600-1	600-1

Radar available.
 Procedure turn W side of crs, 016° Outbd, 196° Inbd, 1800' within 10 miles.
 Minimum altitude over facility on final approach crs, 719' basic VOR; or 5-miles, DME Fix (final), 1200'.
 Facility on airport. Crs and distance, breakpoint to approach end of Runway 22L, 215°—0.9 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing BOS VOR, make left-climbing turn to 2000' direct Skipper Int. Hold E of Skipper Int, 1-minute right turns, 279° Inbd or, when directed by ATC, make left-climbing turn to 2000' direct Cohasset Int. Hold SE of Cohasset Int, 1-minute right turns, 328° Inbd.
 CAUTION: 370' stack, 1 mile SW of airport; 505' building, 1.7 miles W of airport; 845' building and antenna, 3.1 miles W of airport; 1349' antenna, 10.5 miles W of airport.
 %Departures from Runway 27: Make left turn to heading, 260° as soon as practicable after takeoff.
 # No circling W of airport authorized from centerline extended Runway 4L to centerline extended Runway 15 when ceiling is less than 800'.
 **Reduction not authorized.
 MSA within 25 miles of facility: 000°-180°—2000'; 180°-360°—2500'.
 City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19'; Fac. Class., BVORTAC; Ident., BOS; Procedure No. TerVOR-22L, Amdt. 6; Eff. date, 12 Feb. 66; Sup. Amdt. No. 5; Dated, 22 Jan. 66

CANCELED, EFFECTIVE FEB. 12, 1966.

City, New York; State, N.Y.; Airport name, John F. Kennedy International; Elev., 12'; Fac. Class., II-VORTAC; Ident., JFK; Procedure No. TerVOR-R-064, Amdt. 5; Eff. date, 18 Dec. 65; Sup. Amdt. No. TerVOR 25, 4; Dated, 2 Apr. 64

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

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Peabody fan marker.....	10-mile DME Fix, BOS, R 328°.....	10-mile DME ARC.	2000	T-dn%.....	300-1	300-1	200-1/2
Boston VORTAC 10-mile DME Fix, R 238° or 271°.....	10-mile DME Fix, BOS, R 328°.....	10-mile DME ARC.	2300	C-dn#.....	600-1	600-1	600-1 1/2
10-mile DME Fix, BOS, R 328°.....	6-mile DME Fix, BOS, R 328°.....	Direct.....	1500	A-dn.....	800-2	800-2	800-2
6-mile DME Fix, BOS, R 238°.....	4-mile DME Fix, BOS, R 328°.....	Direct.....	1000				
4-mile DME Fix, R 328°.....	3-mile DME Fix, R 328° (final).....	Direct.....	800				

Radar available.

Procedure turn not authorized.

Minimum altitude over 6-mile DME Fix, BOS, R 328°—1500'; 4-mile DME Fix, BOS, R 328°—1000'; 3-mile DME Fix, 800'.

Minimum altitude over facility on final approach crs, 619'.

Facility on airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing BOS VOR, make left-climbing turn to 2000' direct Skipper Int. Hold E of Skipper Int, 1-minute right turns, 279° Inbnd or, when directed by ATC, make right-climbing turn to 2000' direct Cohasset Int. Hold SE of Cohasset Int, 1-minute right turns, 328° Inbnd.

CAUTION: 370' stack, 1 mile SW of airport; 605' building, 1.7 miles W of airport; 845' building and antenna, 3.1 miles W of airport; 1349' antenna, 10.5 miles W of airport.

%Departures from Runway 27: Make left turn to heading, 260° as soon as practicable after takeoff.

#No circling W of airport authorized from centerline extended Runway 4L to centerline extended Runway 15 when ceiling is less than 800'.

MSA within 25 miles of facility: 000°-180°-2000'; 180°-360°-2500'.

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19'; Fac. Class., BVORTAC; Ident., BOS; Procedure No., VOR/DME No. 1, Amdt. 3; Eff. date, 12 Feb. 66; Sup. Amdt. No. 2; Dated, 22 Jan. 66

8-mile Fix, R 123°.....	OTM VOR.....	Direct.....	2400	T-dn.....	300-1	300-1	200-1/2
OTM VOR.....	4-mile Fix, R 303°.....	Direct.....	1500	C-dn.....	400-1	500-1	500-1 1/2
				S-dn-32.....	400-1	400-1	400-1
				A-dn.....	800-2	500-2	800-2

Procedure turn N side of crs, 123° Outbnd, 303° Inbnd, 2600' within 10 miles.

Minimum altitude over facility on final approach crs, 2400'; over 4-mile DME Fix, 1500'.

Crs and distance, facility to airport, 303°—4.7 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 6.7-mile DME Fix, R 303°, make right turn climbing to 2600' and return to OTM VOR.

NOTE: When authorized by ATC, OTM VORTAC DME may be used via 8-mile DME Arc at 2600' altitude between OTM, R 015° clockwise to R 140° to position aircraft for final approach with the elimination of procedure turn.

MSA within 25 miles of facility: 000°-360°—2300'.

City, Ottumwa; State, Iowa; Airport name, Ottumwa Industrial; Elev., 845'; Fac. Class., BVORTAC; Ident., OTM; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 12 Feb. 66; Sup. Amdt. No. Orig.; Dated, 29 Feb. 64

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

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Allentown VOR.....	LOM.....	Direct.....	2400	T-dn.....	300-1	300-1	200-1/2
East Penn Int.....	LOM.....	Direct.....	2600	C-dn.....	500-1	500-1	500-1 1/2
Coopersburg Int.....	LOM.....	Direct.....	2500	S-dn-6°.....	200-1/2	200-1/2	200-1/2
East Texas VOR.....	LOM.....	Direct.....	2400	A-dn.....	600-2	600-2	600-2
Pottstown VOR.....	Shamrock Int.....	Via R 360°, PTW VOR.	2400				
Shamrock Int.....	LOM (final).....	Direct.....	2400				

Procedure turn N side crs, 241° Outbnd, 061° Inbnd, 2400' within 10 miles of LOM. (Nonstandard for better signal coverage.)

Minimum altitude at glide slope interception Inbnd, 2400'.

Altitude of glide slope and distance to approach end of runway at OM, 2300'—6.1 miles; at MM, 600'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.1 miles after passing LOM, climb straight ahead to 1500' or above on localizer NE crs to intercept ABE, R 115°, make right turn, proceed via ABE, R 115° to Belfast Int climbing to 3000'. Hold SE, 1-minute right turns, 285° Inbnd.

Other change: Deletes transition from Allentown LFR.

*500-1 required with glide slope inoperative.

City, Allentown; State, Pa.; Airport name, Allentown-Bethlehem-Easton; Elev., 388'; Fac. Class., ILS; Ident., I-ABE; Procedure No. ILS-6, Amdt. 6; Eff. date, 12 Feb. 66; Sup. Amdt. No. 5; Dated, 14 July 62

RULES AND REGULATIONS

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Ierndon VOR	LOM	Direct	2000	T-dn*	300-1	300-1	200-1/4
Potomac Int	LOM	Direct	2000	C-dn, 15, 15, 21, 3	700-1	700-1	700-1/4
Nottingham VOR	LOM	Direct	2000	C-dn-33#	500-1	500-1	500-1/4
Ironsides Int	LOM	Direct	1500	S-dn-36*	\$200-1/4	\$200-1/4	\$200-1/4
				A-dn	700-2	700-2	700-2

Radar available.

Procedure turn W side S crs, 183° Outbnd, 008° Inbnd, 1500' within 10 miles of OM.

Minimum altitude at glide slope interception Inbnd, 1400'.

Altitude of glide slope and distance to approach end of runway at OM, 1397'—4.6 miles; at MM, 209'—0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles from LOM, make climbing turn to left as soon as practicable and climb to 2000', proceed to Georgetown MHW. Hold NW CTN on bearing, 144°, 1-minute right turns.

NOTE: After interception of localizer crs, Inbnd, descent on glide slope to cross outer marker at 1397' on final is authorized.

CAUTION: Washington Monument, 596'—1.6 miles N of airport; 193' stack, 1.3 miles SW of airport; 316' stack, 1.6 miles E of airport.

Other change: Deletes transitions from Andrews LFR.

*RVR 2000' authorized for 4-engine turbojet; RVR 1800' authorized all other aircraft Runway 36.

Descent below 215' not authorized unless approach lights visible.

\$500-1 required when glide slope not utilized.

#Circling to Runway 33 not authorized beyond the DCA VOR, R 157°.

City, Washington, D.C.; Airport name, National; Elev., 15'; Fac. Class., ILS; Ident., I-DCA; Procedure No. ILS-36, Amdt. 18; Eff. date, 12 Feb. 66; Sup. Amdt. No. 17; Dated, 16 May 64

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

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Radar terminal area maneuvering sectors and altitudes				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
300	180	Within 25 miles	2000	Surveillance approach			
180	300	15 miles	1600				
180	300	15-25 miles	2700				
				T-dn	300-1	300-1	200-1/4
				C-dn	500-1	500-1	500-1/4
				S-dn-5, 23, 13*#	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

All bearings and distances are from radar site on Robins Air Force Base with sector azimuths progressing clockwise.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runway 5: Climb to 2200' on R 053° of MCN VOR within 20 miles. Runway 23: Climb to 2000' on R 227° of MCN VOR within 20 miles. Runway 13: Turn right, climb to 2000' on R 227° of MCN VOR within 20 miles.

NOTE: Radar control must provide 1000' vertical clearance within a 3-mile radius of 751' tower, 5.5 miles S and 1200' tower, 5.5 miles NE of airport.

*Reduction below 3/4 mile not authorized.

#Radar control will not descend aircraft below 2000' on final to Runway 23 until past 1204' tower.

City, Macon; State, Ga.; Airport name, Macon Municipal; Elev., 354'; Fac. Class. and Ident., Macon Radar; Procedure No. 1, Amdt. 4; Eff. date, 12 Feb. 66; Sup. Amdt. No. 3 Dated, 25 Dec. 65

These procedures shall become effective on the dates specified therein.

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

Issued in Washington, D.C., on January 6, 1966.

C. W. WALKER,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-1478; Filed, Feb. 9, 1966; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 319—FOREIGN QUARANTINE NOTICES

Subpart—Fruits and Vegetables

METHOD OF TREATMENT OF OKRA FROM MEXICO

Pursuant to the authority conferred by § 319.56-2 of the regulations (7 CFR 319.56-2) supplemental to the Fruit and Vegetable Quarantine (Notice of Quarantine No. 56, 7 CFR 319.56), under sections 5 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 159, 162), and section 106 of the Federal Plant Pest Act (7 U.S.C. 150ee), administrative instructions appearing as 7 CFR 319.56-2k are hereby amended to read as follows:

§ 319.56-2k Okra from Mexico.

(a) *Administrative instructions prescribing method of treatment of okra from Mexico.* Fumigation with methyl bromide at normal atmospheric pressure, in accordance with the following procedure, is hereby prescribed as an alternate condition of importation under permit under § 319.56-2 for all shipments of okra from Mexico, except okra that is shipped in accordance with paragraph (b) of this section.

(1) *Approval of fumigation room.* The fumigation shall consist of fumigation with methyl bromide at normal atmospheric pressure, in a fumigation room which has been approved for that purpose by the Plant Quarantine Division. The Plant Quarantine Division will approve only those fumigation rooms that are properly constructed and adequately equipped to handle and treat okra, and are located, either within the United States or Mexico, within the practicable supervisory range of a port of entry where inspectors are stationed and where the required supervision can be accomplished without encroaching upon normal port inspection assignments.

(2) *Fumigation schedule.* Such fumigation shall be in accordance with the following fumigation schedule:

Temperature (° F.)	Dosage (pounds of methyl bromide per 1,000 cubic feet)	Exposure period (hours)
90	1.0	2
80	1.5	2
70	2.0	2
60	2.5	2
50	3.0	2
40	3.5	2

(3) *Fumigation procedure.* Okra to be fumigated may be packed in slatted crates or other gas-permeable containers. The fumigation room shall not be loaded to more than two-thirds of its capacity. The containers may be stacked one on

top of another, but a 3- to 4-inch space must be provided between each container throughout the load. Good air circulation above and below the load shall be provided as soon as the okra is loaded and must be continued during the full period of fumigation and until the okra has been removed to a well-ventilated location. Strong blasts of air should not be directed against the okra. Fumigation at temperatures in excess of 90° F. may result in injury to okra and should be avoided if possible.

(4) *Supervision of fumigation.* (1) An inspector of the Plant Quarantine Division will supervise the fumigation of okra and will specify such safeguards as may be necessary for the handling and transportation of the okra before and subsequent to fumigation, if, in the opinion of the inspector this is necessary to assure that there will be no pest risk associated with the importation and treatment. The final release of the okra for entry into the United States will be conditioned upon compliance with the specified safeguards.

(2) Supervision of approved fumigation rooms will, if practicable, be carried on as a part of normal port inspection activities and when so available will be furnished without cost to the owner of the okra or his representative.

(5) *Costs.* All costs of constructing, maintaining, and operating fumigation plants and facilities, and carrying out the specified pretreatment and post-treatment safeguards shall be borne by the owner of the okra or his representative. Where normal inspection activities preclude the furnishing of supervision during regularly assigned hours of duty, supervision will be furnished on a reimbursable overtime basis and the owner of the okra or his representative will be charged in accordance with §§ 354.1 and 354.2 of this chapter.

(6) *Department not responsible for damage.* While the prescribed treatment is judged from experimental tests to be safe for use with okra, the Department assumes no responsibility for any damage sustained through or in the course of treatment or because of pretreatment or posttreatment safeguards. There has not been an opportunity to test these treatments under all conditions or on all okra varieties or on okra from all areas involved.

(b) *Interpretation re importation of okra from Mexico.* (1) Edible okra produced in Mexico any time during the year and destined to the generally infested pink bollworm regulated area designated in § 301.52-2a of this chapter may enter under permit and subject to inspection at the port of entry, but is exempted from the fumigation requirements.

(2) Edible okra produced in Mexico during the period December 1 to May 31, inclusive, and destined to any part of the United States may enter under permit and subject to inspection at the port of entry, but is exempted from the

fumigation requirements, except that any such edible okra produced after April 30 and consigned to California or Nevada is not exempted from the fumigation requirements.

(3) Edible okra produced in Mexico during the period June 1 to November 30, inclusive, moving to the States and parts thereof specified in § 301.52a(h) of this chapter, may enter the United States under permit and subject to inspection at port of entry, but is exempted from the fumigation requirements.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150ee. Interprets or applies sec. 5, 37 Stat. 316; 7 U.S.C. 159. 29 F.R. 16210, as amended, 30 F.R. 5801, 7 CFR 319.56-2)

These administrative instructions shall become effective February 10, 1966, when they shall supersede the instructions effective January 26, 1957, as amended February 21, 1963, 7 CFR 319.56-2k.

The purpose of this amendment is to authorize the entry into the United States under permit and subject to inspection, but without mandatory fumigation, of edible okra from Mexico (1) produced at any time during the year and destined to the generally infested pink bollworm regulated area in the States of Arizona, New Mexico, Oklahoma, and Texas; or (2) produced during the period from December 1 to May 31, inclusive, and destined to any part of the United States, except that said fumigation requirements apply to such okra produced during the month of May when it is consigned to California or Nevada; or (3) produced during the period from June 1 to November 30, inclusive, and destined to certain northern States and parts thereof designated in 7 CFR 301.52a(h).

Edible okra imported from Mexico into the generally infested pink bollworm regulated area would have to comply with the domestic pink bollworm quarantine and regulations (7 CFR 301.52 and 301.52-1 et seq.) before it could be moved from said regulated area.

Inasmuch as this amendment relieves certain restrictions concerning the fumigation of okra produced in Mexico, it should be made effective promptly in order to be of maximum benefit to persons desiring to import such okra. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to this amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 7th day of February 1966.

[SEAL] R. J. ANDERSON,
Deputy Administrator,
Agricultural Research Service.

[F.R. Doc. 66-1472; Filed, Feb. 9, 1966; 8:49 a.m.]

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

SUBCHAPTER B—FARM ACREAGE ALLOTMENTS AND MARKETING QUOTAS

[Amdt. 3]

PART 718—DETERMINATION OF ACREAGE AND COMPLIANCE

Determination of Crop and Land Use Acreages

(1) *Basis and purpose.* This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301 et seq.), the Agricultural Act of 1949, as amended (7 U.S.C. 1441 et seq.), the Sugar Act of 1948, as amended (7 U.S.C. 1100 et seq.), the Soil Bank Act (7 U.S.C. 1801 et seq.), the Food and Agriculture Act of 1962 (Public Law 87-703, approved September 27, 1962, and Public Law 87-801, approved October 11, 1962), the Feed Grain Act of 1963 (Public Law 88-26, approved May 20, 1963), the Agricultural Act of 1964 (Public Law 88-297, approved April 11, 1964), and the Food and Agriculture Act of 1965 (Public Law 89-321, approved November 3, 1965). This amendment is issued for the purpose of providing a uniform rule for determining acreages of crops (other than tobacco or sugarcane) which are planted in a skip-row pattern. Notice of proposed changes in the rule for determining acreages of skip-row planted cotton was given in accordance with the Administrative Procedure Act (5 U.S.C. 1003) and published in the FEDERAL REGISTER of April 22, 1965 (30 F.R. 5708). Data, views, and comments were received from interested persons and were given due consideration. The amendment adopted herein varies in certain respects from the proposed changes published in the notice of April 22, 1965, and is also expanded to include other crops (except tobacco and sugarcane), and will provide a uniform method of computing acreages of areas which are skip-row planted to such crops. It also provides for State committee establishment of a range of row widths for crops planted in skip-row patterns, within which a uniform percentage will be used to compute the pro rata share of the acreage to be charged to a crop when the crop is planted in a commonly used skip-row pattern.

(2) Section 718.5(e) of the regulations for Determination of Acreage and Compliance (30 F.R. 7427) is amended by deleting subparagraph (4); and is further amended by amending subparagraphs (1) and (2) to read as follows:

§ 718.5 Determination of crop and land use acreages.

(e) *Acreage devoted to a crop or land use—(1) General.* The acreage of a crop or land use shall be the acreage devoted to the crop or land use except as otherwise provided in subparagraphs (2) and (3) of this paragraph (e) and paragraphs (f) and (g) of this section. In

determining the acreage of any row crop, measurements shall extend beyond the planted area to a point equal to one-half the distance between the rows or 2 links, whichever is larger. Deviations from prescribed width requirements which are attributable to variations which are normal to the operation of mechanical equipment shall not serve to disqualify a planting pattern or a deductible strip.

(2) *Row crops other than tobacco and sugarcane—(1) Alternate rows or strips of rows.—(a) Distance between strips of crop at least four normal row widths.* When the crop being measured is planted in strips of two or more rows alternating with strips of idle land, another crop, or a combination thereof, and the distance between strips of the crop being measured is as wide as four normal rows of the crop, only the area occupied by the crop shall be considered as devoted to the crop.

(b) *Distance between strips of crop less than four normal row widths.* When the crop being measured is planted in strips of one or more rows alternating with another land use and the distance between the strips of the crop is not as wide as four normal rows of the crop, and the crop is: (1) *Planted in strips of rows alternating with idle land.* When the distance (plant row to plant row) between strips of the crop being measured is: (i) *Not more than 63 inches,* the entire area shall be considered as devoted to the crop. (ii) *More than 63 inches,* 32 inches beyond the strips of the crop shall be considered as being devoted to the crop. Notwithstanding the provisions of this subitem (1) the State committee shall establish a range of row widths which are common in the State for each crop of which a substantial acreage is planted in skip-row patterns. The minimum row widths within such range of row widths shall be not less than 32 inches, except for crops for which a normal row width of less than 32 inches has been approved by the Deputy Administrator. For row widths within the range established, uniform percentages shall be used to compute the pro rata share of the total area devoted to the crop and skip-rows which shall be considered as devoted to the crop being measured when such crop is planted in a commonly used skip-row pattern as set forth in the following subitems (i) through (iv). When the crop is planted in row widths falling within the range established, and the planting pattern is: (A) Two rows crop, one row skip; charge 86 $\frac{2}{3}$ percent of the area to the crop; (B) Two rows crop, two rows skip; charge 65 percent of the area to the crop; (C) Three rows crop, one row skip; charge 90 percent of the area to the crop; (D) Four rows crop, two rows skip; charge 76 $\frac{2}{3}$ percent to the crop. When the crop is planted in a pattern other than specified in the immediately preceding subitems (i) through (iv), consider 32 inches beyond the strip of the crop as devoted to such crop.

(2) *Planted in rows or strips of rows alternating with another crop.* When the distance (plant row to plant row)

between the strips of the crop being measured is: (i) *Not more than 63 inches,* consider the entire area as devoted to the crop being measured. (ii) *More than 63 inches,* consider half the distance between the crops, not to exceed 32 inches, as devoted to the crop being measured. Notwithstanding the provisions of this subitem (ii), if the crop alternating with the crop being measured does not have substantially the same growing season, or is not cared for in a workmanlike manner, consider the crop being measured as alternating with idle land.

(ii) *Single wide rows.* When the crop being measured is planted in single wide rows, and the distance between the rows is: (a) *Not more than 63 inches,* consider the entire area as devoted to the crop. (b) *More than 63 inches,* consider 32 inches beyond the row as devoted to the crop.

Effective date. Since notice of the proposed rule with respect to cotton has already been given, and since farmers are now planning 1966 plantings, it is imperative to issue this amendment as soon as possible. Accordingly, it is hereby determined that compliance with the notice, public procedure, and effective date provisions of the Administrative Procedure Act (5 U.S.C. 1003) is impracticable and contrary to the public interest. This amendment will become effective, with respect to crops planted for harvest in 1966 and subsequent years, upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on February 7, 1966.

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

[F.R. Doc. 66-1473; Filed, Feb. 9, 1966; 8:49 a.m.]

PART 724—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, CIGAR-BINDER (TYPES 51 AND 52), AND CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54, AND 55), AND MARYLAND TOBACCO

Subpart—Determination and Announcement of 1966 National Yield Factor for Burley Tobacco on an Acreage-Poundage Marketing Quota Program

§ 724.35t Basis and purpose.

(a) Pursuant to section 317 of the Agricultural Adjustment Act of 1938, as amended, a 1966 national yield factor for burley tobacco of 0.9771 was determined by (1) dividing 106.3 percent of the total product of 1965 burley tobacco acreage allotments, prior to reduction for program violation, for 1966 old farms multiplied by the respective preliminary farm yields for such farms, or 639,774,200 pounds, by the national acreage allotment of 304,878.05 acres to obtain a

weighted national average yield of 2,098 pounds, and (2) dividing the national average yield goal of 2,050 pounds by the weighted national average yield of 2,098 pounds.

(b) Since burley tobacco farmers vote in a special referendum on March 10, 1966, on whether they favor or oppose the establishment of marketing quotas on an acreage-poundage basis, as provided in section 317 of the Act, for the marketing years beginning October 1, 1966, October 1, 1967, and October 1, 1968 (31 F.R. 1259), and since section 317 of the Act requires the mailing of notices of farm marketing quotas to farm operators at least 15 days prior to the date of the special referendum, it is hereby found and determined that compliance with the effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, this determination and announcement shall be effective upon filing of this document with the Director, Office of the Federal Register.

(c) Prior to making the determination herein, notice was given (30 F.R. 13231) in accordance with the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003). No data, views, or recommendations were received pursuant to such notice.

§ 724.35u Determination and announcement of 1966 national yield factor for burley tobacco.

The national yield factor for burley tobacco for the marketing year beginning October 1, 1966, is determined and announced as 0.9771.

(Secs. 301, 313, 317, 375, 52 Stat. 38, 47, 66, as amended, 79 Stat. 66; 7 U.S.C. 1301, 1313, 1314c, 1375)

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

Signed at Washington, D.C., on February 4, 1966.

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

[F.R. Doc. 66-1443; Filed, Feb. 9, 1966; 8:46 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 78—BRUCELLOSIS

Subpart D—Designation of Modified Certified Brucellosis Areas, Public Stockyards, Specifically Approved Stockyards and Slaughtering Establishments

MODIFIED CERTIFIED BRUCELLOSIS AREAS

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code

of Federal Regulations, containing restrictions on the interstate movement of animals because of brucellosis, under sections 4, 5, and 13 of the Act of May 29, 1884, as amended; sections 1 and 2 of the Act of February 2, 1903, as amended; and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.13 of said regulations designating modified certified brucellosis areas is hereby amended to read as follows:

§ 78.13 Modified certified brucellosis areas.

The following States, or specified portions thereof, are hereby designated as modified certified brucellosis areas:

Alabama. Autauga, Baldwin, Barbour, Bibb, Blount, Bullock, Butler, Calhoun, Chambers, Cherokee, Chilton, Choctaw, Clarke, Clay, Cleburne, Coffee, Colbert, Conecuh, Coosa, Covington, Crenshaw, Cullman, Dale, De Kalb, Elmore, Escambia, Etowah, Fayette, Franklin, Geneva, Hale, Henry, Houston, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Lee, Limestone, Macon, Madison, Marion, Marshall, Mobile, Monroe, Montgomery, Morgan, Pickens, Pike, Randolph, Russell, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, Walker, Washington, and Winston Counties;

Arizona. The entire State;
Arkansas. The entire State;
California. The entire State;

Colorado. Alamosa, Arapahoe, Archuleta, Baca, Chaffee, Clear Creek, Conejos, Costilla, Crowley, Custer, Delta, Denver, Dolores, Eagle, Elbert, El Paso, Fremont, Garfield, Gilpin, Gunnison, Hinsdale, Huerfano, Jefferson, Kiowa, Kit Carson, Lake, La Plata, Las Animas, Lincoln, Logan, Mesa, Mineral, Moffat, Montezuma, Montrose, Morgan, Otero, Ouray, Park, Phillips, Pitkin, Prowers, Pueblo, Rio Grande, Saguache, San Juan, San Miguel, Sedgwick, Teller, Washington, Weld, and Yuma Counties; and Southern Ute Indian Reservation and Ute Mountain Ute Indian Reservation;

Connecticut. The entire State;
Delaware. The entire State;

Florida. Baker, Bay, Bradford, Calhoun, Columbia, Dixie, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Nassau, Okaloosa, Santa Rosa, Suwannee, Taylor, Union, Wakulla, Walton, and Washington Counties;

Georgia. The entire State;
Hawaii. Honolulu and Kauai Counties;

Idaho. The entire State;
Illinois. The entire State;

Indiana. The entire State;
Iowa. The entire State;

Kansas. The entire State;
Kentucky. The entire State;

Louisiana. Ascension, Assumption, Bienville, Claiborne, Jackson, Jefferson, St. Helena, St. James, St. John the Baptist, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Union, Washington, Webster, and West Baton Rouge Parishes;

Maine. The entire State;
Maryland. The entire State;

Massachusetts. The entire State;
Michigan. The entire State;

Minnesota. The entire State;
Mississippi. Alcorn, Amite, Attala, Benton, Chickasaw, Choctaw, Clay, Covington, De Soto, Forrest, Franklin, George, Greene, Grenada, Hancock, Harrison, Itawamba, Jackson, Jasper, Jefferson, Jefferson Davis, Jones, Lamar, Lauderdale, Lawrence, Leake, Lee, Lincoln, Lowndes, Marion, Monroe, Neshoba, Newton, Oktibbeha, Pearl River, Perry, Pike, Pontotoc, Prentiss, Simpson,

Smith, Stone, Tallahatchie, Tippah, Tishomingo, Union, Walthall, Webster, Winston, and Yalobusha Counties;

Missouri. The entire State;
Montana. The entire State;

Nebraska. Adams, Antelope, Banner, Boone, Buffalo, Burt, Butler, Cass, Cedar, Chase, Cheyenne, Clay, Colfax, Cuming, Dakota, Dawson, Deuel, Dixon, Dodge, Douglas, Dundy, Fillmore, Franklin, Frontier, Furnas, Gage, Gosper, Greeley, Hall, Hamilton, Harlan, Hayes, Hitchcock, Howard, Jefferson, Johnson, Kearney, Kimball, Knox, Lancaster, Madison, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Perkins, Phelps, Pierce, Platte, Polk, Red Willow, Richardson, Saline, Sarpy, Saunders, Seward, Sherman, Stanton, Thayer, Thurston, Washington, Wayne, Webster, and York Counties;

Nevada. The entire State;
New Hampshire. The entire State;

New Jersey. The entire State;
New Mexico. The entire State;

New York. The entire State;
North Carolina. The entire State;

North Dakota. The entire State;
Ohio. The entire State;

Oklahoma. Adair, Atoka, Canadian, Choctaw, Cimarron, Delaware, Garfield, Grant, Haskell, Kingfisher, Latimer, McCurtain, McIntosh, Mayes, Noble, Nowata, Okfuskee, Ottawa, Payne, Pushmataha, Texas, and Woods Counties;

Oregon. The entire State;

Pennsylvania. The entire State;
Rhode Island. The entire State;

South Carolina. The entire State;
South Dakota. Beadle, Brookings, Brown, Buffalo, Butte, Campbell, Clark, Clay, Cod-

ington, Custer, Day, Deuel, Edmunds, Faulk, Grant, Hamlin, Hand, Hanson, Harding, Jerauld, Lake, Lawrence, Lincoln, McCook, McPherson, Marshall, Miner, Minnehaha, Moody, Perkins, Roberts, Sanborn, Spink, Turner, Union, Walworth, Yankton, and Ziebach Counties; and Crow Creek Indian Reservation;

Tennessee. The entire State;

Texas. Andrews, Armstrong, Bailey, Bandera, Baylor, Bell, Bexar, Blanco, Borden, Bosque, Brewster, Briscoe, Brown, Burnet, Caldwell, Callahan, Cameron, Carson, Castro, Childress, Cochran, Coke, Coleman, Collingsworth, Comal, Comanche, Concho, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Dickens, Donley, Duval, Eastland, Ector, Edwards, El Paso, Erath, Fisher, Floyd, Gaines, Garza, Gillespie, Glasscock, Gray, Guadalupe, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hays, Hidalgo, Hockley, Howard, Hudspeth, Hutchinson, Irion, Jeff Davis, Jim Wells, Jones, Karnes, Kendall, Kent, Kerr, Kimble, King, Kinney, Knox, Lamb, Lampasas, Lee, Lipscomb, Live Oak, Llano, Loving, Lubbock, Lynn, McCulloch, Martin, Mason, Medina, Menard, Midland, Mills, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Parker, Parmer, Pecos, Potter, Presidio, Randall, Reagan, Real, Reeves, Runnels, San Saba, Schleicher, Scurry, Shackelford, Sherman, Somervell, Stephens, Sterling, Stonewall, Sutton, Swisher, Taylor, Terrell, Terry, Throckmorton, Tom Green, Travis, Upton, Uvalde, Val Verde, Ward, Wheeler, Williamson, Winkler, Yoakum, and Young Counties;

Utah. The entire State;

Vermont. The entire State;
Virginia. The entire State;

Washington. The entire State;
West Virginia. The entire State;

Wisconsin. The entire State;

Wyoming. Albany, Big Horn, Campbell, Carbon, Converse, Crook, Fremont, Goshen, Hot Springs, Laramie, Lincoln, Natrona, Niobrara, Park, Platte, Sublette, Sweetwater, Teton, Uinta, Washakie, and Weston Counties;

Puerto Rico. The entire area; and **Virgin Islands of the United States.** The entire area.

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 2, 65 Stat. 693; 21 U.S.C. 111-113, 114a-1, 120, 121, 125; 29 F.R. 16210, as amended; 9 CFR 78.16)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The amendment adds the following additional areas to the list of areas designated as modified certified brucellosis areas because it has been determined that such areas come within the definition of § 78.1(d): Arapahoe, Elbert, El Paso, and Park Counties in Colorado; Cerro Gordo, Chickasaw, Clarke, Dallas, Davis, Hardin, Henry, Jasper, Jefferson, Johnson, Jones, Linn, Madison, Mahaska, Montgomery, Muscatine, Pottawattamie, Poweshiek, Ringgold, and Wayne Counties in Iowa; Grenada, and Lauderdale Counties in Mississippi; Woods County in Oklahoma; and Bosque, Duval, Erath, Parker, Potter, and Williamson Counties in Texas.

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and it should be made effective promptly in order to accomplish its purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 27th day of January 1966.

R. E. OMOHUNDRO,
Acting Director, Animal Health
Division, Agricultural Research Service.

[F.R. Doc. 66-1442; Filed, Feb. 9, 1966; 8:46 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 34-7804]

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

Proxy Rules

The Securities and Exchange Commission has adopted an amended Item 7(f) of Schedule 14A (17 CFR 240.14a-101) of Regulation 14A under the Securities Exchange Act of 1934. That regulation contains the rules regarding the solicitation of proxies, authorizations, or consents with respect to securities registered pursuant to section 12 of that Act. The proposed amendments to Item 7(f) were

published December 7, 1964, in Securities Exchange Act Release No. 7481 together with certain other amendments to the proxy rules (see 29 F.R. 18386). The other amendments were adopted December 22, 1965, in Securities Exchange Act Release No. 7775 (see 31 F.R. 211). At that time, the Commission stated that the proposed amendments to Item 7(f) were being given separate consideration.

Item 7(f) as previously in effect called for a description of any material interest, direct or indirect, of directors, officers, nominees for election as directors, and certain other specified persons in material transactions with the issuer or its subsidiaries. The amended item requires disclosure with respect to any transaction with the issuer or its subsidiaries in which such persons have a material interest. Thus, the requirement that the transaction be material has been eliminated. The instructions provide, however, that where the amount involved in any such transaction or series of similar transactions does not exceed \$30,000 the transactions need not be given with respect to certain other transactions even though the amount involved therein may exceed \$30,000.

The amended item will also apply to information statements sent to security holders pursuant to section 14(c) of the Act, since Regulation 14C (17 CFR 240.14c-1 et seq.) governing the content of such statements incorporates by reference most of the items of Schedule 14A. It is contemplated that changes similar to those made in the amended item will, in due course, be made in the corresponding requirements of the registration and reporting forms under both the Securities Act of 1933 and the Securities Exchange Act of 1934.

The Commission intends to observe the operation of the amended item and will consider further amendments to the item if that should appear to be necessary.

Commission action. The Securities and Exchange Commission acting pursuant to the Securities Exchange Act of 1934, particularly sections 14(a), 14(c), and 23(a) thereof, hereby amends § 240.14a-101 of Title 17 of the Code of Federal Regulations by revising paragraph (f) of Item 7 thereof to read as set forth below.

§ 240.14a-101 Schedule 14A. Information required in proxy statement.

Item 7. Remuneration and other transactions with management and others. * * *

(f) Describe briefly any transactions since the beginning of the issuer's last fiscal year or any presently proposed transactions, to which the issuer or any of its subsidiaries was or is to be a party, in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relationship to the issuer, the nature of his interest in the transaction and, where practicable, the amount of such interest:

- (1) Any director or officer of the issuer;
- (2) Any nominee for election as a director;
- (3) Any security holder named in answer to Item 5(d); or

(4) Any relative or spouse of any of the foregoing persons, or any relative of such spouse, who has the same home as such person or who is a director or officer of any parent or subsidiary of the issuer.

Instructions. 1. This Item 7(f) applies to any person who held any of the positions or relationships specified at any time during the period specified. However, information need not be given for any portion of the period during which such person did not hold any such position or relationship.

2. No information need be given in answer to this Item 7(f) as to any remuneration or other transaction reported in response to Item 7 (a), (b), (c), (d), or (e).

3. No information need be given in answer to this Item 7(f) as to any transaction where—

(a) The rates or charges involved in the transaction are determined by competitive bids, or the transaction involves the rendering of services as a common or contract carrier, or public utility, at rates or charges fixed in conformity with law or governmental authority;

(b) The transaction involves services as a bank depository of funds, transfer agent, registrar, trustee under a trust indenture, or similar services;

(c) The amount involved in the transaction or a series of similar transactions, including all periodic installments in the case of any lease or other agreement providing for periodic payments or installments, does not exceed \$30,000; or

(d) The interest of the specified person arises solely from the ownership of securities of the issuer and the specified person receives no extra or special benefit not shared on a pro rata basis by all holders of securities of the class.

4. It should be noted that this item calls for disclosure of indirect, as well as direct, material interests in transactions. A person who has a position or relationship with a firm, corporation, or other entity, which engages in a transaction with the issuer or its subsidiaries may have an indirect interest in such transaction by reason of such position or relationship. However, a person shall be deemed not to have a material indirect interest in a transaction within the meaning of this Item 7(f) where—

(a) The interest arises only (i) from such person's position as a director of another corporation or organization (other than a partnership) which is a party to the transaction, or (ii) from the direct or indirect ownership by such person and all other persons specified in subparagraphs (1) through (4) above, in the aggregate, of less than a 10 percent equity interest in another person which is a party to the transaction, or (iii) from both such position and ownership;

(b) The interest of such person arises solely from an interest in another person which is a party to the transaction with the issuer or any of its subsidiaries and the transaction is not material to such other person; or

(c) The amount involved in the transaction or a series of similar transactions, including all periodic installments in the case of any lease or other agreement providing for periodic payments or installments, does not exceed \$30,000.

5. The amount of the interest of any specified person shall be computed without regard to the amount of the profit or loss involved in the transaction. Where it is not practicable to state the approximate amount of the interest, the approximate amount involved in the transaction shall be indicated.

6. In describing any transaction involving the purchase or sale of assets by or to the issuer or any of its subsidiaries, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser and, if

acquired by the seller within 2 years prior to the transaction, the cost thereof to the seller. (Secs. 14 and 23; 48 Stat. 895 and 901, as amended; 15 U.S.C. 78n and 78w)

Effective date. The foregoing amendment shall be applicable to any proxy statement initially filed pursuant to Rule 14a-6 (17 CFR 240.14a-6), or any information statement initially filed pursuant to Rule 14c-5 (17 CFR 240.14c-5), in preliminary form after February 28, 1966.

By the Commission, January 27, 1966.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-1438; Filed, Feb. 9, 1966; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter II—U.S. Tariff Commission

PART 200—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Pursuant to and in conformity with sections 201 through 209 of Title 18 of the United States Code, Executive Order 11222 of May 8, 1965 (30 F.R. 6469), and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Part 200 is added to Title 19 of the Code of Federal Regulations, reading as follows:

Subpart A—General Provisions

Sec.	Purpose.
200.735-101	Purpose.
200.735-102	Definitions.
200.735-103	Counseling service.
200.735-104	Disciplinary and other remedial action.

Subpart B—Provisions Governing Ethical and Other Conduct and Responsibilities of Employees

200.735-105	Gifts, entertainment and favors.
200.735-106	Outside employment.
200.735-107	Financial interests.
200.735-108	Use of Government property.
200.735-109	Misuse of information.
200.735-110	Indebtedness.
200.735-111	Gambling, betting, and lotteries.
200.735-112	General conduct prejudicial to the Government.
200.735-113	Miscellaneous statutory provisions.

Subpart C—Provisions Governing Statements of Employment and Financial Interests

200.735-114	Employees required to submit statements.
200.735-115	Forms.
200.735-116	Time and place for submission of employees' statements.
200.735-117	Supplementary statements.
200.735-118	Interests of employees' relatives.
200.735-119	Information not known by employees.
200.735-120	Information prohibited.
200.735-121	Confidentiality of employees' statements.
200.735-122	Special Government employees.
200.735-123	Effect of employees' and special Government employees' statements on other requirements.

AUTHORITY: The provisions of this Part 200 issued under E.O. 11222, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.101 et seq.

Subpart A—General Provisions

§ 200.735-101 Purpose.

The purpose of the regulations in this part is to maintain the highest standards of honesty, integrity, impartiality, and conduct on the part of all employees of the U.S. Tariff Commission and to maintain public confidence that the business of the Commission is being conducted in accordance with such standards.

§ 200.735-102 Definitions.

In this part:
(a) "Commission" means the U.S. Tariff Commission.

(b) "Commissioner" means a Commissioner of the U.S. Tariff Commission.

(c) "Employee" means a Commissioner, employee, or special Government employee of the Commission, but, for the purposes of §§ 200.735-114 to 200.735-123, inclusive, only, the term does not include a Commissioner or a special Government employee.

(d) "Executive order" means Executive Order 11222 of May 8, 1965.

(e) "Person" means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

(f) "Special Government employee" means a "special Government employee" as defined in section 202 of Title 18 of the United States Code who is employed by the Commission.

§ 200.735-103 Counseling service.

To provide advice and guidance to employees of the Commission with regard to the matters covered in this part, a Commissioner shall be designated by the Commission to be the Counselor on such matters and the Assistant General Counsel of the Commission shall be the Deputy Counselor. In the absence of the Assistant General Counsel, an employee designated by the Commission shall act as the Deputy Counselor.

(a) The duties of the Counselor shall consist of:

(1) Supervising the counseling services to be rendered to Commission employees with respect to the matters covered in this part; and

(2) Serving as the Commission's designee to the Civil Service Commission on such matters.

(b) The duties of the Deputy Counselor shall consist of:

(1) Reviewing each statement of employment and financial interests required to be submitted under this part;

(2) Counseling employees with a view to preventing any violation of the standards of conduct or requirements set forth in this part;

(3) Seeking to resolve any indicated conflict with the standards of conduct or requirements set forth in this part; and

(4) Reporting unresolved conflicts to the Commission, through the Counselor, for such action as the Commission may consider appropriate.

(c) The employee involved in any conflict or apparent conflict shall be given

an opportunity to explain such conflict or appearance of conflict.

§ 200.735-104 Disciplinary and other remedial action.

(a) An employee who violates any of the regulations in this part may be disciplined. The disciplinary action may be in addition to any other penalty prescribed by law for the violation. In addition to, or in lieu of, disciplinary action, remedial action to end conflicts or appearance of conflicts of interest may include, but is not limited to:

- (1) Changes in assigned duties;
- (2) Divestment by the employee of his conflicting interest; or
- (3) Disqualification for a particular assignment.

(b) Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive orders, and regulations.

Subpart B—Provisions Governing Ethical and Other Conduct and Responsibilities of Employees

§ 200.735-105 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, no employee may solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value from any person who:

(1) Has, or is seeking to obtain, contractual or other business or financial relations with the Commission;

(2) Conducts operations or activities that are being investigated by the Commission; or

(3) Has interests that may be substantially affected by the performance or nonperformance of the employee's official duty.

(b) The prohibitions set forth under paragraph (a) of this section shall not apply to:

(1) Solicitations or acceptances based on obvious family or personal relationships (such as those between parents, children, or spouse of the employee and the employee) when the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors;

(2) The acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on a field trip, where an employee may properly be in attendance;

(3) The acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans; and

(4) The acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other items of nominal value.

(c) An employee shall avoid any action, whether or not specifically prohibited by this section or any other section of this subpart, which might result in, or create the appearance of:

- (1) Using public office for private gain;
- (2) Giving preferential treatment to any person;
- (3) Impeding Government efficiency or economy;
- (4) Losing complete independence or impartiality;
- (5) Making a Government decision outside official channels; or
- (6) Affecting adversely the confidence of the public in the integrity of the Government.

(d) An employee shall not solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself. An employee shall not make a donation as a gift to an employee in a superior official position (5 U.S.C. 113).

(e) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 114-115a.

§ 200.735-106 Outside employment.

(a) An employee may engage in outside employment or other outside activity not incompatible with the full and proper discharge of the duties and responsibilities of his Government employment: *Provided*, That no Commissioner shall actively engage in any other business, vocation, or employment than that of serving as a Commissioner (19 U.S.C. 1330(c)). Incompatible activities include but are not limited to:

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, conflicts of interest; or

(2) Outside employment tending to impair the employee's capacity to perform his Government duties and responsibilities in an acceptable manner.

(b) An employee (except a special Government employee) shall not receive any salary or anything of monetary value from a private source as compensation for his services to the Government (18 U.S.C. 209).

(c) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, the Executive order, or this part. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the Commission gives authorization for the use of nonpublic information (other than information received in confidence) on the basis that the use is in the public interest and would not be in violation of law. In addition, Commissioners shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance

the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the Commission, or which draws substantially on official data or ideas which have not become part of the body of public information.

(d) An employee shall not engage in outside employment under a State or local government, except in accordance with Part 734 of Title 5 CFR when not otherwise prohibited by law.

(e) This section does not preclude an employee from:

(1) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this part for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment or other personal benefits.

(2) Participation in the activities of national or State political parties not proscribed by law.

(3) Participation in the affairs of, or acceptance of, an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

§ 200.735-107 Financial interests.

(a) An employee shall not:

(1) Have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his Government duties or responsibilities; or

(2) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his Government employment.

(b) This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government so long as it is not prohibited by law, the Executive order, or this part.

§ 200.735-108 Use of Government property.

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property, including equipment, supplies, and other property issued to him.

§ 200.735-109 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in § 200.735-106(c), directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public.

§ 200.735-110 Indebtedness.

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State or local taxes. For the purpose of this section a "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which the Commission determines does not, under the circumstances, reflect adversely on the Government as his employer. In the event of a dispute between an employee and an alleged creditor, the Commission shall make no determination of the validity or amount of the disputed debt.

§ 200.735-111 Gambling, betting, and lotteries.

An employee shall not participate, while on Government-owned or leased property or while on duty for the Government, in any gambling activity including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket. However, this section does not preclude activities:

(a) Necessitated by an employee's law enforcement duties; or

(b) Under section 3 of Executive Order 10927 and similar Commission-approved activities.

§ 200.735-112 General conduct prejudicial to the Government.

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

§ 200.735-113 Miscellaneous statutory provisions.

Each employee shall familiarize himself with each statute that relates to his ethical and other conduct as a Government employee, including the following statutes:

(a) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. B12, the "Code of Ethics for Government Service."

(b) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflicts of interest.

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(d) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

(e) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(f) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and (2) the disclosure of confidential information (18 U.S.C. 1905).

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

(h) The prohibition against the misuse of a Government vehicle (5 U.S.C. 78c).

(l) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(k) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(l) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(m) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(n) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(o) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(p) The prohibition against proscribed political activities—the Hatch Act (5 U.S.C. 1181), and 18 U.S.C. 602, 603, 607, and 608.

Subpart C—Provisions Governing Statements of Employment and Financial Interests

§ 200.735-114 Employees required to submit statements.

The following employees shall submit statements of employment and financial interests:

(a) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended.

(b) Employees in grade GS-15 or above of the General Schedule established by the Classification Act of 1949, as amended, or in comparable or higher positions not subject to that Act.

(c) Employees in the following positions:

- (1) General Counsel.
- (2) Assistant General Counsel.
- (3) Chief of the Technical Service.
- (4) Assistant Chief of the Technical Service.
- (5) Chief of the Economics Division.
- (6) The Secretary.
- (7) Director of Investigation.
- (8) Assistant to the Director of Investigation.
- (9) Special Industrial Advisor.
- (10) Director of Administration.
- (11) Chief of Accounting Division.
- (12) Chiefs of Commodity Divisions.
- (13) Special Advisor to the Commission for Trade Agreements.

(d) Any employee designated to exercise the authority of any position enumerated in paragraph (c) of this section in the absence of the employee in such position.

§ 200.735-115 Forms.

Statements required to be submitted by the provisions of this subpart shall be prepared on forms available from the Deputy Counselor.

§ 200.735-116 Time and place for submission of employees' statements.

(a) An employee required to submit such a statement shall submit it not later than:

(1) Ninety days after the effective date of the regulations in this part, if employed on or before that effective date; or

(2) Thirty days after his entrance on duty, but not earlier than ninety days after the effective date, if appointed after the effective date.

(b) Each such statement shall be submitted to the Office of the General Counsel of the Commission and shall be marked "Submitted in Confidence to the Deputy Counselor": *Provided*, That the statements of the General Counsel and Deputy Counselor shall be submitted directly to the Counselor.

§ 200.735-117 Supplementary statements.

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement at the end of the quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31. If no changes have occurred during a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement, negative or otherwise, is required as of June 30 each year.

§ 200.735-118 Interests of employees' relatives.

The interest of a spouse, minor child or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations who are residents of the employee's household.

§ 200.735-119 Information not known by employees.

If any information required to be included in a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

§ 200.735-120 Information prohibited.

An employee is not required to submit in a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from, or contracts with, the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

§ 200.735-121 Confidentiality of employees' statements.

Each statement of employment and financial interests, and each supplementary statement, shall be held in confidence. Information from a statement shall not be disclosed except as the Commission or the Civil Service Commission may determine for good cause shown.

§ 200.735-122 Special Government employees.

(a) Except as provided in paragraph (b) of this section, each special Government employee shall submit a statement of employment and financial interests which reports:

- (1) All of his employment; and
- (2) His financial interests and the financial interests of his spouse, minor child, or other member of his immediate household (as defined in § 200.735-118), which relate either directly or indirectly to his duties and responsibilities as a special Government employee.

(b) The Commission may waive the requirement in paragraph (a) of this section for the submission of a statement of employment and financial interests in the case of a special Government employee who is not a consultant or an expert when the Commission finds that the duties of the position held by that special Government employee are of a nature and at such a level of responsibility that the submission of the statement by the incumbent is not necessary to protect the integrity of the Government. For the purpose of this paragraph, "consultant" and "expert" have the meanings given those terms by Chapter 304 of the Federal Personnel Manual.

(c) A statement of employment and financial interests required to be submitted under this section shall be submitted as provided for employees in § 200.735-116. Each special Government employee shall keep his statement current throughout his employment with the Commission by the submission of supplementary statements.

§ 200.735-123 Effect of employees' and special Government employees' statements on other requirements.

The statements of employment and financial interests and supplementary statements required of employees and special Government employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee or special Government employee does not permit him or any other person to participate in a matter which his or the other person's participation in is prohibited by law, order, or regulation.

NOTE: This Part 200 was approved by the Civil Service Commission on January 20, 1966.

Effective date. This Part 200 shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] PAUL KAPLOWITZ,
Chairman,
United States Tariff Commission.

[F.R. Doc. 66-1446; Filed, Feb. 9, 1966; 8:46 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER C—EMPLOYMENT TAXES (T.D. 6876)

PART 31—EMPLOYMENT TAXES; APPLICABLE ON AND AFTER JANUARY 1, 1955

Regulations Relating to the Federal Insurance Contributions Act

In order to conform the Employment Tax Regulations (26 CFR Part 31) to section 220(c)(2) of the Revenue Act of 1964 (78 Stat. 62) and to section 103(r)(1) of the Social Security Amendments of 1960 (74 Stat. 940), relating to the taxes under the Federal Insurance Contributions Act, such regulations are amended as follows:

PARAGRAPH 1. Section 31.3121(a)(5) is amended by revising section 3121(a)(5) and by adding a historical note. These amended and added provisions read as follows:

§ 31.3121(a)(5) Statutory provisions; definitions; wages; payments from or to certain tax-exempt trusts, or under or to certain annuity plans or bond purchase plans.

Sec. 3121. *Definitions*—(a) *Wages*. For purposes of this chapter, the term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include—

(5) Any payment made to, or on behalf of, an employee or his beneficiary—

(A) From or to a trust described in section 401(a) which is exempt from tax under section 501(a) at the time of such payment unless such payment is made to an employee of the trust as remuneration for services rendered as such employee and not as a beneficiary of the trust,

(B) Under or to an annuity plan which, at the time of such payment, is a plan described in section 403(a), or

(C) Under or to a bond purchase plan which, at the time of such payment, is a qualified bond purchase plan described in section 405(a);

[Sec. 3121(a)(5) as amended by sec. 220(c)(2), Rev. Act 1964 (78 Stat. 62)]

PAR. 2. Section 31.3121(a)(5)-1 is amended to read as follows:

§ 31.3121(a)(5)-1 Payments from or to certain tax-exempt trusts, or under or to certain annuity plans or bond purchase plans.

(a) *Payments from or to certain tax-exempt trusts*. The term "wages" does not include any payment made—

(1) By an employer, on behalf of an employee or his beneficiary, into a trust, or

(2) To, or on behalf of, an employee or his beneficiary from a trust,

if at the time of such payment the trust is exempt from tax under section 501(a) as an organization described in section 401(a). A payment made to an employee of such a trust for services ren-

dered as an employee of the trust and not as a beneficiary thereof is not within this exclusion from wages.

(b) *Payments under or to certain annuity plans*. (1) The term "wages" does not include any payment made after December 31, 1962—

(i) By an employer, on behalf of an employee or his beneficiary, into an annuity plan, or

(ii) To, or on behalf of, an employee or his beneficiary under an annuity plan, if at the time of such payment the annuity plan is a plan described in section 403(a).

(2) The term "wages" does not include any payment made before January 1, 1963—

(i) By an employer, on behalf of an employee or his beneficiary, into an annuity plan, or

(ii) To, or on behalf of, an employee or his beneficiary under an annuity plan,

if at the time of such payment the annuity plan meets the requirements of section 401(a)(3), (4), (5), and (6).

(c) *Payments under or to certain bond purchase plans*. The term "wages" does not include any payment made after December 31, 1962—

(1) By an employer, on behalf of an employee or his beneficiary, into a bond purchase plan, or

(2) To, or on behalf of, an employee or his beneficiary under a bond purchase plan,

if at the time of such payment the plan is a qualified bond purchase plan described in section 405(a).

PAR. 3. Section 31.6205 is amended by adding a paragraph (3) to section 6205(a) and by adding a historical note. These added provisions read as follows:

§ 31.6205 Statutory provisions; special rules applicable to certain employment taxes.

Sec. 6205. *Special rules applicable to certain employment taxes*—(a) *Adjustment of tax*. . . .

(3) *Guam or American Samoa as employer*. For purposes of this subsection, in the case of remuneration received during any calendar year from the Government of Guam, the Government of American Samoa, a political subdivision of either or any instrumentality of any one or more of the foregoing which is wholly owned thereby, the Governor of Guam, the Governor of American Samoa, and each agent designated by either who makes a return pursuant to section 3125 shall be deemed a separate employer.

(Sec. 6205 as amended by sec. 103(r)(1), Social Security Amendments 1960 (74 Stat. 940))

Because the amendment made by section 220(c)(2) of the Revenue Act of 1964 merely conforms section 3121(a)(5) of the Code to sections 3306(b)(5) and 3401(a)(12) of the Code (which exclude certain payments from the definition of wages for purposes of the Federal unemployment tax and the collection of income tax at source on wages) and the amendment made by section 103(r)(1) of the Social Security Amendments of

1960 is merely supplemental to the amendment made by section 103(n) and (q) of such Act, and does not require regulatory provisions of an interpretative nature, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

(Sec. 7805, Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

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

Approved: February 4, 1966.

STANLEY S. SURREY,
Assistant Secretary of the
Treasury.

[F.R. Doc. 66-1468; Filed, Feb. 9, 1966;
8:48 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS [Dept. Circular 92 (Rev.); 12th Amdt.]

PART 203—SPECIAL DEPOSITS OF PUBLIC MONEYS UNDER THE ACT OF CONGRESS APPROVED SEPTEMBER 24, 1917, AS AMENDED

Acceptable Securities

Part 203, Subchapter A, Chapter II, Title 31 of the Code of Federal Regulations of the United States (appearing also as Treasury Dept. Circular 92 (Revised), 14 F.R. 7058, Nov. 23, 1949, as amended), is hereby amended by revising paragraph (n) of § 203.7 to read as follows:

§ 203.7 Special depositaries must pledge collateral security before receiving deposits; acceptable securities.

(n) *Loans and debentures guaranteed by Small Business Administration*. (1) Notes representing loans (i) made by banks and guaranteed by the Small Business Administration, and (ii) made by the Small Business Administration originally and later sold to banks under a guaranty agreement: At 90 percent of that portion of the unpaid balance of the loans guaranteed by the Small Business Administration; and (2) subordinated debentures of small business investment companies sold to banks by the Small Business Administration under a full guaranty agreement: At face value (principal amount less payments made thereon).

(Sec. 8, 40 Stat. 291, as amended; 31 U.S.C. 771)

Dated: February 7, 1966.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 66-1467; Filed, Feb. 9, 1966;
8:48 a.m.]

**Title 36—PARKS, FORESTS,
AND MEMORIALS**

**Chapter V—National Zoological
Park, Smithsonian Institution
PART 501—NATIONAL ZOOLOGICAL
PARK REGULATIONS**

Traffic and Parking

Effective 10 days following publication of this regulation in the FEDERAL REGISTER, § 501.2, Chapter V, Title 36 of the Code of Federal Regulations is amended to read as follows:

§ 501.2 Traffic and parking.

(a) The speed for vehicles within the National Zoological Park along the road from the Connecticut Avenue vehicular entrance to the intersection at Beach Drive shall not exceed 25 miles per hour.

(b) The speed for vehicles along all other roads within the National Zoological Park open to vehicular traffic (other than service roads and parking lots) shall not exceed 15 miles per hour.

(c) The speed for vehicles within the National Zoological Park on all service roads and in parking lots shall not exceed 10 miles per hour.

(d) No commercial trucks shall operate within the National Zoological Park except for the purpose of delivery to or pickup from the National Zoological Park or the Refreshment Stand.

(e) No motor vehicles shall operate on the walks of the National Zoological Park except National Zoological Park motor vehicles operated by National Zoological Park employees.

(f) The riding of bicycles on sidewalks of the National Zoological Park is prohibited.

(g) Cleaning or washing of vehicles within the National Zoological Park other than by authorized employees is prohibited. Repairing of vehicles within the National Zoological Park other than by authorized employees is prohibited, except in cases of emergency.

(h) Horseback riding is prohibited except on the bridle paths.

(i) Wading in or adjacent to fords is prohibited.

(j) Parking of vehicles shall be restricted to areas designated by signs.

(Sec. 5, Act of Oct. 24, 1951, 65 Stat. 559, as amended by sec. 1, Act of Aug. 1, 1964, 78 Stat. 365, 40 U.S.C. sec. 193r)

S. DILLON RIPLEY,
Secretary.

[F.R. Doc. 66-1487; Filed, Feb. 9, 1966;
8:45 a.m.]

**Title 41—PUBLIC CONTRACTS
AND PROPERTY MANAGEMENT**

**Chapter 5B—Public Buildings Service,
General Services Administration
MISCELLANEOUS AMENDMENTS
TO CHAPTER**

The following materials set forth miscellaneous amendments to various parts

of Chapter 5B. In particular, Subpart 5B-2.2 is amended to prescribe additional requirements for preparation of, and provisions for inclusion in, invitations for bids on construction work. In addition, the material in Subpart 5B-16.5 is relocated in Subpart 5B-16.70 and a minor change is made in § 5B-1.315-2.

PART 5B-1—GENERAL

Subpart 5B-1.3—General Policies

Section 5B-1.315 is amended to add references to related sections in 41 CFR, Chapters 1 and 5; also, § 5B-1.315-2(b) is amended to reflect changes in the titles of the officials authorized to approve the omission of a liquidated damages provision. As amended, the sections read as follows:

§ 5B-1.315 Use of liquidated damages provisions in procurement contracts.

See §§ 1-1.315 and 5-1.315 of this title.

§ 5B-1.315-2 Policy.

(b) The Assistant Commissioner for Construction, the Assistant Commissioner for Design, and the Regional Administrators are designated to approve, where justified, the omission of a liquidated damages provision from a construction contract.

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

**PART 5B-2—PROCUREMENT BY
FORMAL ADVERTISING**

Subpart 5B-2.2—Solicitation of Bids

Subpart 5B-2.2 is amended as follows:

1. The table of contents is amended by the addition of the following entries:

Sec.	
5B-2.202-71	Base bid and alternate prices.
5B-2.202-72	Unit prices.
5B-2.202-73	Bidders' qualifications for special work.
5B-2.202-74	Use of equipment by the Government.
5B-2.202-75	Construction completion time.
5B-2.202-76	Availability of specifications and drawings.
5B-2.202-77	Construction schedules and progress chart.
5B-2.202-78	Proposals for contract changes.
5B-2.203-2	Displaying in public places.
5B-2.203-3	Publicity in newspapers and trade journals.
5B-2.207	Amendment of invitations for bids.

§ 5B-2.201 [Deleted]

2. Section 5B-2.201, *Preparation of invitations for bids*, is deleted.

3. New §§ 5B-2.202-71 through 5B-2.202-78 are added, as follows:

§ 5B-2.202-71 Base bid and alternate prices.

(a) Invitations normally should be issued for a single lump-sum bid. The base bid should include all the features that are considered essential to a sound and adequate building design. Alternate prices are permitted only when clearly justified and must be held to a minimum. Alternates, otherwise justified, which

provide features not considered essential, may be written as add alternates but are to be treated as exceptions. Alternates to be included in specifications should involve significant amounts of work in relation to the base bid.

(b) Alternates may be justified under peculiar project or market conditions, for example:

(1) When accurate cost estimates are not available, a base bid may be required for the project as planned, with deduct alternates provided to bring the project cost within the funds available.

(2) To secure bids on a proprietary item or system considered necessary for the proper operation of the facility.

(3) On reimbursable projects, alternates may be necessary when the reimbursing agency cannot state exactly the maximum funds available. A base bid may then be required which can be covered by the funds then available, and add alternates asked for additional items which may be covered by transfer of additional funds.

(c) All bidding documents calling for alternates shall clearly state that the Government reserves the right to accept or reject any and all alternate prices as may be determined by the Contracting Officer to be in the best interest of the Government.

(d) Counsel shall approve the language of all invitations requiring alternates.

§ 5B-2.202-72 Unit prices.

(a) Unit prices may be included in bidding documents for alteration projects when considered to be justified as a basis for possible later change orders involving additional work. The unit should be a well defined unit of measurement such as "per square foot," "per sack," or "per linear foot." Unit prices generally will not be called for on new construction projects.

(b) Unit prices shall be disregarded when determining the low bidder. If it is determined that unit prices are excessive they shall be rejected by the contracting officer in writing at the time of award.

§ 5B-2.202-73 Bidders' qualifications for special work.

(a) *Airconditioning.* The following clause shall be inserted in the Special Conditions of all FBS specifications for construction, repair, or improvement of airconditioning projects of 26 tons or more.

COMPETENCY OF BIDDERS

(a) Consideration for award of this contract will be given to bidders who, on the date of opening of bids, meet the following requirements:

(1) The bidder with his own organization, or the subcontractor(s) he will use on the project, must have had approximately 3 years' successful experience in the installing and servicing of airconditioning systems similar in type to that described in the specifications.

(2) The bidder with his own organization, or the subcontractor(s) he will use on the project, shall have had successful experience in installing all principal portions, including refrigeration and air handling equipment on one or more installations of not less -----

tons¹ capacity each, and one or more installations (which may or may not be one of the above) having at least one refrigerating machine of not less than _____ tons² capacity all of which have been operated successfully for approximately 1800 hours actual operating time prior to the date on which bids are opened.

(b) A list of installations as required shall be submitted *within 5 days after bids are opened*.³ Bidder shall also submit, upon request, a statement of his experience and the names and addresses of proposed subcontractors, if any, and the work to be performed by, and experience of, each.

(c) Ability to meet the foregoing experience requirements, and the adequacy of the information submitted will be considered by the Contracting Officer in determining the responsibility of the bidder.

(b) *Elevators (prime contractor)*. The following clause shall be inserted in the Special Conditions of all PBS specifications for the installation or servicing of elevators where the elevator contractor is the prime contractor:

COMPETENCY OF BIDDERS

(a) Consideration for award of this contract will be given to bidders who, on the date of the opening of bids, meet the following requirements:

(1) The bidder with his own organization and not by or through a subcontractor must have had approximately 3 years' successful experience in the installation and servicing of (insert electric traction or hydraulic) elevators.

(2) The bidder with his own organization or the subcontractor(s) he will use on the project for the installation of controllers (and group supervisory control equipment, if applicable) shall have had successful experience in the installation of controllers (and group supervisory control equipment, if applicable) of the type specified herein.

(3) Any combination of major equipment components will be accepted, provided that the combination proposed to be used herein has performed satisfactorily together in not less than two other (insert selective-collective or group automatic) installations of not less than (insert 2, 3, or 4) car groups for a period of approximately 18 months prior to the date on which bids are opened.

(4) For the purpose of this clause, "major equipment components" shall mean controllers, selectors, group supervisory control equipment, hoisting machines, motor generator sets, and hydraulic pump units, if applicable.

(b) A list of the installations as required above shall be submitted promptly upon request of the Public Buildings Service after the bids are opened. The list, among other things, shall include the names and addresses of the buildings and the names of owners or managers thereof. Bidder shall also submit promptly, upon request, a statement of his experience and the names and addresses of proposed subcontractors, if any, and the work to be performed by and experience of each. Ability to meet the foregoing experience requirements and the adequacy of the information submitted will be considered by the Contracting Officer in determining the responsibility of the bidder.

(c) *Elevators (subcontractor)*. The following clause shall be inserted in the

¹ Tonnage inserted shall not exceed 50 percent of total for project.

² Tonnage inserted should not exceed 30 percent of that for largest single refrigerating machine in project.

³ In exigency cases, the words "with the bid" may be substituted for the words in italic.

Special Conditions of all PBS specifications for the installation of elevators where the work to be performed is part of the Construction Contract:

COMPETENCY OF ELEVATOR SUBCONTRACTOR

(a) Approval of the elevator subcontractor by the Contracting Officer is required. The Contractor shall select and submit for approval an elevator subcontractor who, on the date of opening of bids, meets the following requirements:

(1) The elevator subcontractor with his organization and not by or through a subcontractor must have had approximately 3 years' successful experience in the installation and servicing of (insert electric traction or hydraulic) elevators.

(2) The elevator subcontractor with his own organization or the subcontractor(s) he will use on the project for the installation of controllers (and group supervisory control equipment, if applicable) shall have had successful experience in the installation of controllers (and group supervisory control equipment, if applicable) of the type specified herein.

(b) Any combination of major equipment components will be accepted, provided that the combination proposed to be used herein has performed satisfactorily together in not less than two other (insert selective-collective or group automatic) installations of not less than (insert 2, 3, or 4) car groups for a period of approximately 18 months prior to the date on which bids are opened. For the purpose of this clause, "major equipment components" shall mean controllers, selectors, group supervisory control equipment, hoisting machines, motor-generator sets, and hydraulic pump units, if applicable.

(c) A list of the installations as required above shall be submitted upon request of the Public Buildings Service within 30 days after the bids are opened. The list, among other things, shall include the names and addresses of the buildings and the names of the owners or managers thereof. The Contractor shall also submit, upon request, a statement of the experience of the proposed elevator subcontractor and the names and addresses of proposed subcontractors, if any, to the elevator subcontractor, and the work to be performed by and experience of each. Ability of the proposed elevator subcontractor to meet the above experience requirements and the adequacy of information submitted will be considered by the Contracting Officer in determining whether to approve the proposed elevator subcontractor.

(d) Approval will not be given to any elevator subcontractor who has established on former jobs, either Government, Municipal, or Commercial, a record for unsatisfactory elevator installations, or has repeatedly failed to complete contracts awarded to him within the contract time, or has not the requisite record of satisfactorily performing elevator installations of similar type and importance.

(d) *Other specialty subcontractors*. The following clause shall be inserted in the Special Conditions of all PBS specifications where the use of a specialty subcontractor is required:

SPECIALTY SUBCONTRACTOR

The term "Specialty Subcontractor" as used in the specifications shall mean a firm of established reputation (or, if newly organized, a firm whose personnel have previously established a reputation in the same field), which is regularly engaged in, and which maintains a regular force of workmen skilled in, installing the items required by the contract. Such firm must either be the manufacturer of such items, be licensed by the

manufacturer, or work under the manufacturer's direct supervision.

§ 5B-2.202-74 Use of equipment by the Government.

(a) On many heating and airconditioning projects in existing buildings it may be necessary for the Government to operate all or part of the equipment prior to final acceptance of the project. In the specifications for a project with a completion date at the beginning of or during either the heating or cooling season, a notice shall be placed in section 2, Special Conditions, to inform the contractor that:

(1) The Government may take over and operate such equipment as is necessary, with Government employees, for heating or cooling such areas of the building as require the service, as soon as the installation is sufficiently complete.

(2) The contracting officer will advise the contractor by letter, prior to the use of equipment, stating what items of equipment will be operated, and the date and time such operation will begin.

(3) Government operation of equipment will not relieve the contractor of the 1-year warranty on materials and workmanship elsewhere provided for in this contract.

(4) The warranty period, elsewhere provided for in this contract, for each piece of equipment shall begin at the time the Government takes it over for operation.

(b) Provision may be made in specifications that elevators, escalators, and other mechanical equipment may be taken over and operated by the Government under the same conditions as outlined for heating and cooling equipment.

§ 5B-2.202-75 Construction completion time.

The construction time to be designated in the specification should be established after giving proper consideration to a number of factors such as, but not limited to, scope and complexity of the project, supply problems, seasonal and climatic conditions, court sessions, and holiday periods, and must reasonably represent the actual time required for performance.

§ 5B-2.202-76 Availability of specifications and drawings.

The following language shall be included on Standard Form 20, Invitation for Bids (Construction Contract):

Upon request, the Issuing Office will supply to each general contractor interested in bidding on the complete project set(s) of the specifications and drawings, all of which must be returned. General Contractors may obtain not more than ____ additional sets by depositing \$_____ for each set. One set of the specifications and drawings will be supplied to each principal subcontractor, as determined by the Service, upon receipt of deposit in the same amount as required from General Contractors. Deposits will be refunded if the specifications and drawings are returned in good condition within 30 days after bids are opened. Deposits may be forfeited if the specifications and drawings are not returned within the specified time limit. Checks or money orders for deposits or furnished as bid guaranty must be made payable to the General Services Administration.

Upon request, and in the discretion of the Issuing Office, one set of the specifications and drawings will be furnished to builders' exchanges, chambers of commerce, and other similar organizations, with the understanding that the set will be retained on their premises and made available for inspection by any interested prime contractor, subcontractor, or material firm.

§ 5B-2.202-77 Construction schedules and progress chart.

(a) Construction schedules and progress charts are required for all construction projects for which the estimated construction time exceeds 90 days. CPM scheduling is required for all projects where the improvement cost is estimated at one million dollars or more. Regions may require CPM scheduling for smaller projects provided they have the capability in trained personnel and there is reasonable assurance that major objections will not be raised by contractors. CPM scheduling shall not be required on new construction with improvement costs of less than \$250,000 and R&I type projects with improvement costs of less than \$500,000.

(b) The responsibility for the development of the CPM scheduling is solely that of the contractor. PBS personnel should, however, participate in such scheduling to insure a mutual understanding of the contractor's plans for proceeding with the construction.

(c) When CPM scheduling is not required, the following provision shall be inserted in the Special Conditions:

CONSTRUCTION SCHEDULES AND PROGRESS CHARTS

(a) Within 15 days after receipt of notice to proceed, the Contractor shall prepare and submit to the Contracting Officer for approval, six copies of a practicable progress schedule. The schedule shall show the order in which the Contractor proposes to carry on the work, the date on which he will start the several major activities (including procurement of materials, plants, and equipment) and the contemplated dates for completing the same. The schedule shall be in the form of a progress chart of suitable scale to indicate graphically the percentage of work scheduled for completion (in-place construction) at any time. As the work progresses the Contractor shall enter on the chart the actual in-place construction progress at the end of each progress payment period or at such intervals as directed by the Contracting Officer. The Contractor shall also revise the schedule to reflect any adjustments in contract time approved by the Contracting Officer. Three copies of the updated schedule shall be delivered at such intervals as directed by the Contracting Officer.

(b) If in the opinion of the Contracting Officer actual in-place construction accomplished falls behind that scheduled, the Contractor shall take such action as necessary to improve his progress. In addition, the Contracting Officer may require the Contractor to submit a revised schedule demonstrating his program and proposed plan to make up lag in scheduled progress and to insure completion of work within the contract time. If the Contracting Officer finds the proposed plan not acceptable, he may require the Contractor to submit a new plan. If a satisfactory plan is not agreed upon, the Contracting Officer may require the Contractor to increase the work force, the construction plant and equipment or the num-

ber of work shifts without additional cost to the Government.

(c) Failure of the Contractor to comply with these requirements shall be considered grounds for determination by the Contracting Officer that the Contractor is failing to prosecute the work with such diligence as will insure its completion within the time specified.

(d) When CPM scheduling is required the following shall be inserted in the Special Conditions:

CONSTRUCTION SCHEDULES AND PROGRESS CHARTS

(a) (Insert paragraph (a) of provision in § 5B-2.202-77(c).)

(b) (Insert paragraph (b) of provision in § 5B-2.202-77(c).)

(c) (Insert paragraph (c) of provision in § 5B-2.202-77(c).)

(d) In addition to the aforementioned requirements for a progress schedule, the Contractor shall, within 30 days after receipt of notice to proceed, prepare and submit for approval a network analysis of the project. This network shall be of the type generally referred to as the critical path method (CPM), critical path schedule (CPS), and critical path analysis (CPA), and other similar designations. The network analysis shall include as a minimum a graphic representation of all activities and events included in the construction of the project. The network shall show the major subdivisions of the work, the activities involved in each part, the relations of activities to each other as to dependency, concurrency, etc., the duration of each activity, and the critical path of activities for the overall job showing a total job duration equal to the contract time. A written statement of explanation is to be submitted with the network designation.

(e) An initial schedule generated by the network design shall be submitted showing the following for each activity, given in calendar dates:

- (1) The earliest starting time.
- (2) The latest starting time.
- (3) The earliest finishing time.
- (4) The latest finishing time.
- (5) Total float time (slack time).
- (6) Free float (or slack).

(f) Status reports from the approved network diagram will be required monthly throughout the life of the contract or at other times if unusual conditions exist, at the direction of the Contracting Officer. These reports will indicate actual completion dates of completed activities and expected completion dates of other activities. Any changes in the original network plan desired by the Contractor must be approved by the Contracting Officer.

(g) All costs applicable to the requirements for network analysis, reports, etc., shall be included in the lump sum bid as part of the contract.

§ 5B-2.202-78 Proposals for contract changes.

The following paragraph shall be included in the Special Conditions of contract documents for all construction projects for which the estimated construction time exceeds 90 days:

Upon written request issued by the Contracting Officer or any person authorized to act for him in the matter, the contractor shall submit a formal proposal for work involving contemplated changes covered by the request within the time limit indicated therein or any extension of such time limit as may be subsequently granted. All proposals shall be submitted in lump sum

amounts with a breakdown as set forth in Article, Contract Changes, of the General Conditions, GSA Form 1139.

4. New §§ 5B-2.203-2 and 5B-2.203-3 are added, as follows:

§ 5B-2.203-2 Displaying in public places.

Complete sets of bidding documents will be provided for public examination to:

- (a) Area Managers.
- (b) Postmasters in towns and cities surrounding the area of the project.
- (c) Postmaster or Building Superintendent at location of project.
- (d) Custodian of the building in those cases where work is to be performed in an existing building.

§ 5B-2.203-3 Publicity in newspapers and trade journals.

(a) *Free publicity.* See §§ 1-2.203-3 and 5-2.203-3 of this title.

(b) *Paid advertisements.* As a general rule, paid advertising will be used for all projects in excess of \$2,000.

(1) *Selection of media.* In selecting advertising media, the following rules shall be followed:

(i) In a small town, the newspaper with the widest circulation shall be chosen. If no local newspaper is published, the order for advertising shall be placed with the newspaper in the nearest town.

(ii) In larger towns and cities having one or more newspapers, and where many projects may be advertised over a 12-month period, care shall be taken to spread the advertising among several newspapers.

(iii) Projects for which the Central Office prepares the specification and drawings shall be advertised by the regional offices and in local newspapers and periodicals designated by the Central Office. Advertising copy and the list of designated media shall be forwarded by Central Office to the regions not less than 1 week prior to date of advertisement.

(2) *Insertions.* The following rules shall govern the placement of paid advertising:

(i) *Projects under \$200,000.* Three consecutive insertions in a daily newspaper, or one insertion if the paper is published weekly, in the locality nearest the project.

(ii) *Projects over \$200,000 and not in excess of \$1,000,000.* In addition to publicity required in the case of smaller projects, insertions will be made in two trade publications in the locality nearest the project.

(iii) *Projects in excess of \$1,000,000.* In addition to triple consecutive publication in a daily local newspaper, notices shall be published in four trade publications.

5. New § 5B-2.207 is added, as follows:

§ 5B-2.207 Amendment of invitations for bids.

No amendment may be issued by a regional office on a project released by the Central Office for bidding purposes without prior approval of the Assistant

Commissioner for Design. The Central Office will expedite such approval to permit the region to issue the amendment promptly. Amendments regarding questions raised by prospective bidders shall not be issued later than 10 days before the date set for receipt of bids.

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

PART 5B-16—PROCUREMENT FORMS

Subpart 5B-16.5 is hereby redesignated as Subpart 5B-16.70 and the sections are renumbered to reflect the redesignation. Subpart 5B-16.70 reads as follows:

Subpart 5B-16.70—Forms for Building Service Contracts

Sec.

5B-16.7000 Scope of subpart.
5B-16.7001 Forms prescribed.
5B-16.7002 Optional use.

AUTHORITY: The provisions of this Subpart 5B-16.70 issued under sec. 205(c), 63 Stat. 390, 40 U.S.C. 486(c); 41 CFR 5-1.101(c).

Subpart 5B-16.70—Forms for Building Service Contracts

§ 5B-16.7000 Scope of subpart.

This subpart sets forth forms for use in procuring building services. Such forms are illustrated in Subpart 5B-16.9 of this part.

§ 5B-16.7001 Forms prescribed.

The following GSA forms are prescribed for use in procuring building services in accordance with the limitations stated in § 5B-2.201-70 of this chapter.

(a) GSA Form 1411B, Contractor's Representation Regarding Contingent Fees (Contract for Building Services).

(b) GSA Form 1467, Invitation, Bid, and Award (Contract for Building Services).

(c) GSA Form 1468, General Provisions (Contract for Building Services).

§ 5B-16.7002 Optional use.

While the forms described in this Subpart 5B-16.70 are used in procuring building services by formal advertising, they may also be used for negotiated contracts if appropriate changes are made. For example, the reference to sealed bids and public opening may be lined out and appropriate wording substituted.

Effective date. These regulations are effective February 1, 1966, but may be observed earlier.

Dated: February 4, 1966.

CASPER F. HEGNER,
Commissioner,
Public Buildings Service.

[F.R. Doc. 66-1452; Filed, Feb. 9, 1966; 8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 66-84]

PART 1—PRACTICE AND PROCEDURE

PART 95—CITIZENS RADIO SERVICE

Revision of Form

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 2d day of February 1966;

The Commission having under consideration FCC Form 703, Application for Consent to Transfer of Control of Corporation Holding Construction Permit or Station License; and

It appearing, that the Commission has this day approved a revision of FCC Form 703 to simplify it and reduce the information required to be furnished therein; and

It further appearing, that it is now appropriate that this form also be used by corporate licensees or permittees in the Citizens Radio Service in order to establish a uniformity of procedure in this respect within the Safety and Special Radio Services; and

It further appearing, that authority for the amendments adopted herein is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended; and

It further appearing, that the amendments adopted herein relate to practice and procedure, and, hence, that the prior notice, procedure, and effective date provisions of section 4 of the Administrative Procedure Act are not applicable;

It is ordered, That effective April 15, 1966, Parts 1 and 95 of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154; interprets or applies sec. 303, 48 Stat. 1062, as amended; 47 U.S.C. 303)

Released: February 7, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

1. In § 1.924(b)(2), the text of subdivision (iv) is deleted and the word [Reserved] is inserted in lieu thereof, and subdivision (vi) is amended as follows:

§ 1.924 Assignment or transfer of control, voluntary and involuntary.

(b) * * *
(2) * * *
(iv) [Reserved]

(vi) FCC Form 703: for consent to transfer control of a corporation holding

¹ Commissioners Lee and Wadsworth absent.

any type of license or construction permit.

2. Section 95.15(b) is amended to read:

§ 95.15 Filing of applications.

(b) All formal applications for Class B, Class C, or Class D new, modified, or renewal station authorizations shall be submitted to the Commission's office at 334 York Street, Gettysburg, Pa., 17325. Applications for Class A station authorizations, applications for consent to transfer of control of a corporation holding any citizens radio station authorization, requests for special temporary authority or other special requests, and correspondence relating to an application for any class citizens radio station authorization shall be submitted to the Commission's Office at Washington, D.C., 20554, and should be directed to the attention of the Secretary. Applications involving Class C or Class D station equipment which is neither type approved nor crystal controlled, whether of commercial or home construction, shall be accompanied by supplemental data describing in detail the design and construction of the transmitter and methods employed in testing it to determine compliance with the technical requirements set forth in Subpart C of this part.

3. In § 95.19, subparagraph (4) of paragraph (a), is deleted, the text of subparagraph (6) of paragraph (b) is deleted and the word [Reserved] is inserted in lieu thereof, and paragraph (c) is added as follows:

§ 95.19 Standard forms to be used.

(b) * * *

(6) [Reserved]

(c) FCC Form 703, Application for Consent to Transfer of Control of Corporation Holding Construction Permit or Station License. This form shall be used when application is made for consent to transfer control of a corporation holding any citizens radio station authorization.

[F.R. Doc. 66-1474; Filed, Feb. 9, 1966; 8:49 a.m.]

[FCC 66-79]

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

FCC Form 704

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 2d day of February 1966;

The Commission having under consideration FCC Form 704, Application for Consent To Transfer of Control of Corporation Holding Construction Permit or Station License; and

It appearing, that the Commission has this day approved a new FCC Form 704 for use by applicants in the Domestic Public Radio Services, and that a revised version of FCC Form 703 is no longer appropriate for use in the said services; and that this new form does not require the submission of data which was not heretofore required of applicants in the subject services; and

It further appearing, that authority for the amendments adopted herein is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended; and

It further appearing, that the amendment adopted herein relates to practice and procedure, and, hence, that the prior notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act are not applicable;

It is ordered, That effective April 15, 1966, Part 21 of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154; interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: February 7, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

¹ Commissioners Lee and Wadsworth absent.

Section 21.29(h) is amended to read:

§ 21.29 Forms to be used.

(h) Application for consent to assignment, or transfer of control of corporation holding radio station construction permit or license. An application on FCC Form 702 or FCC Form 704, as the circumstances require, shall be submitted to the Commission when a construction permit or license, or the control of a corporation holding such permit or license, is to be transferred as a result of a voluntary act (contract or other agreement) or an involuntary act (death or legal disability) of the grantee of a permit or station license, or by involuntary assignment of the physical property of the station pursuant to a court decree in bankruptcy proceedings, or other court order, or by operation of law in any other manner. Applications filed on FCC Form 702 or FCC Form 704 shall be accompanied by a factual showing by the assignee of his legal, financial, technical and other qualifications to be the licensee of the radio facilities described in such application. Upon completion of an approved transfer, written notification thereof shall be filed with the Commission.

[F.R. Doc. 66-1475; Filed, Feb. 9, 1966; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Coast Guard

[33 CFR Parts 1, 66, 80, 82, 90, 95, 100, 144]

[46 CFR Parts 10, 25, 30, 32, 33, 35, 38, 40, 70, 72, 73, 75, 76-78, 90, 92, 94, 95-98, 110, 111, 113, 146, 157, 160, 167, 173, 176, 181, 187]

[CGFR 65-65]

NAVIGATION AND VESSEL INSPECTION

Notice of Proposed Rule Making

1. The Merchant Marine Council will hold a hearing on Monday, March 21, 1966, commencing at 9:30 a.m. in the Departmental Auditorium, between 12th and 14th Streets on Constitution Avenue NW., Washington, D.C., for the purpose of receiving comments, views and data on the proposed changes in the navigation and vessel inspection rules and regulations as set forth in Items I to XII, inclusive, of the Merchant Marine Council Public Hearing Agenda, CG-249 dated March 21, 1966. The Agenda contains the specific changes being proposed to the navigation and vessel inspection regulations, and for certain items the present and proposed regulations are set forth in comparison forms, together with reasons for the changes.

2. This document contains general descriptions of the proposed changes in the regulations together with appropriate references to statutes authorizing such regulations. The complete text of the proposed changes and additions to the regulations is set forth in the "Merchant Marine Council Public Hearing Agenda" (CG-249), dated March 21, 1966. Copies of this Agenda are mailed to persons and organizations who have expressed a continued interest in the subjects under consideration and have requested that copies be furnished them. Copies of the Agenda will be furnished, upon request to the Commandant (CMC), U.S. Coast Guard, Washington, D.C., 20226, so long as they are available. After the supply of extra copies is exhausted, copies will be available, for reading purposes only, in Room 4211, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

3. Comments on the proposed regulations are invited. Written comments containing constructive criticism, suggestions, or views are welcomed. However, acknowledgment of the comments received or reasons why the suggested changes were or were not adopted cannot be furnished since personnel are not available to handle the necessary correspondence involved. Each oral or written comment is considered and evaluated.

If it is believed, the comment, view or suggestion clarifies or improves a proposed regulation or amendment, such proposal is changed accordingly and, after adoption by the Commandant, the regulations as revised are published in the FEDERAL REGISTER.

4. Each person or organization who desires to submit comments, data or views in connection with the proposed regulations set forth in the Merchant Marine Council Public Hearing Agenda should submit them in triplicate so that they will be received by the Commandant (CMC), U.S. Coast Guard Headquarters, Washington, D.C., 20226, prior to March 18, 1966. Comments, data or views may be presented orally or in writing at the Public Hearing before the Merchant Marine Council on March 21, 1966. In order to insure consideration of written comments and to facilitate checking and recording, it is essential that each comment regarding a section or paragraph of the proposed regulations be submitted on Form CG-3287, showing the section number (if any), the subject, the proposed change, the reason or basis, and the name, business firm or organization (if any), and the address of the submitter. A small quantity of Form CG-3287 is attached to this Agenda. Additional copies may be reproduced by typewriter or otherwise.

5. Each item in the Agenda has been given a general title, intended to encompass the specific proposals presented thereunder. It is urged that each item be read completely because the application of proposals to specific employment or types of vessels may be found in more than one item. The items in this Agenda are described in general terms in the paragraphs which follow.

ITEM I.—RECREATIONAL BOATING

IA.—UNIFORM STATE WATERWAY MARKER SYSTEM; PRIVATE AIDS TO NAVIGATION

6. The significant increase in boating activities throughout the country in recent years has resulted in correspondingly greater need for marking waterways used by recreational and pleasure boaters. The joint cooperative efforts of the various State Governments and the Coast Guard have developed a system of uniform waterway markers suited for all water areas and types of small craft. The "Uniform Waterway Marker System" proposed will supplement the U.S. lateral system of buoyage and should provide substantial benefit to small craft operators in the form of increased boating safety. These proposals consist of two new Subparts 66.05 and 66.10 to be added to Part 66 (Private Aids to Navigation) of Subchapter C (Aids to Navigation) of 33 CFR Chapter 1.

7. The proposed Subpart 66.05, entitled "State Aids to Navigation," consists of §§ 66.05-1 to 66.05-60, inclusive, and

contains the administrative procedures applicable to State Governments to enable them to establish, operate and maintain aids to navigation in waters within a State which are classed as "navigable waters of the United States" and which are not marked by the Coast Guard.

8. The proposed Subpart 66.10, entitled "Uniform State Waterway Marker System," consists of §§ 66.10-1 to 66.10-45, inclusive, and describes the "Uniform Waterway Marker System," which is comprised of two general classes of markers. First, those markers which consist of regulatory markers used to indicate the existence of regulation areas, such as speed zones or restricted areas, as well as to provide directions. Second, those markers which consist of aids to navigation markers used to indicate to small boat operators the channel limits within which boats may be operated in relative safety.

9. The authority for regulations regarding private aids to navigation is in section 92 of Title 14, U.S. Code. These regulations also interpret or apply sections 82, 85, and 633 of Title 14, U.S. Code, and section 1333 of Title 43, U.S. Code, which are also cited with the present regulations in 33 CFR, Part 66. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-3, May 19, 1953, 18 F.R. 2961; 167-15, January 3, 1955, 20 F.R. 840; and 167-17, June 29, 1955, 20 F.R. 4976.

IB.—BOATING ACCIDENTS, REPORTS AND STATISTICAL INFORMATION

10. The reporting of boating accidents is in the Motorboat Act of 1940, as amended by the Federal Boating Act of 1958 (46 U.S.C. 5261), and the reporting of marine casualties is under Revised Statute 4450, as amended (46 U.S.C. 239), and certain other related laws. These provisions of law place specific duties on the Coast Guard when certain casualties occur on Coast Guard inspected vessels, or an accident occurs as a result of a casualty on waters subject to the jurisdiction of the United States. It is realized that the overlapping of reporting requirements occur when laws are prescribed for different purposes and at different times. The different scopes of application must be clarified by regulations intended to implement each law.

11. Under the Federal Boating Act of 1958, the various States (currently 46) have assumed certain responsibilities and receive reports of boating accidents involving various vessels depending on State regulations. Where a boating accident occurs and is not reportable to the State or where there is no approved State Boating Act in effect, the Coast Guard regulations in Part 173 of Subchapter S (Numbering of Undocumented Vessels,

Statistics on Numbering, and "Boating Accident Reports" and Accident Statistics) of Chapter I of 46 CFR apply. It is proposed to amend 46 CFR 173.01-1; describing application, and 173.01-5(b), describing "reportable boating accidents," to clarify what vessels are required to submit accident reports under the regulations in 46 CFR Part 173 (vessels involved are uninspected numbered vessels and other uninspected vessels used for pleasure or recreational purposes) as well as to have the regulations revised to conform to current practices in reporting of boating accidents. The proposed changes do not alter present reporting procedures.

12. The authority to prescribe regulations regarding boating accidents, reports, and statistical information is in sections 526l, 526p, 527d, and 527g of Title 46, U.S. Code, which are also cited with the present regulations in 46 CFR Part 173. The delegation of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws is in Treasury Department Order 167-32, September 23, 1958, 23 F.R. 7605.

ITEM II.—SMALL PASSENGER-CARRYING VESSELS

IIA.—FIRE PROTECTION EQUIPMENT; MINOR CHANGES

13. The use of vaporizing liquid type fire extinguishers containing carbon tetrachloride or chlorobromomethane or other toxic vaporizing liquids has not been permitted on small passenger-carrying vessels since January 1, 1962. The proposed amendments to 46 CFR 176.25-25 and 181.30-1, regarding fire extinguishing equipment, will state that such extinguishers are not approved and are not permitted on any vessel, and will remove obsolete requirements which have served their purpose. It is proposed to change Table 181.30-1(a) in 46 CFR 181.30-1(a) so as to permit the substitution of two (2) B-I portable fire extinguishers for one (1) B-II extinguisher presently required for the propulsion machinery space (where equipment uses diesel oil or other fuel having a flashpoint over 110° F.), vehicular spaces, and accommodations and galley on a small passenger-carrying vessel. This practice is currently permitted on other inspected passenger, cargo and miscellaneous vessels.

14. It has been observed that, on a number of small passenger vessels, the fire and bilge pump is driven off the main propulsion engine by means of a belt drive. In such a situation the engine must be stopped before the pump can be engaged. During an emergency this would not be an ideal procedure because the fire pump should be readily available and safe to operate. Therefore, the proposed amendment to 46 CFR 181.01-5 is intended to provide general authority for requiring a more efficient fire and/or bilge pump system on small passenger-carrying vessels. This proposal will be applicable to both existing and new small passenger vessels subject to Coast Guard inspection under the provisions of Subchapter T (Small Passenger Vessels) of 46 CFR Chapter 1.

15. The authority to prescribe regulations governing small passenger-carrying vessels is in sections 375, 390b and 416 of Title 46, U.S. Code. These regulations also interpret or apply sections 391, 392, 399, 404, 435, and 451 of Title 46, U.S. Code. These authorities are also cited with the present regulations in 46 CFR, Parts 176 and 181. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; and CGFR 56-28, July 24, 1956, 21 F.R. 5659.

IIb.—SCOPE OF APPLICATION OF PASSENGER VESSEL REGULATIONS UNDER ACT OF MAY 10, 1956

16. The Coast Guard regulations governing the inspection of passenger vessels are in two subchapters in 46 CFR Chapter 1, and the separation is according to whether the vessels are over or under 100 gross tons, and requirements applied as required by specific laws applicable to individual vessels. The requirements for small passenger vessels under 100 gross tons are in Subchapter T, while the requirements for passenger vessels of 100 gross tons and over are in Subchapter H. The proposed amendments to 46 CFR 70.05-3 and 70.05-15 state specifically that foreign and United States sailing vessels of 100 gross tons and over, but less than 700 gross tons, and carrying more than 6 passengers, are subject only to Public Law 519, 84th Congress, which is the Act of May 10, 1956, and in sections 390 to 390g, inclusive, in Title 46, U.S. Code, and are to be subject to the passenger vessel regulations in Subchapter H (46 CFR Parts 70-78). The purpose for these changes is to clarify the application of the regulations in Subchapter H (Passenger Vessels).

17. The authority to prescribe regulations governing passenger vessels is in sections 375 and 416 of Title 46, U.S. Code. The regulations interpret or apply sections 361, 362, 363, 366, 367, 390b, 395, 399, 404, 435, 481, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. These authorities are also cited with the present regulations in 46 CFR Part 70. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; and 167-38, October 26, 1959, 24 F.R. 8857.

ITEM III.—DANGEROUS CARGOES

18. Various amendments to the Dangerous Cargo Regulations in Part 146 (Transportation or Storage of Explosives or Other Dangerous Articles or Substances and Combustible Liquids on Board Vessels) of Subchapter N of 46 CFR Chapter 1 have been necessitated by corresponding changes made in the regulations of the Interstate Commerce Commission governing land transportation of

the same commodities. The provisions of Revised Statute 4472, as amended, also in section 170 of Title 46, U.S. Code, require that the Coast Guard accept and adopt such definitions, descriptions, descriptive names, classifications, specifications of containers, packing, marking, labeling, and certification of explosives or other dangerous articles or substances to the extent as are or may be established from time to time by the Interstate Commerce Commission insofar as they apply to shippers by carriers engaged in interstate and foreign commerce by water. Therefore, amendments applying only to shippers' requirements upon which the Interstate Commerce Commission has already complied with the Administrative Procedure Act are not included in this Agenda for the 1966 Merchant Marine Council Public Hearing but will be published as a separate document in the FEDERAL REGISTER.

19. The Safety of Life at Sea Conference of 1960 considered the requirements of the 1948 Convention pertaining to the transport of dangerous goods by sea. The scope of Regulation 3, Chapter 8, concerning dangerous goods was broadened and brought up to date at this conference. Chapter 7, of the 1960 Convention, prescribes general requirements for the transportation of dangerous cargoes by water. These regulations cover the classification, packing, marking, labeling, documents, and stowage which shall apply to dangerous articles carried aboard vessels on international voyages.

20. In order to comply with these requirements certain changes to the Dangerous Cargo Regulations are proposed to cover the shipment of these cargoes when they are on board U.S. vessels engaged in international trade or on foreign vessels within the navigable waters of the United States. The Coast Guard Dangerous Cargo Regulations recognize the area of jurisdiction of the Interstate Commerce Commission and these proposals will not disturb the present regulations which stipulate that shipments of dangerous cargo by water in domestic trade, or import or export shipments that move by land and water, are required to comply with ICC regulations (49 CFR Parts 71-79). However, under 49 CFR 71.12 and 73.9 certain exemptions are provided for jurisdiction of the Coast Guard to cover transportation of import or export shipments within a port area. In this respect only, shipments in international trade have been accorded certain exceptions from the Coast Guard Dangerous Cargo Regulations regarding descriptions, packing, marking, and labeling in deference to a foreign nation's own regulations.

21. To clarify these requirements and to incorporate additional detailed requirements imposed by the 1960 Convention, the following changes are being proposed:

a. Revision of 46 CFR 146.01-1 and 146.03-36 to make reference to the 1960 Convention now in effect.

b. Revision of 46 CFR 146.01-4 to include a description of the dangerous cargo classifications that are prescribed

by the Convention. To make provision for the use of these international descriptions, it is proposed to further amend the section so as to permit the use of the terms in international trade.

c. Revision of the export and import requirements in 46 CFR 146.02-10 and 146.02-11 to more clearly describe under what conditions import and export shipments, not covered by Interstate Commerce Commission regulations may be carried aboard ship.

d. Revision of 46 CFR 146.05-11(a) to require a certification covering any dangerous cargo, regardless of whether packages are labeled or not. The Convention specifically states that shipping documents for dangerous cargoes prepared by the shipper shall include a certificate of declaration that the shipment offered is properly prepared for carriage. No exemption is provided for articles that are not labeled.

e. Revision of 46 CFR 146.05-12, 146.05-15, and 146.06-15 to require that chemicals, which have as a proper shipping name a class description followed by the abbreviation "N.O.S.," shall be further identified by a correct technical name. The Convention clearly states that where goods are named or containers are marked, the correct technical name shall be used.

f. Revision of 46 CFR 146.21-25 to require that flammable liquids transported below decks must be stowed in ventilated holds. On passenger vessels, these holds must be fitted with either an overhead water sprinkler system or a fixed fire-smothering system.

g. Revision of 46 CFR 146.26-25 to require ventilated hold stowage for combustible liquids on passenger vessels, and to specify that a fixed fire extinguishing system be installed in the hold.

22. The commodity list, 46 CFR 146.04-5, has been amended to cover "Rubber curing compounds (solid)," which ignite readily when exposed to sparks or open flames. One such compound, para-quinone dioxime, has been specified by name. The entry covering automobiles has been amended to also cover mechanized equipment containing gasoline or other motor fuel within the fuel tank.

23. The provisions of 46 CFR 146.07-1, 146.07-10, 146.22-100, 146.23-100, 146.24-100, and 146.25-200 have been amended to clarify the requirements applicable to a vessel carrying vehicles filled with dangerous articles. The amendments to 46 CFR 146.07-1 specify that unless special loading or discharging gear is provided which will not add additional stresses to the vehicles, these vehicles are to be handled by roll-on/roll-off method. This is necessary to prevent damage to the containment portion of the vehicle when stresses are imposed by lifting for which the vehicle was not designed. The provisions of 46 CFR 146.07-10 have been amended to specify that railroad or highway vehicles to which is attached a tank containing dangerous articles are not permitted aboard vessels unless specifically provided for in the tables. The subject tables have been amended to in-

dicade the commodities permitted in tank cars and tank trucks.

24. The regulations in 46 CFR 146.22-100 covering ammonium nitrate and ammonium nitrate formulations have been amended to provide for use of wooden or fiberboard boxes with inside containers as already covered by the Interstate Commerce Commission regulations, and 46 CFR 146.22-30 and 146.22-40 have been amended to indicate how these containers are to be handled. A distinction has been established between nonrigid combustible containers and rigid containers with combustible inside packings on one hand, and rigid containers with noncombustible inside packings on the other. The object is to relate the requirements to the degree of hazard presented by the amount of combustible matter available to the nitrate.

25. The regulations in 46 CFR 146.27-30 have been amended to clarify certain provisions of the regulations applying to vehicles being transported with fuel in their tanks. Certain basic requirements have been extended to cover vehicles with tanks containing any type of fuel.

26. The provisions in 46 CFR 146.27-100 and 146.29-59 have been amended to provide for quantities of electrolyte in accordance with the needs of the vehicle for its operation and to account for polyethylene containers of electrolyte. Table K in 46 CFR 146.27-100 has been amended to cover rubber curing compounds which are easily ignitable. The entry covering automobiles has been amended to also cover mechanized equipment containing gasoline or other motor fuel within the fuel tank.

27. The provisions of 46 CFR 146.29-35 have been amended to extend the authority of the Captain of the Port to permit power tools in holds containing explosives except when explosive dusts or vapors are present.

28. The provisions of 46 CFR 146.29-39 have been amended to require safety hooks or moused hooks when handling military explosives to prevent a sling from accidentally slipping off the hook. This requirement is presently in effect at all military explosives loading installations.

29. The authority to prescribe regulations governing the water transportation of dangerous cargoes is in section 170, 375, and 416 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. These authorities are also cited with the present regulations in 46 CFR Part 146. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; and 167-14, November 26, 1954, 19 F.R. 8026.

III.B.—SHIPMENTS IN INTERNATIONAL TRADE AND SUBJECT TO THE 1960 INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA, CHAPTER VII

30. The proposed amendments to 46 CFR 146.01-1 and 146.03-36 update reference to the International Convention for the Safety of Life at Sea, 1960 (SOLAS). The proposed revision of 46 CFR 146.01-

4, regarding classifications, will correlate the 1960 SOLAS classifications described in Chapter 7, Regulation 2, to the Coast Guard classifications and will allow for their use. The proposed revision to 46 CFR 146.02-10(b), regarding export shipments, will clarify the requirements for labels and will permit labels to be used which are in accordance with regulations of the country of destination for lots of 100 or less packages. The proposed revision of 46 CFR 146.02-11 (b) and (c), regarding import shipments, change the requirements to agree with the applicable requirements of the Interstate Commerce Commission in 49 CFR Parts 71-79, and clarifies that dangerous goods carried in containers prescribed by the country of origin are permissible within a domestic port area if the shipment is not further shipped under Interstate Commerce Commission jurisdiction.

III.b.—LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES AND COMBUSTIBLE LIQUIDS

31. The proposed revision of 46 CFR 146.04-5 will add new items to the commodity list of explosives or other dangerous articles containing the shipping name or description of articles subject to the regulations in this subchapter, as well as provide for mechanized equipment that is not self-propelled.

III.C.—SHIPPER'S REQUIREMENTS RE: PACKING, MARKING, LABELING AND SHIPPING PAPERS

32. It is proposed to amend 46 CFR 146.05-11, regarding certification, to require that dangerous cargoes be certificated regardless of whether or not the goods are labeled, and to provide for the certification of goods being transported under 46 CFR 146.02-10 and 146.02-11 in order to accept a certification stating compliance with regulations of the country of origin or destination. This proposal is also in agreement with 1960 SOLAS, Chapter 7, Regulation 5. It is proposed to amend 46 CFR 146.05-12 (f) (5), regarding originating shipping order, transfer shipping paper, to provide for positive identification of dangerous articles that are described by class and the abbreviation "N.O.S." It is proposed to amend 46 CFR 146.05-15(e) (1), regarding marking and labeling applying to domestic shipments only, to provide for positive identification of dangerous articles that are described by class and the abbreviation "N.O.S." This identification by correct technical name is required by 1960 SOLAS, Chapter 7, Regulation 4.

III.d.—VESSEL'S REQUIREMENTS RE: ACCEPTANCE, HANDLING, STOWAGE, ETC.

33. It is proposed to amend 46 CFR 146.06-15, regarding information required on manifests, lists, or stowage plans, to provide for positive identification of dangerous articles that are described by class and the abbreviation "N.O.S." This identification by correct technical name is required by 1960 SOLAS, Chapter 7, Regulation 5.

IIIc.—RAILROAD VEHICLES, HIGHWAY VEHICLES, VANS OR PORTABLE CONTAINERS LOADED WITH EXPLOSIVES OR OTHER DANGEROUS ARTICLES AND TRANSPORTED ON BOARD OCEAN VESSELS

34. The proposed revision of 46 CFR 146.07-1, regarding applicability and definitions, will require that vehicles containing dangerous articles loaded aboard vessels be handled by "roll-on/roll-off" method, and to make special provisions for handling operations involving gear designed to be used with cargo vehicles without imposing additional hazards. It is proposed to revise 46 CFR 146.07-10(2), regarding tank containers, to require that the commodities must be permitted in tank containers by the tables before they may be considered for transportation under the provisions of this Subpart 146.07

IIIj.—DETAILED REGULATIONS GOVERNING FLAMMABLE LIQUIDS

35. It is proposed to revise 46 CFR 146.21-25, regarding "under deck" stowage, so that requirements will be in agreement with 1960 SOLAS, Chapter 2, Regulation 58, and Chapter 7, Regulation 7.

IIIg.—DETAILED REGULATIONS GOVERNING FLAMMABLE SOLIDS AND OXIDIZING MATERIALS

36. The proposed revision of 46 CFR 146.22-30(c), regarding authorization to load or discharge ammonium nitrate and ammonium nitrate fertilizers, is to clarify the requirements for ammonium nitrate in rigid containers having combustible inside packings or noncombustible inside packings are subject to this regulation, as well as to clarify that plastic bags or liners may be used as noncombustible inside packings for rigid containers in general. The proposed revision of 46 CFR 146.22-40, regarding nitro carbo nitrate, is to clarify that nitro carbo nitrate in rigid containers having combustible inside packings is subject to the requirements in this regulation. The proposed changes to 46 CFR 146.22-100, regarding Table E—Classification: Flammable Solids and Oxidizing Materials which were originally covered by Subpart 146.07, will describe additional containers permitted by ICC regulations.

IIIh.—DETAILED REGULATIONS GOVERNING CORROSIVE LIQUIDS

37. The proposed revision of 46 CFR 146.23-100, regarding Table F—Classification: Corrosive Liquids, changes requirements for a number of commodities in order to provide for the transportation of certain corrosive liquids in tank cars complying with ICC regulations or motor vehicle tank trucks complying with ICC regulations, which were originally covered by Subpart 146.07.

IIIi.—DETAILED REGULATIONS GOVERNING COMPRESSED GASES

38. The proposed revision of 46 CFR 146.24-100, regarding Table G—Classi-

fication: Compressed Gases, changes requirements for a number of commodities in order to provide for the transportation of these compressed gases in tank cars complying with ICC regulations or motor vehicle tank trucks complying with ICC regulations, which were originally covered by Subpart 146.07.

IIIj.—DETAILED REGULATIONS GOVERNING POISONOUS ARTICLES

39. The proposed revision of 46 CFR 146.25-200, regarding Table H—Classification: Class B; less dangerous poisons, changes requirements for a number of commodities in order to provide for the transportation of these Class B poisons in tank cars complying with ICC regulations or motor vehicle tank trucks complying with ICC regulations, which were originally covered by Subpart 146.07.

IIIk.—DETAILED REGULATIONS GOVERNING COMBUSTIBLE LIQUIDS

40. The proposed amendment to 46 CFR 146.26-25(a), regarding "under deck" stowage, contains the requirements of the 1960 SOLAS, Chapter 7, Regulation 7, and will clarify the requirements by providing that passenger vessels carrying combustible liquids in containers under deck must have these cargo spaces fitted with a fixed fire extinguishing system.

IIIIm.—DETAILED REGULATIONS GOVERNING HAZARDOUS ARTICLES

41. The proposed revision of 46 CFR 146.27-100, regarding "Table K—Classification: Hazardous Articles," changes requirements for "automobiles, motorcycles, etc." in order to adopt the terminology set forth by the 1960 SOLAS, to provide for fixed fire smothering systems, to extend the application to mechanized equipment that is not vehicular, and to provide for certain types of vehicles which require two or more electric storage batteries for normal operation; as well as to add new requirements for rubber curing compound, (solid) paraquinone dioxime.

IIIIn.—DETAILED REGULATIONS GOVERNING THE TRANSPORTATION OF MILITARY EXPLOSIVES AND HAZARDOUS MUNITIONS ON BOARD VESSELS

42. The proposed amendment to 46 CFR 146.29-35(e), regarding lights, tools, and portable equipment, will give the Captain of the Port authority to permit use of power operated tools in holds containing explosives except under certain conditions. The proposed amendment to 46 CFR 146.29-39, regarding handling and slinging of explosives, will add requirements to preclude a draft from slipping off the hook and falling should it accidentally hit an obstruction, such as the coaming of a hatch. The proposed amendment to 46 CFR 146.29-59(d), regarding stowage adjacent to other dangerous vehicles, changes requirements for military vehicles with electrolyte by adding equipment with battery electrolyte. These changes were requested by the Department of Defense.

IIIo.—VESSELS SPECIALLY SUITABLE AS VEHICLE CARRIERS FOR TRANSPORTING AUTOMOBILES OR OTHER SELF-PROPELLED VEHICLES OFFERED FOR TRANSPORTATION WITH FUEL IN TANKS

43. Many vessels are today being designed with special capabilities or arrangements to make them suitable for the carriage of motor vehicles with fuel tanks containing gasoline. Because of special problems involved with the handling of gasoline in vehicle tanks, the possible operation of vehicles inside of enclosed spaces, and elimination of ignition sources it is necessary to develop safeguards which will assure a reasonable degree of safety in the handling and carriage of such vehicles. It is proposed to make several changes to the Passenger Vessel Regulations, Cargo and Miscellaneous Vessel Regulations, and Electrical Engineering Regulations to require special ventilation and fire detection and extinction features. It is also proposed to change the Dangerous Cargo Regulations to recognize foreign vessels specially designated by their government to carry motor vehicles with fuel tanks containing gasoline. In those vessels not designated as "specially suitable for vehicles" special precautions are required to assure that all ignition sources have been eliminated. The regulations proposed are essentially the same for both Cargo and Miscellaneous Vessels, and for Passenger Vessels.

44. It is proposed to add as 46 CFR 70.10-44 and 90.10-38 a definition of a space which is "specially suitable for vehicles." It is proposed to revise the ventilation requirements for passenger vessels in 46 CFR 72.15-15 and for cargo vessels in 46 CFR 92.15-10 by adding the requirements presently contained in the electrical regulations in Subchapter J (Electrical Engineering) of this chapter. They are included here primarily for the purpose of clarification and to assure that ventilation is provided when vehicles are carried with battery cables connected. This ventilation is necessary to minimize the possibility of gasoline vapor accumulation and subsequent ignition by the automobile electrical system or other means. The provisions of Table 76.05-1(a) in 46 CFR 76.95-1 for passenger vessels, and 46 CFR 95.05-1 and 95.05-10 for cargo vessels, regarding fire detecting and extinguishing equipment, are changed to clarify the types of detecting and extinguishing systems which are suitable for spaces "specially suitable for vehicles." It is proposed to add requirements to 46 CFR 76.15-5 and 95.15-5, regarding carbon dioxide extinguishing, for spaces specially suitable for vehicles. Ordinary passenger vessel cargo space fire extinguishing systems are not designed for protection against flammable liquid type of fires. To protect against the possibility of a flammable liquid fire, it is necessary to have the capability of releasing the required quantity of carbon dioxide within a relatively short period. This would result in an increase over ordinary cargo space

extinguishing system requirements by requiring an increased amount of piping and carbon dioxide nozzles. It is proposed to add a reference to 46 CFR 77.05-1 and 96.05-1, regarding electrical engineering and interior communications systems, to the special electrical requirements in 46 CFR 111.65-10 of Subchapter J (Electrical Engineering) of this chapter. In order to prevent concentrations of carbon monoxide which may be harmful to personnel, it is proposed to add new Subparts 78.83 and 97.80, entitled "Operation of Vehicles in Enclosed Locations," consisting of §§ 78.83-1 and 97.80-1, respectively, to 46 CFR Part 78, and Part 97.

45. The proposed changes to 46 CFR 111.65-10 in the electrical engineering regulations are to bring these regulations into agreement with the proposed changes to the regulations for passenger vessels in Subchapter H, for cargo and miscellaneous vessels in Subchapter I, and for foreign vessels subject to the Dangerous Cargo Regulations in Subchapter N of this chapter, with respect to the carriage of automobiles and other self-propelled vehicles with gasoline in the tanks and the batteries connected.

46. In the dangerous cargo regulations in Subchapter N, it is proposed to amend 46 CFR 146.27-30, regarding automobiles or other self-propelled vehicles offered for transportation with fuel in tanks, to provide certain requirements for vehicles with any type of fuel in tanks. The proposals extend certain basic safety requirements originally applicable to only gasoline fueled vehicles to all vehicles being transported with any type of fuel in tanks; clarify requirements to provide that mixed stowages of vehicles are subject to the requirements applying to the most dangerous type of vehicle present; and describe the more stringent requirements applying to vehicles with flammable fuel in the tanks, which deal with disconnecting battery cables except under specified conditions, the necessity for having a fixed fire smothering system and a smoke or fire detection system, and other editorial changes, including changes in terminology to agree with terminology used in the 1960 SOLAS.

47. The authority to prescribe regulations governing passenger, cargo and miscellaneous vessels is in sections 375 and 416 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code and Executive Order 11239, July 31, 1965, 30 F.R. 9671. These regulations also interpret or apply sections 361, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 395, 399, 170, 404, 405, 411, 435, 481, 489, 526p, and 1333. These authorities, as applicable, are also cited with the present regulations in 46 CFR Parts 70, 72, 76, 77, 78, 92, 95, 96, 97, 111, and 146. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

ITEM IV.—BULK DANGEROUS CARGOES

IVA.—PROPYLENE OXIDE

48. At present in the Tank Vessel Regulations (CG-123), in 46 CFR Part 40, as Subpart 40.05, are the rules and regulations governing the transporting of ethylene oxide in bulk. Since these regulations were enacted, it has become desirable to ship propylene oxide in bulk. The propylene oxide presents essentially the same hazards as ethylene oxide, differing only in degree. Propylene oxide, whose molecules are larger, has a correspondingly higher boiling point. Its explosive limits are narrower, ranging from 2.1 to 21.5 percent in air. The reactivity, although slightly less than that of its homolog, is nevertheless quite high. It forms explosive acetylides with copper, aluminum, silver, and magnesium, and with alloys containing these metals. It polymerizes with the evolution of much heat, and this reaction can be catalyzed by any one of numerous external agents.

49. It is proposed to add new regulations for propylene oxide as a new Subpart 40.10, consisting of §§ 40.10-1 to 40.10-87, inclusive, in 46 CFR Part 40. Because there are at present no regulations governing the bulk shipment of propylene oxide, all proposals for such carriage must be sent to the Commandant for appropriate action. The increasing demand for large quantities of propylene oxide and requests to ship it in bulk now requires a reappraisal of the situation. The reason for not having regulatory requirements for bulk shipments of propylene oxide to date is that the demand for such commodity was insufficient to make bulk shipment economically feasible. If the proposals are adopted, it is believed the various Officers in Charge, Marine Inspection, will be able to give faster and more efficient service to the shipping industry since all concerned will have readily available the standards governing the bulk shipment of propylene oxide.

50. The authority to prescribe regulations governing the water transportation of certain flammable or combustible dangerous cargoes in bulk is in sections 375, 391a and 416 of Title 46, U.S. Code. The regulations also interpret or apply section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. These authorities are also cited with the present regulations in 46 CFR Part 40. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; and 167-14, November 26, 1954, 19 F.R. 8026.

IVB.—PHOSPHORIC ACID

51. The requirements for certain named dangerous cargoes when being transported in bulk are set forth in 46 CFR Part 98. The dangerous cargo regulations in 46 CFR 146.27 (Detailed Regulations Governing Hazardous Articles) were amended, in 1964 after a Merchant Marine Council Public Hearing on the proposal, which classified "phosphoric acid," heretofore a nonregulated commodity, as a hazardous article. Therefore, new regulations are needed to

provide for the transportation of "phosphoric acid" in bulk as a regulated commodity.

52. It is proposed to add new regulations for "phosphoric acid in bulk" as a new Subpart 98.18, consisting of §§ 98.18-1 to 98.18-50, inclusive, in 46 CFR Part 98, to regulate its carriage. Under present regulations, specific approval must be obtained from the Commandant for the transportation of phosphoric acid in bulk. Under the proposed regulations, it will be possible for the Officers in Charge, Marine Inspection, in the Coast Guard field offices to approve bulk shipments of phosphoric acid. It is anticipated that the bulk movement of phosphoric acid will become a matter of increasing commercial importance. For this reason it is desired to provide published standards for the guidance of all concerned in its movement by barge.

53. The authority to prescribe regulations governing the water transportation of certain dangerous cargoes in bulk is in sections 170, 375, and 416 of Title 46, U.S. Code. The regulations also interpret or apply sections 391a and 481 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. These authorities are also cited with the present regulations in 46 CFR Part 98. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; and 167-38, October 26, 1959, 24 F.R. 8857.

ITEM V.—ELECTRICAL ENGINEERING

VB.—INTRINSICALLY SAFE INSTRUMENTS AND EQUIPMENT

54. The present electrical engineering regulations (CG-259, Subchapter J, 46 CFR Parts 110-113) prohibit the use of intrinsically safe equipment, nor is the intrinsically safe concept and recommended practices related to intrinsically safe instruments and circuits, as recommended by the Instrument Society of America or allowed by the National Electrical Code (NFPA 70) recognized by the Coast Guard. The subject "Intrinsically Safe Equipment and Circuits" was considered by the Merchant Marine Council at a Public Hearing held March 23, 1964 (Item Vih, pages 70 to 77, inclusive, CG-249). This proposal was commented on extensively and withdrawn for further consideration.

55. The concept of intrinsically safe equipment is finding wider acceptance than ever in various industrial areas. The development and use of automated liquid cargo systems and the increased carriage of bulk liquid cargoes of low temperature characteristics or under other conditions have created problems for which the present standard marine methods of measuring liquid levels, pressures, and temperatures are not adequate. The National Electrical Code (NFPA) now recognizes the "intrinsically safe" concept. The "intrinsically safe" concept is based on the principle that, for explosive mixtures, there is an

experimentally determinable level of energy needed from an ignition source to cause an explosion and that if the maximum level of energy allowed is kept below such level then a particular mixture cannot be made to explode. Intrinsically safe equipment and circuits are designed to prevent energy levels of magnitude which will cause an explosion from being generated or stored under both normal and abnormal conditions of operation. The Instrument Society of America has developed and published a "Recommended Practice, Intrinsically Safe and Non-Incendive Electrical Instruments" (RP 12.2), which is a recognized industrial standard for such equipment. In this proposal it is contemplated to revise the Electrical Engineering Regulations (CG-259, Subchapter J) by revising 46 CFR Parts 110 and 111 so that (1) the industry standard will be recognized; (2) define "intrinsically safe equipment"; and (3) add regulations which will allow the use of intrinsically safe instruments and equipment, as well as permit exceptions to present limitations in the tank vessel regulations in 46 CFR 32.45-1.

56. It is proposed to add a definition of "intrinsically safe equipment" as 46 CFR 110.15-100(d). This definition is in agreement with the term as used in section 500 of the National Electrical Code and the "Recommended Practice, Intrinsically Safe and Non-Incendive Electrical Instruments" of the Instrument Society of America. The proposed amendments to 46 CFR 111.60-10(b) and 111.60-40(a), regarding wire and cable installation and wiring methods and materials for hazardous locations, will allow the use of intrinsically safe instruments and equipment in or adjacent to oil tanks and cofferdams or in hazardous locations. The proposed regulation designated 46 CFR 111.65-3, entitled "special requirements for intrinsically safe systems", describe applicable requirements governing the use of intrinsically safe equipment, and procedures for obtaining Commandant's approval after evaluation of required plans, etc., which must be submitted, and specifies that laboratories other than the manufacturer's laboratories shall perform certain required tests to insure that all of the requirements are adhered to. The amendments proposed to 46 CFR 111.70-10(c) and 32.45-1(h) will provide specific exemptions for use of intrinsically safe systems and equipment on tank vessels.

57. The authority to prescribe regulations governing electrical engineering for merchant vessels is in section 375 and 416 of Title 46, U.S. Code. The regulations also interpret or apply sections 361, 391a, 362, 363, 366, 367, 369, 390b, 391, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Parts 32, 110, and 111. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R.

6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

Vb.—REFERENCE SPECIFICATIONS AND PUBLICATIONS

58. The proposed amendments to 46 CFR 110.10-1, regarding reference specifications, standards, and codes, will add references to specifications and publications pertaining to intrinsically safe equipment issued by the Instrument Society of America, Pittsburgh, Pa., and to specification standards pertaining to industrial control equipment for use in hazardous locations issued by the Underwriters' Laboratories, Inc., Chicago, Ill.

59. The authority to prescribe regulations governing electrical engineering for merchant vessels is in sections 375 and 416 of Title 46, U.S. Code. The regulations also interpret or apply sections 361, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Part 110. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

Vc.—WIRING METHODS AND MATERIALS FOR HAZARDOUS LOCATIONS

60. The present Electrical Engineering Regulations (CG-259, Subchapter J, 46 CFR Parts 110-113) do not recognize the National Electrical Code, Class I, Division 1, and Class I, Division 2, concept of hazardous area division. This condition has created situations where explosion proof equipment was required although watertight or totally enclosed equipment would have been more suitable both environmentally and logically. This change would include the recognition of the less hazardous Class I, Division 2, area, thereby allowing the use of more suitable equipment in some areas. This is to be accomplished by amending 46 CFR 111.60-40, regarding wiring methods and materials for hazardous locations, to recognize the Class I, Division 1, and Class I, Division 2, hazardous areas, and to outline the equipment and enclosures allowed.

61. The authority to prescribe regulations governing electrical engineering for merchant vessels is in sections 375 and 416 of Title 46, U.S. Code. The regulations also interpret or apply sections 361, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Part 111. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws

are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

Vd.—SWITCHBOARD INSTALLATIONS

62. The present electrical regulations governing switchboard installations in 46 CFR 111.35-1 require that switchboards clear deck beams by at least 4 inches. It is not clear that this applies only to overhead deck beams, as the question has arisen as to whether or not switchboards should be 4 inches above the deck. The proposed change to 46 CFR 111.35-1 clarifies this point by clearly indicating that the 4-inch requirement refers to the overhead deck beams.

63. The authority to prescribe regulations governing electrical engineering for merchant vessels is in sections 375 and 416 of Title 46, U.S. Code. The regulations also interpret or apply sections 361, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1956, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Part 111. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

Ve.—MOTOR CONTROLLERS

64. The present electrical regulations specify several conditions that must be met when a motor controller is not adjacent to the motor. In several instances these requirements have proven excessive. Examples are motor operated valves and blowers that are never intended to be controlled locally and that present no hazard if started remotely. The intent of the regulations is to insure safety of maintenance personnel servicing the motor or its driven machinery. The proposed change to 46 CFR 111.45-1 (e), regarding general requirements for motor controllers adjacent to motor and driven machinery, will provide safe methods of isolating the motor which will be less expensive. This change will also bring the Coast Guard regulations and the requirements of the National Electrical Code into closer agreement. A change to this section was proposed in the agenda for the March 22, 1965, Merchant Marine Council Public Hearing but was withdrawn.

65. The authority to prescribe regulations governing electrical engineering for merchant vessels is in sections 375 and 416 of Title 46, U.S. Code. The regulations also interpret or apply sections 361, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive

Order 11239, July 31, 1965, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Part 111. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

VI.—FEEDER SIZE AND OVERCURRENT PROTECTION FOR TRANSFORMERS

66. The present electrical engineering regulations (CG-259) in Subchapter J (46 CFR Part 111) do not specify the size of feeders and overcurrent protection for lighting and power transformers, and many questions have been asked about such requirements. In reply, the regulations pertaining to motors have been usually cited. The proposed changes to Table 111.50-20(a) in 46 CFR 111.50-20 and a new paragraph designated 46 CFR 111.55-1(k) will provide requirements covering feeder size and overcurrent protection for transformers.

67. The authority to prescribe regulations governing electrical engineering for merchant vessels is in sections 375 and 416 of Title 46, U.S. Code. The regulations also interpret or apply sections 361, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Part 111. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

VG.—FUSE RATINGS

68. In the electrical engineering regulations (CG-259), reference is made in 46 CFR 111.55-15(b) to the ampere ratings of Type S fuses. This regulation was based on provisions in the National Electrical Code (NFPA 70) which were changed and the Coast Guard requirements are no longer in agreement with industry practices. It is therefore proposed to revise 46 CFR 111.55-15(b) regarding plug fuses and fuseholders of Type S, to agree with the National Electrical Code.

69. The authority to prescribe regulations governing electrical engineering for merchant vessels is in sections 375 and 416 of Title 46 U.S. Code. The regulations also interpret or apply sections 361, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333, of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Part 111. The delegations of authority

for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

VH.—LIGHTING FIXTURE

70. The electrical engineering regulations (CG-259) governing the type of lighting fixture for installation in damp or wet locations were revised in 1961 in order to permit the use of dripproof fixtures in inside damp or wet locations. This change permitted a reduction in requirements so that only fixtures actually subject to being splashed would have to be capable of passing the hose test prescribed by 46 CFR 110.15-65(d). A number of machinery space fires have occurred where oil leaking under pressure was sprayed on the bare lamps. The oil was ignited from the filaments of incandescent lamps after the force of the impinging oil breaks the bulb. Therefore, it is proposed to require protection for lamps in spaces where oil is piped under pressure in order to reduce the fire hazards from sprayed flammable liquid in the event of an oil leak. The proposed change to 46 CFR 111.60-35, regarding lighting fixtures will add requirements to provide protection for lamps or fixtures located in certain machinery spaces. Under 46 CFR 110.05-3 this change would apply only to new or replaced installations on existing vessels.

71. The authority to prescribe regulations governing electrical engineering for merchant vessels is in sections 375 and 416 of Title 46, U.S. Code. The regulations also interpret or apply sections 361, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Part 111. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

VI.—LIQUEFIED FLAMMABLE GAS

72. The present regulations in 46 CFR 30.10-39 and 111.70-5(h) define a liquefied flammable gas as a flammable gas that has been "compressed and liquefied for purposes of transportation." In practice the gas may be liquefied by compression or by refrigeration or by combination of compression and refrigeration. The resulting liquid is the same regardless of the method by which liquefied. It is therefore proposed to amend 46 CFR 111.70-5(h) regarding liquefied flammable gas as defined in the electrical engineering regulations, in order to remove a limitation which should not be a part of a definition.

73. The authority to prescribe regulations governing electrical engineering for merchant vessels is in sections 375 and 416 of Title 46 U.S. Code. The regulations also interpret or apply sections 361, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code and Executive Order 11239, July 31, 1965, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Part 111. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5629; 167-38, October 26, 1959, 24 F.R. 8857.

VJ.—EXPLOSION-PROOF EQUIPMENT INSTALLED ON WEATHER DECK

74. It is proposed to amend 46 CFR 111.70-10(c)(4) regarding weather deck installation requirements on tank vessels handling Grade A, B, C, or D liquid cargo, to bring these requirements into agreement with those in 46 CFR 32.45-1(d) of the Tank Vessel Regulations. The Tank Vessel Regulations presently permit explosion-proof equipment installed on the weather deck to be "protected against the entrance of water by other approved means." The electrical engineering regulations for tank vessels do not contain this clause, although some installations are acceptable only under the clause "other approved means." The proposed change to 46 CFR 111.70-10 will include the same language as used in the Tank Vessel Regulations in order to clarify application of requirements.

75. The authority to prescribe regulations governing electrical engineering for merchant vessels is in sections 375 and 416 of Title 46, U.S. Code. The regulations also interpret or apply sections 361, 361a, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Part 111. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

VK.—GENERAL ALARM SYSTEMS

76. The present electrical engineering regulations concerning general alarm power supplies include descriptions of two systems that are in actual practice virtually identical. However, depending on the term used to describe a particular system, one supply can be used for loads other than the general alarm system while the other supply can be used only

to supply the general alarm system. In order to permit other loads to be connected to the general alarm batteries in the same manner as permitted under present regulations, it is proposed to amend 33 CFR 113.25-10(a) regarding the power supply for general alarm systems.

77. The authority to prescribe regulations governing electrical engineering for merchant vessels is in sections 375 and 416 of Title 46, U.S. Code. The regulations also interpret or apply sections 361, 362, 363, 366, 367, 369, 390b, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 526p, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671. The applicable authorities are also cited with the present regulations in 46 CFR Part 113. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

ITEM VI.—MANNED PLATFORMS

VIA.—PAINTERS PROVIDED FOR LIFEBOATS

78. The present regulations governing artificial islands and fixed structures on the Outer Continental Shelf require that each lifeboat shall be provided with a painter. It is proposed to amend 33 CFR 144.01-10 regarding equipment for lifeboats on manned platforms to clarify the intent of the wording so that the size of the painter when it is a manila rope shall not be less than 2 3/4 inches in circumference and if other material shall be equivalent to such a manila rope but not necessarily of the same size. It is not intended that a synthetic rope shall be 2 3/4 inches in circumference if a smaller size can be shown to be equivalent to manila rope not less than 2 3/4 inches in circumference. This proposed change is in response to questions whether the present regulations intended that synthetic rope should be at least 2 3/4 inches in circumference to be considered equivalent to the manila rope specified.

79. The authority to prescribe regulations governing artificial islands and fixed structures on the Outer Continental Shelf is in section 1333 of Title 43, U.S. Code and section 633 in Title 14, U.S. Code. The applicable authorities are also cited with the present regulations in 33 CFR Part 144. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department Orders 167-15, January 3, 1955, 20 F.R. 840; 167-17, June 29, 1955, 20 F.R. 4976.

ITEM VII.—INSPECTED VESSELS

VIIA.—SUBDIVISION OF CERTAIN NON-MECHANICALLY PROPELLED VESSELS

80. In order to clarify requirements for passenger vessels the requirements for passenger vessels of 100 gross tons or over were placed in Subchapter H (46

CFR Parts 70-78) while the requirements for small passenger vessels under 100 gross tons were placed in Subchapter T (46 CFR Parts 175-187). It is proposed to amend 46 CFR 73.15-5 regarding subdivision of vessels in service other than ocean or coastwise and vessels under 150 gross tons in ocean or coastwise service and not on an international voyage, to remove an inconsistency in the regulations which presently permit certain vessels of over 100 gross tons not to have a one compartment standard of subdivision which is presently required for certain nonmechanically propelled vessels under 100 gross tons in identical service.

81. The authority to prescribe regulations regarding watertight subdivision for passenger vessels is in sections 85a, 88a, 363, 367, 369, 375, 390b, 391, 392, 395, 404, 416, 481, 482, 483, 526p, 1333 in Title 46, U.S. Code, section 198 in Title 50, U.S. Code and E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. The applicable authorities are also cited with the present regulations in 46 CFR Part 73. The delegations of authority for Commandant, U.S. Coast Guard to prescribe regulations under these laws are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857; 167-48, October 19, 1962, 27 F.R. 10504.

VIIb.—DRYDOCK EXAMINATIONS FOR PUBLIC NAUTICAL SCHOOLSHIPS

82. The provisions of 46 CFR 167.15-50 provide for tailshaft examinations on an inspected public nautical schoolship. However, the regulations do not provide nor require a specific period for a drydocking interval for such a schoolship. Additionally, the regulations are silent about notifying the Coast Guard when such vessels are drydocked. By the wording of 46 CFR 167.15-50 it was intended that such a vessel should be drydocked at required intervals, since it gives authority to the District Commander to extend the tailshaft drawing to the next regular drydocking period, but not to exceed 4 months. It is therefore proposed to amend the Rules and Regulations for Nautical Schools (Subchapter R) to require drydocking intervals for the vessels inspected under these regulations by adding 46 CFR 167.15-30. Since these vessels are normally tied up for long periods of time during each year, it is also proposed to amend 46 CFR 167.15-50 to require tailshaft examinations every 4 years in lieu of 3 years to correspond more closely to the required drydocking period.

83. The authority to prescribe regulations governing public nautical schoolships is in sections 222, 239, 363, 367, 390b, 391, 392, 399, 404, 411, 435, and 481 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, section 1007 of Title 33, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. The applicable authorities are also cited with the present regulations in 46 CFR Part 167. The delegations of

authority for Commandant, U.S. Coast Guard, to prescribe regulations under these laws are in Treasury Department orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857; and 167-46, November 6, 1961, 26 F.R. 10609.

VIIc.—DEEP-SEA SOUNDING APPARATUS FOR VESSELS IN GREAT LAKES SERVICE

84. Vessels in the Great Lakes trade are on well charted waters, with excellent aids to navigation, as well as electronic aids, such as radar, radio direction finders and radio telephone. Except for vessels which operate eastward of the St. Lambert Lock, the only sounding gear deemed necessary is a deep-sea hand lead. The proposed amendments to 46 CFR 32.15-10, for tank vessels, 77.27-1 (a), for passenger vessels, and 96.27-1 (a), for cargo and miscellaneous vessels, will eliminate the mechanical or electronic deep-sea sounding apparatus on some vessels in Great Lakes service. These sounding devices are of little or no value in this area and no situation can be foreseen where the deep-sea hand lead would not suffice.

85. The authority to prescribe regulations regarding deep-sea sounding apparatus for vessels is in sections 363, 367, 391, 391a, 392, 404, 435, and 481 of Title 46, U.S. Code, section 198 in Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. The applicable authorities are also cited with the present regulations in 46 CFR Parts 32, 77, and 96. The delegations of authority for the Commandant, U.S. Coast Guard to prescribe regulations are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; and CGFR 56-28, July 24, 1956, 21 F.R. 5659.

VIIId.—LIFE PRESERVER FOR BOW LOOKOUT

86. When 46 CFR 33.35-1, regarding number and type of life preservers required, was amended to require tank vessels on an international voyage to carry an additional number of life preservers for 5 percent of the persons carried, a provision was made that the life preservers required by present regulations for persons on watch in the engine room and pilothouse could be counted toward meeting this requirement. It was inadvertently overlooked that a vessel on an international voyage with 3 men on watch in the pilothouse and 2 men on watch in the engine room would have to be certificated to carry more than 100 persons before any additional life preservers would be required to meet the requirements in 46 CFR 33.35-1(b). The Marine Board of Investigation of a recent tanker disaster recommended that a life preserver be provided for the person on watch as a bow lookout. The Commandant, U.S. Coast Guard, concurred in this recommendation. It is, therefore, proposed to amend 46 CFR 33.35-1, regarding number and type of life preservers required, to provide a life pre-

server for the person on watch as a bow lookout and to remove requirements which serve no useful purpose, since the life preservers required for the persons on watch exceed the 5 percent currently required. The proposed amendment to 46 CFR 33.35-5, regarding distribution and stowage of life preservers, will provide for proper stowage of required life preservers for the bow lookout.

87. In an emergency a person on watch as a bow lookout on a passenger vessel could possibly be cut off from the remainder of the vessel, preventing him from returning to his quarters to get the life preserver provided for him by present regulations. It is proposed to amend 46 CFR 75.40-15(b), regarding distribution of life preservers, to provide a life preserver near the bow for the person on watch as bow lookout where it would be difficult in an emergency for him to return to his quarters to get the life preserver presently provided.

88. When 46 CFR 94.40-10, regarding number of life preservers required, was amended to require cargo vessels on an international voyage to carry an additional number of life preservers for 5 percent of the persons carried, it was inadvertently overlooked that no useful purpose was served by this requirement since the number of life preservers required for personnel on watch will in all cases exceed 5 percent. It is proposed to amend 46 CFR 94.40-10, regarding number of life preservers required on cargo vessels, to provide a life preserver for the person on watch as a bow lookout and to remove requirements which serve no useful purpose. It is proposed to amend 46 CFR 94.40-15, regarding distribution and stowage of life preservers to provide for the proper stowage of life preservers to include those provided for bow lookouts.

89. The authority to prescribe regulations regarding life preservers is in sections 367, 391a, and 481 of Title 46, U.S. Code, section 198 in Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. The applicable authorities are also cited with the present regulations in 46 CFR Parts 32, 75 and 94. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; and 167-38, October 26, 1959, 24 F.R. 8857.

VIII.—LIFE PRESERVERS, GENERAL, FOR MERCHANT VESSELS

90. In 46 CFR Subpart 160.001 the general specification requirements common to all life preservers have been published. It is proposed to amend 46 CFR 160.001-2 and 160.001-3 to bring up to date the specification and to list therein the general characteristics and requirements that are applicable to all Coast Guard approved life preservers.

91. The specific authority to prescribe requirements for life preservers are in sections 390b, 391a, 481, 526e, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, section 1333 of Title 43, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965

Supp. The applicable authorities are also cited with the present regulations in 46 CFR Subpart 160.001. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-15, January 3, 1955, 20 F.R. 840; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; and 167-38, October 26, 1959, 24 F.R. 8857.

VIII.—LIFE PRESERVERS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

92. The specification requirements for unicellular plastic foam life preservers are 46 CFR 160.055-1 to 160.055-8, inclusive, and the following changes are proposed:

(a) Revision of the standard rigging arrangement so it will be the same as an improved method that is now used on several approved life preservers. This proposed arrangement will permit placing the dee ring at the front. This arrangement makes it easier to secure and adjust the preserver.

(b) New requirements to allow molded standard life preservers. This proposed design of molded life preservers has been permitted in some currently approved molded life preservers.

(c) Changed the industry specifications to refer to those currently being followed. Various Military Specifications have been replaced.

(d) Brought up to date references to specifications, names and addresses and deleted requirements no longer considered necessary.

93. The specific authority to prescribe requirements for life preservers are in sections 390b, 391a, 481, 526e, and 1333 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, section 1333 of Title 43, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. The applicable authorities are also cited with the present regulations in 46 CFR Subpart 160.055. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-15, January 3, 1955, 20 F.R. 840; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; and 167-38, October 26, 1959, 24 F.R. 8857.

VIII.—ATTACHMENT OF SELF-IGNITING WATERLIGHTS

94. The specification requirements for calcium-carbide or calcium-phosphide type self-igniting waterlights for use with ring life buoys are in 46 CFR Subpart 160.012. The proposed changes to 46 CFR 160.012-5, marking, 160.012-6, packing, and 160.012-7, procedure for approval, are considered necessary to correct a situation which marine inspection reports indicate is found with regularity; i.e., self-igniting waterlights are being found improperly secured and therefore such waterlights become nonoperative in time of need. The ring on the end that should be attached to the ring

life buoy lanyard is being secured to the ship rail. In this condition, if in an emergency the ring life buoy is thrown overboard only the pull wire on the waterlight will go with it. If the waterlight is stowed correctly with the ring life buoy, then both the waterlight and the ring life buoy would be thrown overboard in an emergency and the pull wire on the waterlight would remain secure to the ship's rail. When the pull wire on the waterlight is removed, it leaves a hole in the waterlight for water to enter, thus activating the device. Another problem has also been reported when the waterlight is properly secured to the ship's rail. In many cases the weight of the waterlight on the pull wire will cause the soldered joint holding the pull wire to the waterlight to fail so that the light will part from the wire, thus exposing the chemicals to the elements. The proposed amendments will require additional marking on the waterlight, instructions for securing the waterlight to the vessel and to the ring life buoy to be included in the shipping container, and the manufacturer to submit instructions for installation of waterlight with submittal of plans and specifications for approval.

95. The authority to prescribe requirements for waterlights is in sections 481 and 489 in Title 46, U.S. Code, section 198 in Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. The applicable authorities are also cited with the present regulations in 46 CFR Subpart 160.012. The delegations of authority for the Commandant to prescribe regulations are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; and 167-38, October 26, 1959, 24 F.R. 8857.

VIII.—RELEASES, HYDRAULIC AND MANUAL, FOR INFLATABLE LIFERAFTS

96. Inflatable liferafts on merchant vessels are frequently installed with hydraulic releases which permit the raft containers to float free from a sinking vessel. Although the present regulations do not specify that a hydraulic release is to form a part of the installation of the inflatable liferaft, various Officers in Charge, Marine Inspection, report that these devices are in extensive use with such rafts and they have asked for guidance and an acceptance criteria. It is proposed to establish a specification for hydraulic and manual releases for inflatable liferafts, as a new Subpart 160.062, consisting of §§ 160.062-1 to 160.062-6, inclusive, in 46 CFR Part 160. Under this proposal the Coast Guard will approve hydraulic releases which will be marked with a Coast Guard approval number. It should be noted that installation requirements governing inspected vessels require that raft containers where authorized shall be capable of floating free from a sinking vessel.

97. The authority to prescribe regulations with respect to lifesaving equipment for inspected vessels is in sections 367, 390b, 481 and 489 of Title 46, U.S. Code, section 198 of Title 50, U.S. Code, and Executive Order 11239, July 31, 1965,

30 F.R. 9671, 3 CFR, 1965 Supp. The delegations of authority for the Commandant to prescribe regulations are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; and 167-38, October 26, 1959, 24 F.R. 8857.

ITEM VIII.—MANNING OF UNINSPECTED VESSELS

VIII.A.—ENGINEER ROOM MANNING FOR UNINSPECTED VESSELS OF 200 GROSS TONS AND OVER WITH FULLY AUTOMATED PILOTHOUSE CONTROL

98. Documented vessels of 200 gross tons and over, which navigate the high seas, are required by section 224a in Title 46, U.S. Code, to have licensed officers. The provisions of implementing regulations in 46 CFR 157.30-10(c) now require that two licensed deck officers and two licensed engineers (one a chief engineer) shall be on board when such a vessel is engaged on a voyage of such length and character that the master (or chief engineer in the engine room) manifestly and physically cannot be in charge of a watch continuously. Some uninspected vessels of 200 gross tons and over are now equipped with full pilothouse control of the propulsion machinery, thus eliminating the need for a person on watch in the engine room and actually in charge of the running of the vessel's engine. It has been determined that such a vessel, therefore, should not be deemed to be in violation of section 224a in Title 46, U.S. Code, if such a vessel had in her service only an appropriately licensed chief engineer. It is proposed to amend 46 CFR 157.30-10(c), regarding officers for uninspected vessels, to reflect this determination and to add a statement that uninspected vessels of 200 gross tons and over, which are equipped with full pilothouse control of the propulsion machinery and on which there is no need for a person on watch at all times in the engine room, would not be in violation of 46 U.S.C. 224a if such vessel had in her service only an appropriately licensed chief engineer.

99. The authority to prescribe regulations regarding officers on uninspected vessels is in section 224a in Title 46, U.S. Code. The delegation of authority for the Commandant, U.S. Coast Guard, to prescribe regulations is in Treasury Department Order 120, July 31, 1950, 15 F.R. 6521.

ITEM IX.—RULES OF THE ROAD

IX.A.—MARINA DEL REY, CALIF., LINE OF DEMARCATION BETWEEN INLAND WATERS AND INTERNATIONAL WATERS

100. The Marina Del Rey Breakwater has been recently constructed and has created a small harbor, which is subject to the International Rules under the existing regulations. It is therefore proposed to amend 33 CFR 82.151, regarding the line of demarcation for Marina Del Rey, so that it will be subject to the Inland Rules by moving the line out to the Detached Breakwater and have it run from each end of the Breakwater to shore, in the direction 060° true. The

proposed changes have been recommended by the Director of the Los Angeles County Department of Small Craft Harbors.

101. The authority to prescribe regulations regarding boundary lines of inland waters is in section 151 in Title 33, U.S. Code. The applicable authorities are also cited with the present regulations in 33 CFR Part 82. The delegation of authority for the Commandant, U.S. Coast Guard, to prescribe regulations is in Treasury Department Order 120, July 31, 1950, 15 F.R. 6521.

IX.B.—POSTING PILOT RULES ON GREAT LAKES VESSELS

102. It is presently required that a placard Form CG-807, containing a portion of the Pilot Rules for the Great Lakes, shall be kept posted on vessels navigating the Great Lakes, and one copy of such placard shall be posted in the pilothouse. Under the provisions of section 243 in Title 33, U.S. Code, the Coast Guard has printed this placard Form CG-807 and furnished two copies to each vessel. In addition, the Coast Guard publishes the Pilot Rules for the Great Lakes in a pamphlet form (CG-172, "Rules of the Road—Great Lakes"), which is distributed to all vessels. It has been determined that there is no specific requirement in law that the Pilot Rules required to be posted need to be in a placard form, although the regulations currently state that the posted Pilot Rules shall be Form CG-807. Therefore, it is proposed to amend 33 CFR 90.15, regarding posting of pilot rules, so that the pamphlet (CG-172) containing the Pilot Rules for the Great Lakes or two copies of the placard containing these Rules (CG-807) shall be kept posted, wherever practicable, one copy of which shall be in the pilothouse. This proposal would permit compliance with the law and the elimination of the placard, when so desired by the ship operator.

103. The authority to prescribe regulations regarding Pilot Rules for the Great Lakes is in section 243 in Title 33, U.S. Code. The applicable authorities are also cited with the present regulations in 33 CFR Part 90. The delegation of authority for the Commandant, U.S. Coast Guard, to prescribe regulations is in Treasury Department Order 120, July 31, 1950, 15 F.R. 6521.

IX.C.—LIGHTS FOR MOORED BARGES

104. The lighting of barges moored at a bank or dock was considered at the Merchant Marine Council Public Hearing held March 25, 1963 (Item Xa, pages 262-264, CG-249). After considering the proposals and comments received, revised requirements in 33 CFR 95.36, regarding lights for barges in the Mississippi River and its tributaries above Cairo Point, Ill., were established. It relaxed the lighting requirements for the owners and operators of such barges. The Commander, Second Coast Guard District and the Officer in Charge, Marine Inspection, at Chicago have reviewed conditions as they exist within areas under their respective jurisdictions. It was found that the maintenance of lights on barges is

very difficult, since the lights after installation are often stolen, or subjected to vandalism, and terminal operators resist assuming responsibility to maintain the lights in proper working order. The members of the Western Rivers Panel have also studied this matter and recommend that the requirements in 33 CFR 95.36 be extended to other geographical areas as set forth in this proposal. One of the circumstances favoring the proposed extension of 33 CFR 95.36 to other geographical areas is that since this regulation has been applicable above Cairo Point, Ill., the Coast Guard records of collisions or other difficulties do not show any material increase for this area.

105. It is proposed to cancel 33 CFR 95.35, regarding lights for barges at bank or dock in the Mississippi River and its tributaries below Cairo Point, Ill.; the Ohio River and its tributaries; that part of the Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway; and the Red River of the North; and at the same time amend 33 CFR 95.36 so that this section will contain the requirements for lights for barges at bank or dock, and exempt barges moored on the Illinois Waterway above Joliet from having lights. The proposed removal of lights on barges moored on the Illinois Waterway above Joliet appears to offer no safety hazard because this part of the Illinois Waterway is well illuminated by adjacent industrial plants. The proposed change in lighting of barges on the Mississippi River south of Cairo and on the Ohio River would make the barges in those areas follow a system which has apparently been safe since 1963 on the upper Mississippi River. The proposed amendment to 33 CFR 80.16a(h), regarding lights for barges on certain inland waters on the Gulf Coast and the Gulf Intracoastal Waterway, will extend these relaxed lighting requirements for barges into these areas so that the requirements will remain consistent with those governing the Western Rivers.

106. The authority to prescribe regulations establishing navigation requirements for Western Rivers and Inland Waters is in sections 157 and 353 in Title 33, U.S. Code. The applicable authorities are also cited with the present regulations in 33 CFR Parts 80 and 95. The delegation of authority for the Commandant, U.S. Coast Guard, to prescribe regulations is in Treasury Department Order 167-33, September 23, 1958, 23 F.R. 7592.

IX.D.—NAVIGATION LIGHTS AND SHAPES, WHISTLES, FOGHORNS, AND FOG SOUND DEVICES

107. The present regulations describing navigation lights and shapes, whistles, foghorns and fog sound devices (in 46 CFR 25.05-1 to 25.20-10, inclusive, for uninspected vessels, and in 46 CFR 96.17-1 to 96.25-10, inclusive, for cargo and miscellaneous vessels) are considered to be misleading and create substantial conflicts with statutory requirements when applied to specific vessels. Basically, the problem is caused by the

PROPOSED RULE MAKING

use of the terms "high seas" and "navigable waters of the United States" in attempting to reiterate certain equipment minimums as required by various Rules of the Road laws (International, Inland, Great Lakes, Western Rivers, and Motorboat Act of 1940) rather than specifying the parameters used with the various Rules of the Road. This conflict becomes a particular problem for those vessels which navigate on waters under the International Rules of the Road or the Inland Rules of the Road. The line of demarcation between these two sets of Rules of the Road is not based on whether particular waters are "high seas" or "navigable waters of the United States," but rather on the usages of navigation. Therefore, it is proposed to revise the regulations in 46 CFR 25.05-1 to 25.20-10, inclusive, for uninspected vessels, and in 46 CFR 96.17-1 to 96.25-10, inclusive, for cargo and miscellaneous vessels, so that the requirements describing equipment minimums will be based solely on the applicable Rules of the Road governing the particular vessels involved, except for the relaxations for motorboats on waters governed by the U.S. Rules of Road as set forth in the Motorboat Act of 1940. The proposals set forth a complete change in format, but without change in legitimate substance. In addition, the present unique relaxation permitting commercial fishing motorboats not over 65-feet in length to carry no more than a mouth operated whistle has been canceled. Since power operated whistles are available today, which function adequately even in such exposed operations as commercial fishing, it is believed to be in the best interests of marine safety to standardize the requirements for whistles.

108. The authority to prescribe regulations regarding navigation lights and shapes whistles, foghorns, and fog sound devices for motorboats, uninspected vessels, cargo vessels and miscellaneous vessels is in sections 363, 367, 391, 392, 395, 404, 435, 526b, 526c, 526d, and 526p in Title 46, U.S. Code, section 198 in Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. These authorities are also cited with the present regulations in 46 CFR Parts 25 and 96. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; and CGFR 56-28, July 24, 1956, 21 F.R. 5659.

ITEM X.—TANK VESSELS

109. The authority to prescribe regulations governing the inspection and certification of tank vessels is in sections 375, 391a, and 416 in Title 46, U.S. Code, section 198 in Title 50, U.S. Code, and Executive Order 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. These authorities are also cited with the present regulations in 46 CFR Parts 30 to 40, inclusive. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; and 167-14, November 26, 1954, 19 F.R. 8026.

XA.—PERMISSIVE ELECTRIC BONDING OF TANK BARGES

110. It is proposed to amend 46 CFR 35.35-5, regarding electric bonding, to extend the permissive authority for bonding of tank ships to tank barges. However, if electric bonding is made, it will be mandatory that such electrical connection be maintained until the entire transfer of cargo operation is completed.

XB.—LIQUEFIED FLAMMABLE GAS, DEFINITION

111. It is proposed to amend the definition of "liquefied flammable gas" as used in the tank vessel regulations, which is in 46 CFR 30.10-39. The proposed definition will delete the wording which states the flammable gas has been "compressed and liquefied for the purpose of transportation," so that this term will mean any flammable gas having a Reid vapor pressure exceeding 40 pounds which has been liquefied. In practice, the flammable gas may be liquefied by compression or by refrigeration or by a combination of compression and refrigeration. The resulting liquid is the same regardless of the method by which liquefied. Similarly, the purpose for which a flammable gas is liquefied is incidental and not necessarily for transportation. Therefore, such a limitation should not be included in the definition of a liquefied flammable gas.

XC.—LIQUEFIED FLAMMABLE GAS, GENERAL REVISION

112. Special requirements governing the tanks used in transportation of liquefied flammable gas were originally adopted in 1941 as 46 CFR Part 38. Since then, the modes for containment of liquefied flammable gas, which have been used and are being proposed today for transportation, have changed materially. Originally, in transportation the emphasis was on pressurized containment using little or no refrigeration. The last revision in 1964 of 46 CFR Part 38 speaks mainly to this type of carriage for liquefied flammable gas. Today, however, the modes for containment of liquefied flammable gas in transportation often utilize partial or total refrigeration to achieve liquefaction. For this reason the cargo containment systems are markedly differently from the pressurized systems with little or no refrigeration. Therefore, the proposed revision of 46 CFR Part 38 will expand the present requirements to include regulations for the construction of the newer so-called nonpressure vessel type containment systems. These systems, because of the low temperature and pressure at which they operate, are of an extremely wide range of shapes, structures, and materials. In formulating this proposed revision of 46 CFR Part 38, therefore, the regulations have been written in as general terms as possible, consistent with safety, to avoid restricting future acceptable designs being added to the realm of past approved designs, which will continue to be permitted without major changes. The advances in technology, as well as increased operating experience gained since the last revision of 46 CFR

Part 38, have contributed to the necessity to seek the current revision proposed. In a number of instances relaxations of present requirements are proposed, which are based on a better understanding of the problems affecting transportation of liquefied flammable gases.

113. The proposed revision of 46 CFR Part 38 is not intended to be retroactive in effect with respect to existing installations, as provided in 46 CFR 30.01-15. However, changes in operating requirements, inspections, shipboard tests, etc., depending on facts in particular cases, may be retroactive in effect. The major proposed changes include the following:

(a) The word "inflammable" is changed throughout to "flammable."

(b) Barge detail requirements, generally, have been removed and transferred to 46 CFR Part 32 or references made to applicable requirements in Part 32.

(c) Special requirements for low temperature metals will be those in the Marine Engineering Regulations in 46 CFR Parts 50 to 61, inclusive (Subchapter F). The service temperatures of the cargo tanks is defined for both pressure vessel and nonpressure vessel types.

(d) A section dealing with nonpressure vessel containment is added. This section establishes safety criteria equivalent to those existing for pressure vessel containment designs.

(e) The requirements for tank insulation have been revised. The proposals are considered to be more in accordance with the needs of current shipboard arrangements and practices. Generally, a relaxation of requirements has resulted.

(f) The cargo tank filling densities have been revised to allow an outage of at least 2 percent at the tank relief temperature for refrigerated as well as compressed containment systems.

(g) A cargo leak detection system is now required for some containment systems.

(h) The retest period for relief valves on pressure vessel type tanks (relief valves under specifications in 46 CFR Subpart 162.018), is reduced from 4 years to 2 years. This change is proposed in order to have uniformity in practice governing retests of relief valves for pressure vessels.

(i) The requirements have been so revised as to separate more clearly the hydrocarbon base flammable gases, whose primary hazard is one of flammability, from the requirements which apply to those liquefied gases having hazards in addition to flammability.

ITEM XI.—MERCHANT MARINE OFFICERS AND MERCHANT SEAMEN

XII.—OFFICIAL TRANSCRIPTS OF SEA SERVICE SHOWING MILITARY SERVICE BY LICENSE APPLICANTS

114. The rules and regulations governing the issuance of licenses or certificates to merchant marine officers and motorboat operators are in 46 CFR Part 10 (Subchapter B—Merchant Marine Officers and Seamen) (CG-191) and Part 187 (Subchapter T—Small Passenger Vessels). To provide a uniform means for all applicants for licenses who have

military service to show acceptable documentary evidence of their sea service, it is proposed to amend 46 CFR 10.02-13 (a), 10.15-9 and 187.05-5(a). This proposal will require each license applicant who has military service to provide an official transcript of his sea service whenever he applies for a license. The official transcript of sea service is desired as the acceptable documentary evidence of military sea duty, and may be obtained from the officer of personnel of his respective service. Under present practices, applicants have submitted all kinds of informal evidence, which had to be verified under time-consuming methods. This proposal will specify clearly what should be submitted by applicants, and it is intended to reduce the time needed in processing applications for licenses.

115. The authority to prescribe regulations governing the issuance of licenses is in sections 214, 224, 224a, 225, 226, 228, 229, 229c, 230, 231, 233, 237, 243, 247, 367, 390b, 391a, 404, 405, 526f, 526p, 672a, 689, and 1132 in Title 46, U.S. Code, and section 198 in Title 50, U.S. Code. The applicable authorities are also cited with the present regulations in 46 CFR Parts 10 and 187. The delegations of authority for the Commandant, U.S. Coast Guard, to prescribe regulations are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, November 26, 1954, 19 F.R. 8026; and 167-20, June 18, 1956, 21 F.R. 5659.

ITEM XII.—USER CHARGES FOR SERVICES

XIIA.—USER CHARGES FOR INSPECTION OF SMALL PASSENGER-CARRYING VESSELS AND LICENSING OF SMALL BOAT OPERATORS

116. The provisions of subsection 390a (b) in Title 46, U.S. Code, (act of May 10, 1956) provide in part that "fees or charges for (1) any inspection made and (2) any certificate, license, or permit issued" pursuant to 46 U.S. Code, sections 390-390g, 404, and 526f, or the rules and regulations established hereunder may be levied by the U.S. Coast Guard. In compliance with administrative user charge policy, it is proposed to impose fees or charges for inspection of small passenger vessels, and the licensing of small boat operators. Authority is contained in 46 U.S.C. 390a(b) and under certain provisions of Title V of the Independent Offices Appropriation Act of 1952 (5 U.S.C. 140), which read as follows:

It is the sense of the Congress that any work, service, publication, report, document, benefit, privilege, authority, use, franchise, license, permit, certificate, registration, or similar thing of value or utility performed, furnished, provided, granted, prepared, or issued by any Federal agency (including wholly owned Government corporations as defined in the Government Corporation Control Act of 1945) to or for any person (including groups, associations, organizations, partnerships, corporations, or businesses), except those engaged in the transaction of official business of the Government shall be self-sustaining to the full extent possible, and the head of each Federal agency is authorized by regulation (which in the case of agencies in the executive branch, shall be as uniform as practicable and subject to such policies as the President may prescribe) to prescribe

therefor such fee, charge, or price, if any, as he shall determine, in case none exists, or re-determine, in case of an existing one, to be fair and equitable taking into consideration direct and indirect cost to the Government, value to the recipient, public policy or interest served, and other pertinent facts, and any amount so determined or redetermined shall be collected and paid into the Treasury as miscellaneous receipts: *Provided*, That nothing contained in this section shall repeal or modify existing statutes prohibiting the collection, fixing the amount, or directing the disposition of any fee, charge or price: *Provided further*, That nothing contained in this section shall repeal or modify existing statutes prescribing bases for calculation of any fee, charge or price, but this proviso shall not restrict the redetermination or recalculation in accordance with the prescribed bases of the amount of any such fee, charge, or price.

117. The Congressional policy in 5 U.S.C. 140, as interpreted by the Bureau of the Budget's Circular A-25, encompasses the practices and procedures followed by the U.S. Coast Guard with respect to the inspection of small passenger vessels and the licensing of small boat operators, as contemplated by 46 U.S.C. 390a(b). The decision has been made to proceed to impose fees or charges for those services where the law is permissive in this respect. It is recognized that in certain instances the imposition of fees based on actual costs would create serious financial burdens, and therefore the basis of the proposed fees is a reasonable charge, rather than assessment of actual costs, which may vary considerably under the numerous conditions which occur throughout the United States.

118. It is proposed to add a new Subpart 1.27, consisting of §§ 1.27-1 to 1.27-40, inclusive, to Subchapter A (General) of Chapter 1 in Title 33, CFR, which will provide for charging and collecting of fees for certain plan approvals, certificates of inspection, and licenses, as follows:

(a) For plan approval, where required, it is \$50.00, except for passenger carrying sail vessels of 100 or more and 700 gross tons or less when it is \$75.00.

(b) For certificates of inspection (original or renewal) for domestic vessels it is \$50.00, and for foreign passenger carrying vessels it is \$30.00.

(c) For a motorboat operator's license (vessel carrying 6 or less passengers for hire), an operator's license for passenger carrying vessel, it is \$10.00 for an original license, and \$5.00 for a renewal, duplicate or change by endorsement thereon.

119. The authority to prescribe regulations regarding user charges is in section 140 in Title 5, U.S. Code, and subsection 390a(b) in Title 46, U.S. Code, while the general authority to prescribe regulations is in section 1002 in Title 5, U.S. Code, and in section 633 in Title 14, U.S. Code. The delegations of authority to the Commandant, U.S. Coast Guard, are in Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-17, June 29, 1955, 20 F.R. 4976; and 167-20, June 18, 1956, 21 F.R. 4894.

XIIB.—FEE FOR PROCESSING APPLICATION TO HOLD A REGATTA OR MARINE PARADE

120. The regulations governing regattas and marine parades are in 33 CFR

Part 100, and reprinted in the various Coast Guard pamphlets containing the "Rules of the Road" (CG-169, CG-172, CG-184). The provisions of 33 CFR 100.15 require an individual or organization planning to hold a regatta or marine parade, which by its nature, circumstance, or location will introduce extra or unusual hazards to the safety of life on navigable waters of the United States, to submit an application to the Coast Guard District Commander having cognizance of the area where it is intended to hold such event. The District Commander is required to review the application to determine whether the event may be held in the proposed location with safety of life.

121. Section 140 in Title 5, U.S. Code, authorizes the head of each Federal agency to prescribe by regulation such fee, charge, or price which is to be fair and equitable for the reimbursement of direct and indirect costs to the Government for services and benefits furnished to or for any person. The Congressional policy in this law, as interpreted by the Bureau of Budget's Circular A-25, includes the processing of applications to hold a regatta or marine parade and requires the imposition of fees for those services required or furnished by the U.S. Coast Guard under authority in section 454 in Title 46, U.S. Code, to promote safety of life on navigable waters during a regatta or marine parade. The basis for the proposed fee is a reasonable charge, rather than assessment of actual costs, which often vary under the conditions which occur throughout the United States.

122. The necessity for having an approved application to hold a regatta or marine parade is not changed by the charging of the fees proposed. Without such approval the responsibility for compliance with Rules of the Road applies and failure to comply therewith and interfering with other users of the water may lead to charges for reckless and negligent operation.

123. It is proposed to add a new regulation designated 33 CFR 100.17, which will state the fee for processing an application to hold a regatta or marine parade is \$10.00, which shall be paid by postal money order or check and submitted with the application. It is also proposed to amend 33 CFR 100.20, regarding action on application for event assigned to State Regulation by Coast Guard-State agreement, to provide for the return of the fee directly to the applicant when an application is not processed by the Coast Guard, but is forwarded to the State authority having cognizance of the event under the Coast Guard-State agreement.

124. The authority to prescribe by regulations a fee for processing an application to hold a regatta or marine parade is in section 140 in Title 5, U.S. Code, and section 454 in Title 46, U.S. Code. The applicable authorities are also cited with the present regulations in 33 CFR Part 100. The delegation of authority for the Commandant, U.S. Coast Guard, to prescribe regulations is in Treasury Depart-

ment Order 120, July 31, 1950, 15 F.R. 6521.

Dated: February 3, 1966.

[SEAL] W. D. SHIELDS,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 66-1471; Filed, Feb. 9, 1966;
8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Geological Survey

[30 CFR Part 221]

OIL AND GAS OPERATING REGULATIONS

Approval of Drilling Plan

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the act of February 25, 1920 (41 Stat. 437; 30 U.S.C. sec. 181 et seq.), and the Act of August 7, 1947 (61 Stat. 913; 30 U.S.C. 351-359), it is proposed to amend 30 CFR 221.21(b) as set forth below.

The purpose of the proposed amendment is to make it clear that the approval by the Geological Survey of the drilling plan of an oil and gas lessee does not constitute a determination that the lessee will earn an extension of his lease if he carries out his plan. The proposed amendment would be applicable to public lands and acquired lands of the United States but not to lands within naval petroleum reserves or to Indian lands.

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 amendment to the U.S. Geological Survey, Washington, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Paragraph (b) of § 221.21 is amended to read as follows:

§ 221.21 Well-spacing and well-casing program, well operations, required offsets, diligence, compensation in lieu of drilling.

(b) The lessee shall not begin to drill, redrill, repair, deepen, plug back, shoot, or plug and abandon any well, make water shut-off or formation test, alter the casing or liner, stimulate production by vacuum, acid, gas, air, water injection, or any other method, change the method of recovering production, or use any formation or well for gas storage or water disposal without first notifying the supervisor of his plan and intention and receiving written approval prior to commencing the contemplated work. The approval by the supervisor of a drilling plan does not constitute a determination or opinion that the lessee will be entitled to an extension of his lease under any extension provisions of the public-land

or acquired lands mineral leasing laws if he carries out his plan.

Dated: January 28, 1966.

STEWART L. UDALL,
Secretary of the Interior.

[F.R. Doc. 66-1453; Filed, Feb. 9, 1966;
8:47 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 140]

FINANCIAL PROTECTION REQUIREMENTS AND INDEMNITY AGREEMENTS

Notice of Extension of Time for Filing Comments

By notice of proposed rule making published November 30, 1965 (30 F.R. 14814), the Atomic Energy Commission gave notice that it was considering whether to effect a proportional increase (approximately 23 percent) in the financial protection requirements for licensees of power or testing reactors having an authorized thermal power level in excess of 1 megawatt but having a rated electrical capacity less than 100 megawatts (licensees governed by application of the formula set forth in § 140.12 of 10 CFR Part 140). Interested persons were invited to file comments or suggestions within 60 days after publication of the notice in the FEDERAL REGISTER.

Nuclear Energy Liability Insurance Association has requested that the time for submitting comments be extended because of unexpected difficulties arising out of the transit strike in New York City.

Good cause appearing for the requested extension of time, the date for filing comments is hereby extended to February 28, 1966. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 8th day of February 1966.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary.

[F.R. Doc. 66-1533; Filed, Feb. 9, 1966;
11:17 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 75]

[Airspace Docket No. 65-WA-59]

JET ROUTE SEGMENT

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 75 of the Federal Aviation Regulations that would extend Jet Route No. 531/HL-531 from

the Kleinburg, Ontario, Canada, VOR via the Wiarton, Ontario, Canada, VOR to the Sault Ste. Marie, Mich., VORTAC. J-531 is presently designated from Buffalo, N.Y., to Kleinburg excluding the portion which lies over Canadian territory. If this action is taken, the description of J-531 would also include a segment from Wiarton to Sault Ste. Marie excluding the portion which lies over Canadian territory. In addition, a small area approximately 28 to 45 nautical miles southeast of Sault Ste. Marie would be included in area positive control.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in the notice may be changed in the light of comments received. All comments submitted will be available in the Rules Docket for examination by interested persons, both before and after the closing date for comments.

The proposed extension would be accomplished in cooperation with the Canadian Department of Transport and would facilitate the flow of IFR traffic between Toronto and Western Canada.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on February 3, 1966.

JAMES L. LAMPL,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Docket 66-1431; Filed, Feb. 9, 1966;
8:45 a.m.]

LIBRARY OF CONGRESS

Copyright Office

[37 CFR Part 201]

CATALOG OF COPYRIGHT ENTRIES

Proposed Prices

Notice is hereby given that pursuant to Public Law 89-297, approved October 27, 1965 (79 Stat. 1072), and title 17, United States Code, section 211, it is proposed to amend 37 CFR 201.3 as set forth below. The purpose of this amendment is to set forth a proposed price of the complete yearly catalog of copyright entries and the proposed price of each individual part thereof.

The proposed amendment does not relate to matters of rule making within the scope of section 4(a) of the Administrative Procedure Act (5 U.S.C. 1003); however, similar procedures are being followed. Accordingly, interested persons may submit written comments, sugges-

tions, or objections with respect to the proposed amendment to the Register of Copyrights, Library of Congress, Washington, D.C., 20540, within 30 days of the date of publication of this notice in the FEDERAL REGISTER. After consideration of responses so received, and including such further changes as may be found necessary, the revised regulations will be published in the FEDERAL REGISTER, effective as of the date of publication.

The proposed amendment follows:

§ 201.3 Catalog of Copyright Entries.

The subscription price for all parts of the complete yearly Catalog of Copyright Entries, effective with Volume 20, is \$50.00. Each part of the Catalog is published in two semiannual numbers cover-

ing, respectively, the periods January-June and July-December. The prices given in the list below are for each semiannual number; the price of an annual subscription to any part is twice the price of the semiannual number. The entire annual Catalog or any of its parts may be obtained, upon payment of the established price, from the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402, to whom requests for copies should be addressed and to whom the remittance should be made payable.

Part 1—Books and Pamphlets, Including Serials and Contributions to Periodicals, \$7.50.

Part 2—Periodicals, \$2.50.

Parts 3-4—Dramas and Works Prepared for

Oral Delivery, \$2.50.

Part 5—Music, \$7.50.

Part 6—Maps and Atlases, \$2.50.

Parts 7-11A—Works of Art, Reproductions of Works of Art, Scientific and Technical Drawings, Photographic Works and Pictorial Illustrations, \$2.50.

Part 11B—Commercial Prints and Labels, \$2.50.

Parts 12-13—Motion Pictures and Filmstrips, \$2.50.

Dated: February 3, 1966.

ABRAHAM L. KAMINSTEIN,
Register of Copyrights.

Approved:

L. QUINCY MUMFORD,
Librarian of Congress.

[F.R. Doc. 66-1436; Filed, Feb. 9, 1966; 8:45 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

[Notice 876]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

FEBRUARY 4, 1966.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 1485 (Sub-No. 10), filed January 24, 1966. Applicant: SCHROLL TRANSPORTATION, INCORPORATED, 360 Governor Street, East Hartford, Conn. Applicant's representative: Thomas W. Murrett (same address as

applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Southboro, Mass., to points in Connecticut. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 2230 (Sub-No. 15) (Amendment), filed November 15, 1965, published in FEDERAL REGISTER issue of December 2, 1965, amended January 28, 1966, and republished as amended this issue. Applicant: MACK'S TRANSPORT SERVICE, INC., 1215 North 17th Street, Box 1908, Lincoln, Nebr. Applicant's representative: James E. Ryan, 214 Sharp Building, Lincoln, Nebr., 68508. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rebuilt and remanufactured two, three, and four wheeled automotive vehicles* used in the transportation of passengers or property or both, uncrated and *parts and accessories* for such vehicles when moving at the same time and with the same vehicles of which they are a part from the site or sites of the Cushman Motor Works, Inc., in Lincoln, Nebr., to points in the United States (except points in Alaska and Hawaii). NOTE: The purpose of this republication is to more clearly set forth the proposed operation. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 2392 (Sub-No. 46), filed January 24, 1966. Applicant: WHEELER TRANSPORT SERVICE, INC., Post Office Box 432, Genoa, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, aqua ammonia, and liquid fertilizers*, in bulk, in tank vehicles, from the plantsite of Monsanto Co. near Muscatine, Iowa, to points in Illinois, Indiana, Kansas, Minnesota, Michigan, Missouri, Nebraska, North Dakota, South Dakota, Oklahoma, Kentucky, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 16903 (Sub-No. 22), filed January 19, 1966. Applicant: MOON FREIGHT LINES, INC., 120 West Grimes Lane, Bloomington, Ind. Applicant's representative: Ferdinand Born, 1017-18 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, marble, granite, and slate*, (1) from points in Albany County, N.Y., to points in New Jersey, Ohio, Pennsylvania, Massachusetts, Connecticut, Rhode Island, Maryland, Delaware, District of Columbia, Virginia, and West Virginia; (2) from points in Delaware, Chester, Bucks, and Philadelphia Counties, Pa., to points in Illinois, Indiana, Wisconsin, Ohio, Michigan, Virginia, and West Virginia, and (3) from points in Montgomery

and Baltimore Counties, Md., to points in Indiana, Illinois, Ohio, Michigan, Wisconsin, and Missouri. NOTE: Applicant states it intends to tack the requested authority as shown in (1) above, to its present authority as contained in (a) MC-16903 (Sub-No. 11), covering the transportation of stone and slate, from points in Potter, Cameron, and Clinton Counties, Pa., to points in Alabama, Georgia, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, North Carolina, South Carolina, Tennessee, Wisconsin, that part of Kansas on and east of U.S. Highway 75, that part of Minnesota on and south of Minnesota Highway 95 running westward from the Minnesota-Wisconsin State line to junction Minnesota Highway 23, thence along Minnesota Highway 23 to junction U.S. Highway 12, and thence along U.S. Highway 12 to the Minnesota-South Dakota State line; and (b) MC-16903 (Sub-No. 14) covering marble, granite, stone, and slate, from points in Campbell County, Va., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Wisconsin, that part of Texas on, north, and east of a line beginning at the Texas-New Mexico State line and extending along U.S. Highway 180 to Lamesa, Tex., thence along U.S. Highway 87 to San Antonio, Tex., and thence along U.S. Highway 181 to Corpus Christi, Tex., and the District of Columbia.

Applicant further states it intends to tack the requested authority as shown in (2) above, to its present authority as contained in (a) MC-16903 (Sub-No. 14) covering marble, granite, stone, and slate, from points in Campbell County, Va., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, that part of Texas on, north, and east of a line beginning at the Texas-New Mexico State line and extending along U.S. Highway 180 to Lamesa, Tex., thence along U.S. Highway 87 to San Antonio, Tex., and thence along U.S. Highway 181 to Corpus Christi, Tex., and the District of Columbia; and (b) MC-16903 (Sub-No. 11) covering stone from points in Coshocton County, Ohio, to points in Alabama, Arkansas, Georgia, Iowa, Kentucky, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, that part of Kansas on and east of U.S. Highway 75, that part of Minnesota on and south of Minnesota Highway 95 running westward from the Minnesota-Wisconsin State line to junction Minnesota Highway 23, thence along

¹ Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

Minnesota Highway 23 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-South Dakota State line, and that part of Nebraska on and east of U.S. Highway 81. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 21170 (Sub-No. 156), filed January 26, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, in tank vehicles, (2) *frozen foods*, (3) *canned and preserved foods*, (4) *chemicals, chemical blends, and ingredients*, to be used in further manufacturing processes, transportation of which does not require special equipment or bulk or tank vehicles, (5) *inedible meats, meat products, meat byproducts, lard, tallow, and oils*, (6) (a) *agricultural products*, and (b) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with agricultural products, (7) *frozen animal and poultry foods*, (8) *industrial products*, in packages, requiring refrigeration, and (9) *coffee, condensed, coffee, extracts, coffee, green tea and tea dust, and sugar*, from Gulfport, Miss., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and Washington, D.C. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 21170 (Sub-No. 157), filed January 26, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Detroit, Mich., to points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin, restricted to traffic originating at the storage and warehouse facilities utilized by Ore-Ida Foods, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 21170 (Sub-No. 158), filed January 26, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Detroit, Mich., to points in Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode

Island, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the storage and warehouse facilities utilized by Ore-Ida Foods, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 42487 (Sub-No. 644), filed January 24, 1966. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's representative: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between York and Spring Grove, Pa.; from York over U.S. Highway 30 to junction Pennsylvania Highway 116, and thence over Pennsylvania Highway 116 to Spring Grove, and return over the same route, serving no intermediate points. NOTE: Common control may be involved. Applicant states it intends to tack the requested authority with its presently held authority in MC 42487, Sub 578, wherein it is authorized to operate in the States of Missouri, New Jersey, Wisconsin, Illinois, Ohio, New York, Pennsylvania, Indiana, Iowa, Minnesota, Maryland, Delaware, Michigan, Connecticut, Kentucky, Rhode Island, Massachusetts, and the District of Columbia. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 52460 (Sub-No. 79), filed January 17, 1966. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla. Applicant's representative: James W. Wrape and Louis I. Dailey, Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anhydrous ammonia, ammonium nitrate, urea, acids, fertilizers, fertilizer solutions, and fertilizer materials*, liquid and dry, in bulk, and (2) *ammonium nitrate, urea, fertilizer materials, and fertilizer ingredients*, dry, in bags, from Helena, Ark., and points in Arkansas within ten (10) miles thereof, to points in Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas, and *refused or rejected shipments*, on return. NOTE: Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., Memphis, Tenn., Tulsa or Oklahoma City, Okla.

No. MC 52460 (Sub-No. 80), filed January 24, 1966. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla., 74107. Applicant's representative: Louis I. Dailey, 2111 Sterick Building, Memphis, Tenn., 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, tubing, conduit, valves or*

fittings, compounds, joint sealer, bonding cement, primer, coating, thinner, and accessories used in the installation of such products, from Oklahoma Ordnance Works (Mayes County), Okla., to points in Arkansas, Kansas, Louisiana, New Mexico, Missouri, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tulsa or Oklahoma City, Okla.

No. MC 52460 (Sub-No. 81), filed January 24, 1966. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Post Office Box 9515, Tulsa, Okla., 74107. Applicant's representative: Louis I. Dailey, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, conduit, tubing, valves and fittings, compounds and joint sealers, bonding cements, primers, coating, thinners, and accessories, used in the installation of such products*, from points in Oklahoma County, Okla., and Ponca City, Okla., to points in Arkansas, Kansas, Louisiana, New Mexico, Missouri, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 56679 (Sub-No. 16), filed January 24, 1966. Applicant: BROWN TRANSPORT CORP., 1057 Ridge Avenue SW., Post Office Box 6985, Atlanta, Ga., 30315. Applicant's representative: R. J. Reynolds, Jr., Suite 403-11, Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Macon and Dublin, Ga., over U.S. Highway 80 (Georgia Highway 19), serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Atlanta, Ga.

No. MC 59431 (Sub-No. 5), filed January 26, 1966. Applicant: CLARK N. TUNE, doing business as J. J. TUNE, Highway 19 South, Salem, Mo. Applicant's representative: Thomas P. Rose, Jefferson Building, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving (1) the plant and mine site of the Missouri Lead Operating Co., operator of AMAX Lead Co. of Missouri and Homestake Lead Co. of Missouri, at or near Bulck, Mo., south of Bixby, Mo.; and (2) the smelter site of Missouri Lead Smelter Co., south of Bixby, Mo.; as off-route points in connection with applicant's presently authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo.

No. MC 61403 (Sub-No. 149), filed January 24, 1966. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic granules and resin powders*, in bulk, in tank vehicles, from Louisville, Ky., to points in Delaware (except Claymont), Massachusetts, New Jersey (except Carneys Point, Deepwater, points in Camden, Cumberland, and Monmouth Counties and points north of New Jersey Highway 33), New York, and Rhode Island. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Louisville, Ky., or Washington, D.C.

No. MC 61592 (Sub-No. 65), filed January 24, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* (except those designed to be drawn by passenger vehicles), between points in the United States (including Alaska, but excluding Hawaii). NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 64932 (Sub-No. 393) (Correction), filed December 16, 1965, published in FEDERAL REGISTER issue of January 13, 1966, corrected February 2, 1966, and republished as corrected, this issue. Applicant: ROGERS CARTAGE CO., 1439 West 103d Street, Chicago, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (excluding petroleum chemicals), in bulk, in tank vehicles, from St. Louis, Mo., to points in Alabama, Georgia, Iowa, Tennessee, and West Virginia. NOTE: The purpose of this correction is to correctly set forth the commodity description. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 70151 (Sub-No. 39), filed January 24, 1966. Applicant: UNITED TRUCKING SERVICE, INCORPORATED, 3047 Lonyo Road, Detroit 9, Mich. Applicant's representative: Archie C. Fraser, 1400 Michigan National Tower, Lansing, Mich., 48933. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between junction Indiana Highways 67 and 38 and junction U.S. Highway 31 and Indiana Highway 38, over Indiana Highway 38, serving no intermediate points. NOTE: If a hear-

ing is deemed necessary, applicant requests it be held at Lansing, Mich., or Indianapolis, Ind.

No. MC 73165 (Sub-No. 212), filed January 24, 1966. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Post Office Box 1348, Birmingham, Ala., 35201. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky., 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Particle board*, from points in Bell County, Ky., to points in Wisconsin, Illinois, Michigan, Ohio, Indiana, Kentucky, Tennessee, Mississippi, Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Delaware, Pennsylvania, Maryland, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Maine, New Hampshire, Vermont, Texas, Arkansas, and Louisiana, and the District of Columbia; (2) *glue*, when tendered into a premounted sealed or collapsible container, from High Point, Charlotte, Fayetteville, and Greensboro, N.C., Lansdale, Pa.; West Memphis, Ark.; Alexandria, La.; Demopolis, Ala.; Bainbridge, N.Y.; Houston, Tex.; and Sheboygan, Wis., to points in Bell County, Ky.; and (3) *lumber*, from points in New York, Louisiana, and Vermont, to points in Bell County, Ky. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 76472 (Sub-No. 3), filed January 24, 1966. Applicant: MATERIAL TRUCKING, INC., 924 South Heald Street, Wilmington, Del. Applicant's representative: Morris J. Winokur, Suite 1920, 2 Penn Center Plaza, John F. Kennedy Boulevard at 15th Street, Philadelphia, Pa., 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such bulk commodities as are transported in dump trucks*, between points in that part of Pennsylvania east and south of the western and northern boundaries of the counties of Lancaster, Lebanon, Schuylkill, Lehigh, and Northampton; that part of New Jersey south of the northern boundaries of the counties of Warren, Hunterdon, Somerset, Middlesex, and Monmouth; the counties of New Castle and Kent, Del.; and the counties of Queen Annes, Kent, Harford, and Cecil, Md. NOTE: Applicant states it holds authority to transport exactly the same commodities between points in Delaware, Maryland, and New Jersey within 60 miles of Glens Mills, Pa., on the one hand, and, on the other, Glens Mills, Pa., and points in Pennsylvania within 5 miles of Glens Mills. The purpose of this application is to convert to nonradial authority and to extend the Pennsylvania territory to approximately 60 miles of Glens Mills, Pa. The territory is described in terms of county boundaries, but is intended to approximate the area within approximately 60 miles of Glens Mills, Pa., including such counties as are traversed by such radius. Applicant does not desire to acquire any duplicating authority and is willing to cancel any portion of present authority which will be included in any authority granted

hereunder. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 83217 (Sub-No. 19), filed January 24, 1966. Applicant: DAKOTA EXPRESS, INC., 110 North Reid, Post Office Box 533, Sioux Falls, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from Green Giant plantsites at Blue Earth, Glencoe, Le Sueur, and Montgomery, Minn., to points in Iowa and Nebraska. NOTE: Applicant states that it will transport exempt commodities on return. Applicant states that no duplicating authority is sought herein. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 83539 (Sub-No. 170), filed January 24, 1966. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla., 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wallboard*, from Diboll, Tex., and points within 5 miles thereof, to Memphis, Tenn. NOTE: Applicant states in its authorized present authority MC 83539, Subs 126 and 128, it holds Wallboard authority from Diboll, Tex., and points within 5 miles thereof to points in 20 States and the District of Columbia. Tennessee (except Memphis, Tenn.), is included therein as well as bordering States of Arkansas, Missouri, and Kentucky. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 84511 (Sub-No. 32), filed January 21, 1966. Applicant: COMMERCIAL FREIGHT LINES, INC., 1700 West 9th Street, Kansas City, Mo. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Salina, Kans., to points in Illinois, Indiana, Iowa, Michigan, Missouri, Minnesota, and Wisconsin. NOTE: Applicant states that the above proposed operation shall be restricted to traffic originating at Beverly Packing Co. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 87720 (Sub-No. 46), filed January 25, 1966. Applicant: BASS TRANSPORTATION CO., INC., Star Route A, Old Croton Road, Flemington, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Synthetic resin, dry, in bulk*, in stainless steel tank vehicles, from Flemington, Burlington, and East Brunswick, N.J., to points in Illinois,

Indiana, and Michigan; (2) *synthetic resin, dry, in bags*, from Flemington, Burlington, and East Brunswick, N.J., to points in Illinois, Indiana, Michigan, and Ohio. **NOTE:** Applicant states that the above proposed operators are to be under a continuing contract with Tenneco Manufacturing Co. If a hearing is deemed necessary, applicant requests that it be held at New York, N.Y.

No. MC 92983 (Sub-No. 491), filed January 24, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from points in Iowa, to points in Illinois, Missouri, and Nebraska. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 94350 (Sub-No. 155), filed January 20, 1966. Applicant: TRANSIT HOMES, INC., 210 West McBee Avenue, Greenville, S.C. Applicant's representative: Henry P. Willimon, Post Office Box 1075, Greenville, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from points in Frederick County, Va., to points in Louisiana and points in the States east of the Mississippi River; namely, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and *damaged or defective shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 102616 (Sub-No. 782), filed January 13, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. Applicant's representative: Harold G. Hernly, 711 14th Street NW., Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, from Flexi-Flo rail-motor interchange terminal facilities on the lines of The New York Central Railroad Co. in Ohio, exclusive of team tract or other public facilities, to (1) points in Ohio; (2) points in Erie, Crawford, Mercer, Warren, Forest, Clarion, Armstrong, Butler, Venango, Lawrence, Beaver, Allegheny, Washington, Greene, Westmoreland, and Fayette Counties, Pa.; (3) points in Marshall, Ohio, Brooke, Hancock, Mason, Jackson, Wood, Pleasants, Tyler, Wetzel, Wirt, Clay, Mingo, Ritchie, Putnam, Cabell, Wayne, Lincoln, Kanawha, Boone, Roane, Calhoun, Gilmer, Doddridge, and Logan Counties, W. Va.; (4) points in Pike, Floyd, Martin, Magoffin, Johnson, Lawrence, Boyd, Greenup, Grant, Carter, Elliott, Morgan, Wolfe, Lewis, Rowan, Menifee, Powell, Gallatin, Woodford, Jefferson, Trimble, Anderson, Shelby, Carroll, Mason, Robertson, Fleming, Bath, Clark, Montgomery, Bourbon,

Nicholas, Owen, Spencer, Oldham, Bracken, Fayette, Scott, Harrison, Pendleton, Campbell, Kenton, Boone, Franklin, Bullitt, and Henry Counties, Ky.; and (5) points in Monroe, Lenawee, Hillsdale, Branch, Calhoun, Jackson, Washtenaw, Wayne, Macomb, Oakland, Livingston, Ingham, and Eaton Counties, Mich., restricted to shipments having a prior movement by rail. **NOTE:** Applicant states the proposed operations will be limited to transportation performed by it under joint through arrangements with The New York Central Railroad Co. and tariffs lawfully on file with the ICC implementing such intent. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 102616 (Sub-No. 783), filed January 24, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank and hopper type vehicles, from Lewistown, Pa., to points in Maryland, New Jersey, and New York. **NOTE:** If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 103435 (Sub-No. 173), filed December 13, 1965. Applicant: UNITED-BUCKINGHAM FREIGHT LINES, a corporation, East 915 Springfield Avenue, Spokane, Wash. Applicant's representative: George R. LaBissoniere, 533 Central Building, Seattle, Wash., 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* which, because of size or weight, require the use of special equipment, between points in Washington, Oregon, Idaho, California, Nevada, Montana, Colorado, Wyoming, North Dakota, and South Dakota. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 103435 (Sub-No. 176), filed January 24, 1966. Applicant: UNITED-BUCKINGHAM FREIGHT LINES, a corporation, East 915 Springfield Avenue, Spokane, Wash. Applicant's representative: J. Maurice Andren, Post Office Box 1631, Rapid City, S. Dak., and George LaBissoniere, 533 Central Building, Seattle, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses and commodities used by meat packinghouses*, from Schuyler, Nebr., to points in Michigan, Illinois, Indiana, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Montana, Wyoming, Colorado, Idaho, Washington, Oregon, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant does not specify a location.

No. MC 105813 (Sub-No. 136), filed January 17, 1966. Applicant: BELFORD TRUCKING CO., INC., 3500 Northwest 79th Avenue, Miami, Fla., 33144. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Bananas and pineapples*, from Charleston, S.C., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, West Virginia, Virginia, Delaware, Maryland, Michigan, Ohio, Indiana, Illinois, Wisconsin, Kentucky, and Washington, D.C. **NOTE:** If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 105902 (Sub-No. 13), filed January 24, 1966. Applicant: PENN YAN EXPRESS, INC., 100 West Lake Road, Penn Yan, N.Y. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between New York, N.Y., on the one hand, and, on the other, points in Nassau and Suffolk Counties, N.Y., and (2) between New York, N.Y., and points in Hudson County, N.Y., on the one hand, and, on the other, points in Rockland, Westchester and Orange Counties, N.Y., restricted to use of jolinder or tacking at New York, N.Y., or in Hudson County, N.J., with other authority of Carrier for traffic moving by carrier from or to points in New York beyond fifty (50) miles of New York, N.Y. **NOTE:** Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests that it be held at Syracuse or Rochester, N.Y.

No. MC 106236 (Sub-No. 14), filed January 24, 1966. Applicant: BLUE RIDGE TRANSPORTATION COMPANY, INCORPORATED, 5120 Rutledge Pike, Post Office Box 567, Knoxville, Tenn. Applicant's representative: James C. Havron, 513 Nashville Bank & Trust Building, Nashville, Tenn., 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, (1) from Knoxville and Warcer, Tenn., to Spartanburg, S.C., and to the Greenville-Spartanburg Airport (located on South Carolina Highway 101 in Greenville and Spartanburg Counties, S.C., approximately 15 miles east of Greenville), and (2) from Spartanburg, S.C., to Knoxville and Warcer, Tenn. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Knoxville, Tenn.

No. MC 106236 (Sub-No. 15), filed January 24, 1966. Applicant: BLUE RIDGE TRANSPORTATION COMPANY, INCORPORATED, 5120 Rutledge Pike, Post Office Box 567, Knoxville, Tenn. Applicant's representative: James C. Havron, Nashville Bank & Trust Building, Nashville, Tenn., 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, between Knoxville, and Warcer, Tenn., on the one hand, and, on the other, Atlanta and Doraville, Ga. **NOTE:**

If a hearing is deemed necessary, applicant requests it be held at Knoxville, Tenn.

No. MC 106400 (Sub-No. 61), filed January 24, 1966. Applicant: KAW TRANSPORT COMPANY, a corporation, 701 North Sterling, Sugar Creek, Mo., 64054. Applicant's representative: Robert L. Hawkins, Jr., 312 East Capital Avenue, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plantsite of the Chevron Chemical Co., at or near Sugar Creek, Mo., to points in Missouri, Kansas, Iowa, Nebraska, Oklahoma, and Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 107002 (Sub-No. 280) (amendment), filed December 7, 1965, published in FEDERAL REGISTER issue of December 29, 1965, amended January 28, 1966, and republished as amended this issue. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., 20006, and H. D. Miller, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plasticizers, synthetic plastic*, in bulk, from points in Monroe County, Miss., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: The purpose of this amendment is to more clearly set forth the origin territory. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 107064 (Sub-No. 44), filed January 24, 1966. Applicant: STEREOTANK LINES, INC., 2808 Fairmont Street, Post Office Box 2998, Dallas, Tex. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex., 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, between points in Galveston, and Harris Counties, Tex., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Virginia, Washington, Wyoming, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 108207 (Sub-No. 175) (Amendment), filed January 5, 1966, published FEDERAL REGISTER, issue of January 27, 1966, amended January 28, 1966, and republished as amended this issue. Applicant: FROZEN FOOD EXPRESS, a corporation, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Frozen foods*, from Chickasha, Okla., to points in Indiana and Ohio, and Louisville, Ky. NOTE: The purpose of this republication is to include Louisville, Ky., as a destination point. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 108398 (Sub-No. 34), filed January 19, 1966. Applicant: RINGSBY-PACIFIC LTD., a corporation, 3201 Ringsby Court, Denver, Colo., 80216. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities of unusual value, household goods as defined by the Commission, and those requiring special equipment), except when such commodities are transported in bulk, in tank truck and tank trailer equipment, (1) between Auburn and Blairsden, Calif., from Auburn over Interstate Highway 80 to its junction with California Highway 89 at or near Truckee, Calif., thence over California Highway 89 to Blairsden, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, and (2) between Auburn and Vinton, Calif., from Auburn over Interstate Highway 80 to its junction with California Highway 89 at or near Truckee, thence over California Highway 89 to its junction with California Highway 49 at or near Sierraville, Calif., thence over California Highway 49 to Vinton, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only. NOTE: If a hearing is deemed necessary, applicant did not specify any particular area.

No. MC 109236 (Sub-No. 15), filed January 24, 1966. Applicant: GEORGE A. SIMS, G. GRANT SIMS, AND TRACY-COLLINS BANK & TRUST COMPANY, co-guardians, M. K. SIMS, GEORGE MILTON SIMS, ELMER L. SIMS, AND BEVERLY SIMS CANDLAND, executors, ELMER L. SIMS AND G. GRANT SIMS, a partnership, doing business as SALT LAKE TRANSFER COMPANY, 35 South 500 West, Salt Lake City, Utah. Applicant's representative: Keith E. Taylor, 520 Kearns Building, Salt Lake City, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Machinery, boilers, pipe, building materials, commodities of unusual size and weight, and household goods* as defined by the Commission in truck loads, between points in Utah, on the one hand, and, on the other, points in Utah and Idaho, those in Nevada east of a line extending north and south through McDermott, Nev., including Winnemucca, Nev., and those in Wyoming west of the Continental Divide, (2) *commodities*, other than commodities of unusual size and weight when moving in the same shipment or in the same vehicle, with commodities of unusual size and weight. NOTE: Applicant states it holds authority in (A) (1) above in its MC 109236 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (A) (2) above, (B) (1) *machinery, boilers, pipe, building materials,*

and *commodities of unusual size and weight*, in truck loads, between points in Utah, on the one hand, and, on the other, points in Arizona, (2) *commodities*, other than commodities of unusual size and weight when moving in the same shipment or in the same vehicle with commodities of unusual size and weight.

NOTE: Applicant states it holds authority in (B) (1) above in its MC 109236 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (B) (2) above. (C) (1) *Household goods, explosives, commodities of unusual size and weight, machinery, boilers, storage tanks, and parts therefor, pipe, structural steel, and contractors' outfits and supplies* requiring special equipment or rigging, in truck loads, between points in Utah, Wyoming, Idaho, Montana, Arizona, and those in Nevada other than in Nye, Esmeralda, and Mineral Counties, service herein authorized is restricted to the transportation of the above specified commodities (other than household goods, construction and mining equipment, and gasoline bulk storage tanks requiring special equipment) where both the origin and destination points are not on the lines of the Union Pacific Railroad, Oregon Short Line Railroad, Pacific & Idaho Northern Railroad, Los Angeles & Salt Lake Railroad, the Denver & Rio Grande Western Railroad or the Rio Grande Motorway, Inc., (2) *commodities*, other than commodities of unusual size and weight and contractors outfits and supplies requiring special equipment or rigging when moving in the same shipment or in the same vehicle with commodities of unusual size and weight or contractors outfits and supplies requiring special equipment or rigging. NOTE: Applicant states it holds authority in (C) (1) above in its MC 109236 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (C) (2) above.

(D) (1) as a *common carrier* by motor vehicle, in interstate or foreign commerce, (1) of *explosives* and (2) of *commodities* the transportation of which, because of their size or weight require the use of special equipment and of related machinery parts and related contractors' materials and supplies when their transportation is incidental to the transportation by applicant of commodities which by reason of size or weight require special equipment, between points in Utah, on the one hand, and, on the other, points in New Mexico, traversing Colorado for operating convenience only, over irregular routes, (2) *commodities* which do not require the use of special equipment, other than related machinery parts and related contractors' materials and supplies when their transportation is incidental to the transportation by applicant of commodities which by reason of size or weight require special equipment, when moving in the same shipment or in the same vehicle with commodities which because of their size or weight require the use of special equipment. NOTE: Applicant states it holds authority in (D) (1) above in its Sub 6 and is not requesting any exten-

sion of territory. Applicant is seeking only an extension of authority in (D) (2) above. Applicant states it proposes to transport rejected shipments on return. The purpose of this application is to permit the applicant to give a complete service to its customers. Applicant's present size and weight authorities have no restrictions against tacking and applicant intends to continue to tack its various authorities if this application is granted. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 109443 (Sub-No. 15), filed January 20, 1966. Applicant: SEABOARD TANK LINES, INC., 2202 Riverside Drive, Scranton, Pa. Applicant's representative: V. Baker Smith, 2107 Fidelity-Philadelphia Trust Building, Philadelphia, Pa., 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Dupont, Pa., to points in that part of New York bounded by a line beginning at Hancock, N.Y., and extending along New York Highway 17 to its junction with U.S. Highway 209, thence southwesterly along U.S. Highway 209 to Port Jervis, N.Y., thence along the Pennsylvania-New York State line to Hancock, N.Y., including points on the indicated portions of the highways specified and those in New York on the boundary line. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Scranton, Pa.

No. MC 110683 (Sub-No. 31), filed January 20, 1966. Applicant: SMITH'S TRANSFER CORPORATION OF STAUNTON VA., Post Office Box 1000, Staunton, Va. Applicant's representative: Francis W. McInerney, 1000 16th Street NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, between Baltimore, Md., and points in Atlantic and Cumberland Counties, N.J., on the one hand, and, on the other, points in Virginia, West Virginia, North Carolina, South Carolina, Ohio, and Kentucky. NOTE: If a hearing is deemed necessary applicant requests it be held at Washington, D.C.

No. MC 111812 (Sub-No. 329), filed January 24, 1966. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Schuyler, Nebr., to points in Illinois, Indiana, Kentucky, Michigan, Minnesota, Montana, North Dakota, South Dakota, West Virginia, Wisconsin, and Wyoming. NOTE: Applicant states that the above proposed operation is to be restricted to traffic origi-

nating at the plantsite of Spencer Packing Co., located at Schuyler, Nebr. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 112049 (Sub-No. 13), filed January 18, 1966. Applicant: McBRIDE'S EXPRESS, INC., 1901 Wabash, Mattoon, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsites of Rath Packing Co. at Waterloo and Columbus Junction, Iowa, to points in Illinois (except Chicago and its commercial zone). NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 112520 (Sub-No. 136), filed January 24, 1966. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous hydrogen chloride (HCL)*, in bulk from Plaquemine, La., to Jacksonville, Fla. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Jacksonville, Fla., or Washington, D.C.

No. MC 112520 (Sub-No. 137), filed January 21, 1966. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Post Office Box 1200, Tallahassee, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulfuric acid*, from Pierce, Fla., to Valdosta, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Jacksonville, Fla.

No. MC 112696 (Sub-No. 30), filed January 21, 1966. Applicant: HARTMANS, INCORPORATED, 833 Chicago Avenue, Post Office Box 398, Harrisonburg, Va. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles); (2) *frozen foods*; (3) *canned and preserved foods*; (4) *chemicals, chemical blends, and ingredients* to be used in further manufacturing processes, transportation of which does not require special equipment or bulk or tank vehicles; (5) *inedible meats, meat products, and meat byproducts, lard, tallow, and oils*; (6) (a) *agricultural products*, and (b) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Com-

merce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with agricultural products; (7) *frozen animal and poultry foods*; (8) *industrial products*, in packages, requiring refrigeration; and (9) *coffee, condensed coffee extracts, coffee, green tea and tea dust, and sugar*, from Gulfport, Miss., and points within 10 miles thereof, to points in Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, and Rhode Island, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a particular location.

No. MC 112750 (Sub-No. 219), filed January 24, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y., 11361. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents and written instruments, including originals and copies of checks, drafts, notes, money orders, travelers checks, and canceled bonds, and accounting papers* relating thereto, including originals and copies of cash letters, letters of transmittal, summary sheets, adding machine tapes, deposit records, withdrawal slips, and debit and credit records (except coin, currency, bullion, and negotiable securities), between Fremont, Ohio, on the one hand, and, on the other, points in Berrien, Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, Van Buren, Washtenaw, and Wayne Counties, Mich. NOTE: Applicant states that he operates as a common carrier under Certificate No. MC 111729 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Toledo, Ohio.

No. MC 112750 (Sub-No. 220), filed January 24, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments, including originals and copies of checks, drafts, notes, money orders, travelers' checks, and canceled bonds, and accounting papers relating thereto, including originals and copies of cash letters, letters of transmittal, summary sheets, adding machine tapes, deposit records, withdrawal slips, and debit and credit records* (except coin, currency, bullion, and negotiable securities), and *audit and accounting media*, between points in Cumberland County, Pa., on the one hand, and on the other, points in Allegany, Baltimore, Carroll, Frederick, Montgomery, and Washington Counties, Md.; Fairfax and Frederick Counties, Va.; Berkeley, Jefferson, and Mineral Counties, W. Va.; and the District of Columbia. NOTE: Applicant is authorized to conduct opera-

tions as a common carrier in Certificate No. MC 111729, and the subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 112822 (Sub-No. 59), filed January 20, 1966. Applicant: EARL BRAY, INC., Post Office Box 1191, Linwood and North Streets, Cushing, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, tubing, conduit, valves or fittings, compounds, joint sealer, bonding cement, primer, coating thinner, and accessories*, used in the installation of such products, from Oklahoma Ordnance Works, located in Mayes County, Okla., to points in Arkansas, Illinois, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, North Dakota, South Dakota, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 113622 (Sub-No. 7), filed January 24, 1966. Applicant: SAMPSON HAULING CORP., Pavillion, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand and gravel*, in dump vehicles, from the site of the Buffalo Slag Co., Inc., facilities at or near Alfred Station (Allegany County), N.Y., to points in Potter and Tloga Counties, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113678 (Sub-No. 224), filed January 24, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Ackle, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Unfrozen meats, meat products and meat byproducts*, as defined by the Commission in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and (B) *frozen meats, meat products and meat byproducts* in mixed loads with unfrozen meats, meat products and meat byproducts, from Abilene, Tex., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee (except Memphis, Tenn., and points within the Memphis commercial zone), Virginia, Massachusetts, New Jersey, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 113678 (Sub-No. 225), filed January 24, 1966. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Ackle, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Kansas City, Kans., to points in Florida. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114084 (Sub-No. 8), filed January 26, 1966. Applicant: S AND S TRUCKING COMPANY, a corporation, 118 South Oakland Avenue, Post Office

Box 1392, Statesville, N.C. Applicant's representative: H. Overton Kemp, Room 101, 327 North Tryon Street, Post Office Box 20202, Charlotte, N.C., 28202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture and furniture parts*, from Statesville, N.C., and points in Mitchell County, N.C., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia; and *returned, rejected, and damaged shipments* of the above commodities, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 114194 (Sub-No. 120), filed January 14, 1966. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup, liquid sugar and blends or mixtures*, from Elk Grove Village, Ill., to points in Alabama, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, and *rejected shipments* of the commodities specified above, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 114284 (Sub-No. 27), filed January 21, 1966. Applicant: FOX SMYTHE TRANSPORTATION CO., a corporation, Post Office Box 82307, Stockyards Station, Oklahoma City, Okla. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Salina, Kans., to points in Arizona, Arkansas, California, Colorado, Iowa, New Mexico, Oklahoma, Texas, and South Dakota, restricted to traffic originating at Beverly Packing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114364 (Sub-No. 114), filed January 21, 1966. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 672, Rocky Ford, Colo. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, tubing, conduit, valves or fittings, compounds, joint sealer, bonding cement, primer, coating, thinner, and accessories* used in the installation of such products, from Oklahoma Ordnance Works, located in Mayes County, Okla., to points

in Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 116063 (Sub-No. 89), filed January 24, 1966. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., 2400 Cold Springs Road, Fort Worth, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer materials*, from Dallas, Tex., to points in Arkansas, New Mexico, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 116254 (Sub-No. 64), filed January 20, 1966. Applicant: CHEM-HAULERS, INC., Post Office Box 245, Sheffield, Ala. Applicant's representative: Walter Harwood, Nashville Bank & Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feldspar*, from points in Yancey and Mitchell Counties, N.C., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 116273 (Sub-No. 56), filed January 21, 1966. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill., 60650. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Davenport, Iowa, and points within 2 miles thereof, to points in Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 327), filed January 19, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* and (2) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with foodstuffs, in vehicles equipped with mechanical refrigeration (except in bulk, or tank vehicles), from points in Jefferson County, Ala., to points in California, Oregon, and Washington. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117119 (Sub-No. 328), filed January 19, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representa-

tive: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery, and advertising matter, display racks and premiums*, used in the sale and distribution of candy and confectionery, from Chicago, Ill., to points in Idaho, Oregon, Montana, Washington, and Salt Lake City, Utah. **NOTE:** If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 117119 (Sub-No. 329), filed January 19, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Washington, Oregon, and Idaho, to points in Minnesota. **NOTE:** If a hearing is deemed necessary, applicant requests that it be held at Boise, Idaho.

No. MC 117119 (Sub-No. 330), filed January 19, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 from points in Morgan County, Colo., to points in Illinois, Iowa, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 117119 (Sub-No. 331), filed January 24, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Washington, Oregon, and Idaho, to points in Kansas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 117815 (Sub-No. 82) (Correction) filed January 6, 1966, published FEDERAL REGISTER issue of January 27, 1966, as MC 117852 (Sub-No. 82), and corrected and republished, this issue. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware and glass containers*, with or without caps, covers or stoppers, (1) from Burlington, Wis., to points in Iowa, Nebraska, and Minnesota, and (2) from Mundelein, Ill., to Terre Haute, Ind., and *damaged and rejected shipments*, on return in (1) and (2) above. **NOTE:** The purpose of this republication is to show the correct MC number to be MC 117815 (Sub-No. 82) in lieu of MC 117852 (Sub-

No. 82), as previously published. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 117815 (Sub-No. 83), filed January 20, 1966. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa, 50317. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 117815 (Sub-No. 84), filed January 20, 1966. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa, 50317. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned foodstuffs*, from Beaver Dam, Fox Lake, Ripon, and Rosendale, Wis., to points in Iowa and Missouri, restricted to traffic originating at the plantsites of the Green Giant Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 117883 (Sub-No. 74), filed January 24, 1966. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen food*, from Cleveland, Ohio, to points in Illinois, Iowa, Missouri, and Nebraska. **NOTE:** If a hearing is deemed necessary, applicant does not specify location.

No. MC 118127 (Sub-No. 4), filed January 19, 1966. Applicant: HALE DISTRIBUTING COMPANY, INC., 1315 East Seventh Street, Los Angeles, Calif. Applicant's representative: W. J. Augello, Jr., 2 West 45th Street, New York, N.Y., 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: (1) *Fruits, berries, and vegetables*, prepared frozen, from points in California, to Phoenix, Ariz., and points in Texas; (2) *fruits, berries, and vegetables*, prepared, frozen, from Providence, R.I., New York, N.Y., and those points in Massachusetts east of Worcester County, to Phoenix, Ariz., El Paso, Tex., Albuquerque, N. Mex., and points in California; and (3) *fruits, berries, and vegetables*, prepared, frozen, from Chicago, Ill., Green Bay, Wis., and points in the Lower Peninsula of Michigan, to points in California. **NOTE:** Applicant states it will transport *exempt commodities and frozen fruits, berries, and vegetables*, on return. The sole purpose of this application is to amend applicant's present commodity description in MC 118127, to include frozen fruits, berries, and vegetables which have been further prepared, cooked

or to which other ingredients have been added. No extension of operating territory is sought. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 118178 (Sub-No. 2), filed January 21, 1966. Applicant: BILL MEEKER, 1733 North Washington, Wichita, Kans. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles* distributed by meat packinghouses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Salina, Kans., to points in Arizona, California, New Mexico, and Texas, restricted to traffic originating at Beverly Packing Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 118847 (Sub-No. 1), filed January 21, 1966. Applicant: ANTHONY DI MEGLIO, JR., doing business as DI MEGLIO TRUCKING CO., Whitehorse Pike, Ancora, N.J., 08037. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foodstuffs* and (2) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with frozen foodstuffs, between points in New Jersey, Maryland, New York, Pennsylvania, Delaware, Virginia, Rhode Island, Connecticut, Massachusetts, Maine, and the District of Columbia. **NOTE:** Applicant states no duplication of authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119531 (Sub-No. 51), filed January 24, 1966. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio, 45226. Applicant's representative: Charles W. Singer, Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Ypsilanti, Mich., to points in Indiana, Illinois, and Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119944 (Sub-No. 9), filed January 17, 1966. Applicant: BROCKWAY FAST MOTOR FREIGHT, INC., 568 Central Avenue, Somerville, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastics, synthetic* (other than liquid), from Delaware City, Del., to points in Alabama, Connecticut, Florida, Georgia, Kentucky, Illinois, Indiana, Louisiana,

Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, West Virginia, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 120249 (Sub-No. 4), filed January 24, 1966. Applicant: GEORGE A. HORTON, doing business as, ASHLAND-HARLO FREIGHT LINES, 1032 Delphinium Drive, Billings, Mont., 59102. Applicant's representative: Jerome Anderson, Suite 300, First National Bank Building, Billings, Mont., 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, commodities requiring special equipment, commodities of unusual value, dangerous explosives, household goods, as defined by the Commission, and commodities injurious or contaminating to other lading), between Harlowton, Mont., and White Sulphur Springs, Mont., over U.S. Highway 12, serving the off-route points of Two Dot and Martinsdale, Mont. **NOTE:** If a hearing is deemed necessary, applicant requests that it be held at Billings, Mont.

No. MC 121489 (Sub-No. 3), filed January 24, 1966. Applicant: NEBRASKA IOWA XPRESS, INC., 1813 Yolande Avenue, Post Office Box 824, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, between points in Douglas County, Nebr., on the one hand, and, on the other, points in Mills Pottawattamie, Page, and Shelby Counties, Iowa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 123273 (Sub-No. 4) (Amendment) filed December 20, 1965, published FEDERAL REGISTER issue of January 13, 1966, under No. MC 127755 and republished as amended under MC 123273 Sub-No. 4, this issue. Applicant: NEAL R. WHITE, 34 Beachwood Road, Post Office Box 9404, Asheville, N.C., 28805. Applicant's representative: H. Overton Kemp, Room 101, 327 North Tryon Street, Post Office Box 20202, Charlotte, N.C., 28202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Grape juice*, in insulated tank vehicles, from Spartanburg, S.C., to Canandaigua, N.Y., and Petersburg, Va., and *refused, rejected, and damaged shipments of the above*, on return. **NOTE:** This application was originally filed seeking authority to operate as a *common carrier*, and was assigned No. MC 127755. As amended, applicant seeks to operate as a *contract carrier* and has been reassigned No. MC 123273 (Sub-No. 4). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 123294 (Sub-No. 10), filed January 24, 1966. Applicant: WARSAW

TRUCKING CO., INC., 1102 West Winona Avenue, Warsaw, Ind. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal castings and stampings*, from the plantsite of Dalton Foundries, located at Warsaw, Ind., to points in Alabama. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123294 (Sub-No. 11), filed January 24, 1966. Applicant: WARSAW TRUCKING CO., INC., 1102 West Winona Avenue, Warsaw, Ind. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Projection screens, accessories and parts thereof, and metal stampings*, from the plant of Da-Lite Screen Co., located approximately 3 miles north of Warsaw, Ind., to points in Massachusetts, New York, New Jersey, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Georgia, Tennessee, Maryland, Texas, Missouri, Colorado, California, and Washington, and *supplies and equipment used in the manufacture of projection screens*, from the above listed States on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124170 (Sub-No. 11) (Amendment), filed December 16, 1965, published in FEDERAL REGISTER issue of January 13, 1966, amended January 27, 1966, and republished as amended this issue. Applicant: FROSTWAYS, INC., 2450 Scotten, Detroit, Mich. Applicant's representative: Robert D. Schuler, Suite 1700, One Woodward Avenue, Detroit, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat byproducts and meat products*, as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, M.C.C. 209 and 766, from Flint, Mich., to Boston, Mass., Philadelphia, and Allentown, Pa., and New York, N.Y. **NOTE:** The purpose of this amendment is to more clearly set forth the commodity description. If a hearing is deemed necessary, applicant requests that it be held at Detroit, Mich.

No. MC 124174 (Sub-No. 39), filed January 20, 1966. Applicant: MOMSEN TRUCKING CO., a corporation, Highway 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C, of appendix I, to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquid commodities in bulk), from the plantsite and storage facilities of Spencer Packing Co., at Schuyler, Nebr., to points in Iowa, Minnesota, Wisconsin, Illinois, Indiana, Michigan, South Dakota, Missouri, and Kansas. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124174 (Sub-No. 40), filed January 20, 1966. Applicant: MOMSEN TRUCKING CO., a corporation, Highway 71 and 18 North, Spencer, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from points in Cabell and Wayne Counties, W. Va., to points in Iowa, Minnesota, Kansas, Nebraska, and South Dakota. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Huntington, W. Va.

No. MC 124211 (Sub-No. 86), filed January 24, 1966. Applicant: HILT TRUCK LINE, INC., 3751 Sumner Street, Post Office Box 824, Lincoln 1, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint materials and plumbing supplies*, from points in Douglas County, Nebr., to points in California, Colorado, Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124324 (Sub-No. 10), filed January 24, 1966. Applicant: MURPHY TRUCKING CO., INC., Denver, Ind. Applicant's representative: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feed*, from Castleton, Ind., to points in Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 124511 (Sub-No. 6), filed January 24, 1966. Applicant: JOHN F. OLIVER, Post Office Box 223, Mexico, Mo. Applicant's representative: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, in dump vehicles, between a barge terminal facility, located at or near Hannibal, Mo., on the one hand, and, on the other, points in Missouri. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo.

No. MC 125136 (Sub-No. 2), filed January 26, 1966. Applicant: W. H. MARSHALL, 1285 Nickey Avenue, Decatur, Ill. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill., 62707. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from St. Louis, Mo., to Virden and Taylorville, Ill., and *containers for malt beverages and pallets used in transporting malt beverages*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 127689 (Sub-No. 2), filed January 6, 1966. Applicant: PASCAGOULA DRAYAGE CO., a corporation, Post Office Box 1326, Hattiesburg, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Food*, cooked,

cured, preserved, prepared, or frozen in containers, in barrels or boxes, from Crystal Springs, Miss., to points in the United States (except Alaska and Hawaii), and exempt commodities, on return, to points in Mississippi and Louisiana; (2) *proprietary anti-freeze or engine coolant preparations, or proprietary de-icing preparations, or anti-freezing compound*, from Mapleton, Ill., to points in Mississippi; (3) *feed, animal, fish or poultry, prepared or feed supplements or feed ingredients* without or containing antibiotics or vitamins, in containers in barrels or boxes, or in bulk, bags, barrels, boxes or pails, or in fused or pressed blocks, from Springfield, Mo., to points in Mississippi; (4) *egg cases or carriers*, fiberboard, pulpboard or strawboard, knockdown or set-up, empty or each containing not to exceed its equipment of fillers, from Memphis, Tenn., to Canton, Collins, and New Albany, Miss.; (5) *cartons*, egg case or egg carrier, molded pulp, nested, in boxes or in wrapped packages in boxes, fiberboard or paperboard, flat or folded flat in packages, from Dallas, Tex., to Canton, Collins and New Albany, Miss.; (6) *feed ingredients*, from Chicago Heights, Ill., to Boule, Hattiesburg, New Albany, and Van Winkle, Miss.; (7) *salt*, live stock, medicated, in packages, or in blocks, from Durant, Okla., to points in Mississippi and Louisiana; and (8) *tires*, pneumatic, and *tire tubes*, from Atlanta, Ga., to New Albany and Canton, Miss. NOTE: Applicant states that it is affiliated with West Brothers, Inc., MC 3009 and subs thereunder; therefore, common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 127840 (Sub-No. 4), filed January 17, 1966. Applicant: MONTGOMERY TANK LINES, INC., 7727 South Kedzie Avenue, Chicago, Ill. Applicant's representative: Charles W. Singer, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages*, from points in Illinois (other than Chicago), to points in Arizona and New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127843 (Correction), filed January 3, 1966, published FEDERAL REGISTER issue of January 27, 1966, as MC 127943, and corrected and republished, this issue. Applicant: F. E. WATKINS, doing business as HI-WAY TRUCK SERVICE, 1504 North First Street, Yakima, Wash. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, between Yakima, Wash., and points in Oregon. NOTE: The purpose of this republication is to show the correct MC number to be MC 127843 in lieu of MC 127943, as previously published. If a hearing is deemed necessary, applicant requests it be held at Yakima, Wash.

No. MC 127855 (Sub-No. 1), filed January 24, 1966. Applicant: REX L. HODGES, INC., 1724 West 21st Street, Long Beach, Calif. Applicant's repre-

sentative: Alan F. Wohlstetter, One Faragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Los Angeles, Orange, San Diego, Kern, Ventura, and Santa Barbara Counties, Calif., restricted to shipments having a prior or subsequent movement beyond said counties, in containers, and further restricted to pick-up and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating and decontainerization of such shipments. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Los Angeles, Calif.

No. MC 127870, filed January 14, 1966. Applicant: ROGER LAVOIE, 32 Union Street, Coaticook, Quebec, Canada. Applicant's representative: Stanley Steinman, Edifice Continental Building, Suite 505, Sherbrook, Quebec, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between ports of entry on the international boundary line between the United States and Canada located in New York, Maine, New Hampshire, and Vermont, on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

No. MC 127871, filed January 18, 1966. Applicant: TRANS-SUPPLY, INC., 207 North Main Street, Mercersburg, Franklin County, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Coal*, in bulk, (a) from points in Fayette, Somerset, Cambria, Bedford, Fulton, and Huntingdon Counties, Pa., to points in West Virginia and Maryland (except that part of Maryland east of a line beginning at the Maryland-Pennsylvania State line and extending south along U.S. Highway 140 to Westminster, Md., thence along Maryland Highway 27 to Germantown, Md., thence along Maryland Highway 118 to Darnestown, Md., and thence in a southwesterly direction along Maryland Highway 112 to the Potomac River), and (b) from points in Grant and Mineral Counties, W. Va., to Riverton, Va., and (2) *sand*, in bulk, from Warfordsburg, Pa., to points in Allegheny County, Md. NOTE: Applicant states the service as proposed above, shall be limited to a transportation service to be performed under continuing contracts with PBS Coals, Inc., of Mercersburg, Pa., Allegheny Mining Corp., of Mount Storm, W. Va., and BTU, Inc., of Belle Vernon, Pa. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127876, filed January 20, 1966. Applicant: ROBERT EUCLIDE, doing business as EUCLIDE TRUCKING, Route No. 4, Green Bay, Wis. Applicant's representative: M. E. Davis, Jr., Minahan-McCormick Building, Green

Bay, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Finished and unfinished stone products*, from points in Wisconsin to points in the Upper Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis.

MOTOR CARRIERS OF PASSENGERS

No. MC 109802 (Sub-No. 25) (Correction), filed January 14, 1966, published in FEDERAL REGISTER issue of February 3, 1966, and republished as corrected this issue. Applicant: LAKELAND BUS LINES, INC., East Blackwell Street, Dover, N.J. Applicant's representative: Bernard F. Flynn, Jr., York-Flynn Building, East Blackwell Street, Dover, N.J., 07801. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, between (1) Netcong, N.J., and Allentown, Pa., as follows: From the junction of Main Street and U.S. Highway 46 in Netcong, N.J., over U.S. Highway 46 to junction New Jersey Highway 24 at Hackettstown, N.J., thence over New Jersey Highway 24 to junction U.S. Highway 22 at Lopatcong, N.J., thence over U.S. Highway 22 to junction Pennsylvania Highway 512 at Hanover Township, Pa., thence over Pennsylvania Highway 512 to Bethlehem, Pa., thence over local streets and highways to Allentown, Pa., and return over the same route; and (2) between Hanover Township and Allentown, Pa., as follows: From junction U.S. Highway 22 and Pennsylvania Highway 512 located in Hanover Township over U.S. Highway 22 to junction Pennsylvania Highway 145 at Whitehall Township, thence over Pennsylvania Highway 145 to Allentown, Pa., and return over the same route, serving all intermediate points in (1) and (2) above. NOTE: The purpose of this republication is to place this publication among the passenger applications, instead of with property carriers, as was done in error. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 127872, filed January 24, 1966. Applicant: GREENFIELD AND MONTAGUE TRANSPORTATION AREA, 382 Deerfield Street, Deerfield, Mass. Applicant's representative: William L. Mobley, Rooms 311-315, 1694 Main Street, Springfield 3, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers, and their baggage* in the same vehicle with passengers, in charter operations, beginning and ending at Deerfield, Greenfield, Montague, and Shelburne, Mass., and extending to points in Connecticut, Delaware, Maine, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia, restricted to the transportation of school children and counselors and supervisors accompanying the children. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Greenfield or Springfield, Mass.

No. MC 127880, filed January 26, 1966. Applicant: LYNDLE LEON McCALLISTER, doing business as ROODHOUSE BUS LINE, 215 East Randolph Street, Roodhouse, Ill. Applicant's representative: Stuart Dobbs, 217 South Seventh Street, Springfield, Ill., 62701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, on charter basis, from Roodhouse, Ill., to points in Illinois, Kentucky, Tennessee, Missouri, Iowa, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 47323 (Sub-No. 18), filed January 21, 1966. Applicant: ANDERSON TRUCKING CO., a corporation, Rural Delivery No. 4, Mercer, Pa. Applicant's representative: William W. Knox, 23 West 10th Street, Erie, Pa., 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prefabricated houses and buildings, prefabricated house and building sections, and prefabricated house and building panels*, together with *parts and accessories* for all said items, from Pymatuning Township, located in Mercer County, Pa., to points in Ohio and New York, and *rejected and refused shipments* of the above commodities, on return.

No. MC 124078 (Sub-No. 180), filed January 20, 1966. Applicant: SCHWERMANN TRUCKING CO., a corporation, 611 South 28 Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, from Muscatine, Iowa to points in Illinois.

No. MC 126749 (Sub-No. 4), filed December 16, 1965. Applicant: K. P. MOVING & STORAGE CO., INC., 1475 South Acoma Street, Denver, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, between Ward, Colo., on the one hand, and, on the other, points in that part of Colorado beginning at a point on U.S. Highway 40 at Granby, Colo., thence east of Colorado Highway 93, thence north on Colorado Highway 93 to Colorado Highway 7, thence east on Colorado Highway 7 to U.S. Highway 285, thence north on U.S. Highway 285 to U.S. Highway 34, thence west on U.S. Highway 34 to junction U.S. Highway 40 at Granby, Colo. NOTE: Common control may be involved.

No. MC 127152 (Sub-No. 1), filed January 28, 1966. Applicant: SAL MARTINO, Valatie, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer and fertilizer materials, agricultural insecticides and fungicides, herbicides*, (a) from Salem, Chatham, and Amenia, N.Y., to points in Litchfield and Fairfield Counties, Conn.; points in Berkshire, Hampden, Franklin and Hampshire Counties, Mass.; points in

Rutland and Bennington Counties, Vt.; and (b) between Salem, Amenia, and Chatham, N.Y., on the one hand, and, on the other, Vergennes, Vt., North Walpole, N.H., and Portland and Waterbury, Conn.; and (2) *rejected, refused, damaged, and shipments made in error, empty containers or other such incidental facilities* used in transporting the commodities specified above, on return. NOTE: Applicant states that the above proposed operations are to be under a continuing contract with Hubbard-Hall Chemical Co.

MOTOR CARRIERS OF PASSENGERS

No. MC 116671 (Sub-No. 2), filed January 21, 1966. Applicant: NIAGARA FALLS TRAVEL AGENCY LTD., a corporation, Post Office Box 6, Niagara Falls, Ontario, Canada. Applicant's representative: Clarence E. Rhoney, 727 Main Street, Niagara Falls, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, in round-trip sightseeing or pleasure tours, limited to the transportation of not more than eight passengers in any one vehicle, not including the driver thereof and not including children under 10 years of age, who do not occupy a seat or seats, in yearly operations, between the ports of entry on the international boundary line between the United States and Canada, located at Niagara Falls and Lewiston, N.Y., and points in Niagara County, N.Y., within 6 miles of Niagara Falls, N.Y., including Niagara Falls, N.Y.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-1405; Filed, Feb. 9, 1966;
8:45 a.m.]

[Notice 127]

MOTOR CARRIER TEMPORARY
AUTHORITY APPLICATIONS

FEBRUARY 7, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also

in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 564 (Sub-No. 9 TA), filed February 2, 1966. Applicant: DUDLEY'S TRANSCONTINENTAL MOVERS, 2120 Adams Street, Lincoln, Nebr., 68504. Applicant's representative: R. E. Powell, Suite 621, Terminal Building, Lincoln, Nebr., 68508. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, (A) between points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin on the one hand, and, on the other, points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, Wisconsin, Arkansas, Connecticut, Delaware, Idaho, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Montana, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Virginia, Washington, West Virginia, and the District of Columbia, (B) between points in Washington and Oregon, (C) between points in Washington and Oregon on the one hand, and, on the other, points in Connecticut, Delaware, Idaho, Indiana, Maine, Maryland, Massachusetts, Michigan, Montana, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, Virginia, Washington, West Virginia, and the District of Columbia.

(D) Between points in Pennsylvania, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, Ohio, Indiana, Illinois, Connecticut, Massachusetts, New Hampshire, Rhode Island, Maine, and the District of Columbia for 180 days. NOTE: Applicant states that by the tacking of authorities presently held by it in Dockets MC 564; MC 564 (Sub 6) and MC 564 (Sub 7) it presently can perform service to all of the territory sought in (A), (B), and (C) above. However to do so it is necessary for it to pass through various gateways which at times are very circuitous. This results in an uneconomic operation. In the event the authority sought in (A), (B), and (C) above is granted applicant is willing to surrender the authority presently held by it in connection with Dockets MC 564, and MC 564 (Sub 7), as it does not seek to hold duplicating authority. With reference to the authority sought in (D) above, applicant states that said authority is identical with authority held by it in connection with Docket MC 564 (Sub 6). Should the authority herein requested in (D) above be granted, applicant is willing to relinquish the present authority it now holds in Docket MC 564 (Sub 6), as it does not wish to hold any duplicating authority. Supporting shippers: Olson Construction Co., 410 South 7th Street, Lincoln, Nebr., Bankers Life Nebraska, Lincoln, Nebr., Commonwealth Electric Co., 1901 Y Street, Lincoln, Nebr., Natkin & Co., 1400 Furnas Avenue, Lincoln, Nebr., King's Food Host

USA, 4701 O Street, Lincoln, Nebr. Send protests to: District Supervisor Johnston, Bureau of Operations and Compliance, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr., 68508.

No. MC 35469 (Sub-No. 35 TA), filed February 2, 1966. Applicant: MODERN TRANSFER CO., INC., 1300 Hanover Avenue, Allentown, Pa., 18103. Applicant's representative: P. F. Gilligan, 1300 Hanover Avenue, Allentown, Pa., 18103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry cement*, in bulk, in pneumatic type tank vehicles, from the plantsite of Universal-Atlas Cement, Division of United States Steel Corp., Northampton, Pa., to Hocksett, N.H., for 150 days. Supporting shipper: Universal-Atlas Cement, Division of United States Steel Corp., 100 Park Avenue, New York, N.Y., 10017. Send protests to: F. W. Doyle, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 66562 (Sub-No. 2140 TA), filed January 26, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: William Marx (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, (1) between Omaha, Nebr., and Omaha, Nebr. (loop), from Omaha south and east on U.S. Highways 375 and 275 to junction U.S. Highway 34, thence east on U.S. Highway 34 to Red Oak, Iowa, and return over U.S. Highway 34 to junction U.S. Highway 59, thence north on U.S. Highway 59 to Oakland, Iowa, thence west on U.S. Highway 6 to Omaha, Nebr., serving the intermediate and/or off-route points of Glenwood, Malvern, Hastings, and Emerson, Iowa, and (2) between Emerson and Shenandoah, Iowa, over U.S. Highway 59, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular-route operation between Red Oak and Shenandoah, Iowa. Restrictions: (1) The service is to be performed by applicant shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc., (2) shipments transported by applicant shall be limited to those on through bills of lading or express receipts, (3) such further specific conditions as the Commission, in the future, may find necessary to impose in order to restrict applicant's operations to a service which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc., for 150 days. Supporting shippers: Applicant has five supporting shippers whose letters of support may be examined at the Interstate Commerce Commission, Washington, D.C. Send protests to: Stephen P. Tomany, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 111729 (Sub-No. 133 TA), filed February 2, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, De Bevoise Building, Bayside, N.Y., 11361. Applicant's representative: J. K. Murphy (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Shirts, trousers, jackets, hats, and uniforms*, limited to shipments not to exceed 75 pounds per shipment, between Cincinnati, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, Missouri, New York, Pennsylvania, and West Virginia, and (2) *business papers, records and audit and accounting media* (except plant removals), between Cincinnati, Ohio, on the one hand, and, on the other, points in Illinois (except Chicago); Indiana (except Anderson, Indianapolis, and Richmond); Kentucky (except Ashland, Lexington, and Louisville); Michigan (except Wayne, Oakland, and Macomb Counties); Missouri; New York; Pennsylvania (except Boyers and Erie); and West Virginia, for 180 days. Supporting shipper: the Garfield Uniform Co., 308 East Eighth Street, Cincinnati 2, Ohio. Send protests to: E. N. Carlgan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 125978 (Sub-No. 6 TA), filed February 2, 1966. Applicant: DEPENDABLE CAR TRAVEL SERVICE, INC., Hotel National, 592 Seventh Avenue, New York, N.Y., 10036. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used automobiles* in drive-away service, with or without personal effects and pets. Restricted against: (1) Automobiles moving on government bills of lading, (2) automobiles having an immediately prior or subsequent movement by rail, (3) automobiles moving for or from manufacturers of automobiles, (1) between points in New York, New Jersey, and Connecticut, on the one hand, and, on the other, points in the United States (except Florida, Arizona, California), (2) between points in Florida, on the one hand, and on the other, points in the United States, for 180 days. Supporting shipper: There are 40 supporting shippers statements attached to the application which may be examined at the Interstate Commerce Commission, here in Washington, D.C., or at the field office listed below. Send protests to: Stephen P. Tomany, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 126063 (Sub-No. 5 TA), filed February 2, 1966. Applicant: BIRD TRUCKING, INC., 1370 Swanner Road, Salt Lake City, Utah, 84104. Applicant's representative: L. Rodney Kump, 716 Newhouse Building, Salt Lake City, Utah, 84111. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Meats,*

meat products and meat byproducts and articles distributed by meat packing-houses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Glasgow, Mont., and the plantsite of Austin's Packing Co., located 7 miles northeast of Glasgow, to points in California, for 150 days. Supporting shipper: Austin's Packing Co., Post Office Drawer B, Glasgow, Mont. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah, 84111.

No. MC 127883 TA, filed February 2, 1966. Applicant: GRANT IMPORTING & DISTRIBUTING CO., INC., 2930 South 19th Avenue, Broadview, Ill., 60155. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Milwaukee, Wis., and Detroit, Mich., to Geneva, Ill., for 180 days. Supporting shipper: Quad County Distributing Co., Inc., Geneva, Ill. Send protests to: Andrew J. Montgomery, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 219 South Dearborn Street, Room 1086, Chicago, Ill., 60604.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-1448; Filed, Feb. 9, 1966;
8:46 a.m.]

[Notice 1298]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 7, 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-68427. By order of January 28, 1966, the Transfer Board approved the transfer to Universal Storage Warehouse, a Corporation, Newark, N.J., of Certificate No. MC-76943, issued November 15, 1965, to Frank O'Connor and Charles O'Connor, a partnership, doing business as Elizabeth Van & Storage Co., Elizabeth, N.J.; authorizing the transportation of: Household goods, between points in Essex, Monmouth, Middlesex, Bergen, Hudson, Ocean, Passaic, Somerset, and Union Counties,

N.J., on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, Ohio, Indiana, Illinois, and the District of Columbia. Irving Abrams, 1776 Broadway, New York, N.Y., 10019, attorney for applicants.

No. MC-FC-68444. By order of January 28, 1966, the Transfer Board approved the transfer to Bryan E. Grothe and Lawrence P. Nielser, a partnership, doing business as Grothe & Nielsen, Pender, Nebr., of Certificate in No. MC-79719, issued October 17, 1949, to Raplee Heckens, Emerson, Nebr.; authorizing the transportation of: Livestock, farm products, household goods, lumber, coal, farm machinery and parts thereof, and feed, between Hubbard, Nebr., and Sioux City, Iowa; and livestock, from Laurel, Nebr., to Sioux City, Iowa.

No. MC-FC-68447. By order of January 28, 1966, the Transfer Board approved the transfer to R. & B. Moving and Storage, Inc., doing business as Broadway Moving & Storage, Denver, Colo., of a portion of the operating rights in certificate in No. MC-72423, issued May 21, 1958, to R. D. Hounshell, doing business as Sterling Transfer Co., Sterling, Colo., the portion transferred authorizes the transportation of: Household goods, between Snyder, Colo., and points within 50 miles thereof, on the one hand, and, on the other, points in New Mexico. Marion F. Jones, 420 Denver Club Building, Denver, Colo., 80202, attorney for applicants.

No. MC-FC-68449. By order of January 28, 1966, the Transfer Board approved the transfer to Peninsula Products, Inc., Portland, Oreg., of permit in No. MC-126038, issued May 18, 1965, to J. R. Howard & B. M. Nedry, a partnership, doing business as Howard & Nedry, Portland, Oreg., authorizing the transportation of: Wood shakes and shingles, and wood fencing materials, from certain plantsites in Washington to points in Oregon and Washington. Seymour L. Coblens, 510 Corbett Building, Portland, Oreg., 97204, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-1449; Filed, Feb. 9, 1966;
8:46 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 7, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40287—*Substituted service—C&NW for L.C.L. Transit Co.* Filed by L.C.L. Transit Co. (No. 1), for itself and interested carriers. Rates on property loaded in trailers and transported on railroad flatcars, between Minneapolis, Minn., and Albert Lea, Minn., also between Chicago, Ill., and interchange

points in Illinois, Iowa, Minnesota, and Wisconsin, on traffic originating at or destined to such points or points beyond, as described in the application.

Grounds for relief—*Motortruck competition.*

Tariff—1st revised page 3-B and 1st revised page 19-A to L.C.L. Transit Co., tariff MF-ICC 23.

FSA No. 40288—*Returned shipments—Silica Sand.* Filed by Southwestern Freight Bureau, agent (No. B-8815), for interested rail carriers. Rates on silica sand, as described in the application, in carloads, from, to and between points in southwestern territory.

Grounds for relief—*Carrier competition.*

Tariff—Supplement 89 to Southwestern Freight Bureau, agent, tariff ICC 4565.

FSA No. 40289—*Sheet steel to Jackson, Miss.* Filed by O. W. South, Jr., agent (No. A4846) for interested rail carriers. Rates on sheet steel, in carloads, from Newport, Ky., and Cincinnati, Ohio, to Jackson, Miss.

Grounds for relief—*Market competition.*

Tariff—Supplement 44 to Southern Freight Association, agent, tariff ICC S-502.

FSA No. 40290—*Class and commodity rates from and to Alto, Ga.* Filed by O. W. South, Jr., agent (No. A4845), for interested rail carriers. Rates on property moving on class and commodity rates, between Alto, Ga., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief—*New station and grouping.*

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-1450; Filed, Feb. 9, 1966;
8:46 a.m.]

[No. 34661¹]

MIDDLEWEST MOTOR FREIGHT BUREAU CARRIERS

Sorting or Segregating of Shipments

It appearing, that the Commission entered orders assigning said matters for hearing and directing special procedure to be followed by all parties as follows: By order dated December 7, 1965, in No. 34661 and No. 34661 (Sub-Nos. 1, 2, 3, and 4); by order dated January 3, 1966, in No. 34661 (Sub-Nos. 6, 7, 9, and 10); and by order dated January 14, 1966, in No. 34661 (Sub-Nos. 11 and 12);

It further appearing, that by order dated January 10, 1966, in No. 34661 (Sub-No. 13) the Commission broadened

¹This order also embraces Docket Nos. 34661 (Sub-No. 1), Sorting or Segregation of Shipments, Northeastern States; 34661 (Sub-No. 2), Sorting or Segregation of Shipments, Eastern and Central States; 34661 (Sub-Nos. 3, 4, 6, 7, 9, 10, and 11), Sorting or Segregation of Shipments, Various States; No. 34661 (Sub-No. 12), Sorting or Segregation of Shipments, New Jersey and New York; and No. 34661 (Sub-No. 13), Sorting or Segregation of Shipments, Southern States.

the investigation to include additional territory and/or carriers with a view to making such findings and orders in the premises as the facts and circumstances shall warrant;

It further appearing, that, upon consideration of the record, the proceeding in No. 34661 (Sub-No. 13) is a matter that should be referred to a hearing examiner for hearing and for recommendation of an appropriate order thereon;

And it further appearing, that the special procedure as outlined in the Commission's order dated January 14, 1966, should be followed in all respects; and for good cause showing:

It is ordered, That the proceeding in No. 34661 (Sub-No. 13) be, and it is hereby, referred to Hearing Examiner George A. Dahan for hearing to commence on April 4, 1966, at 9:30 o'clock a.m., U.S. standard time, at the offices of the Interstate Commerce Commission, Washington, D.C., and for recommendation of an appropriate order thereon, accompanied by the reasons therefor.

It is further ordered, That the special procedure as set forth by the Commission in its order of January 14, 1966, be followed in No. 34661 (Sub-No. 13).

And it is further ordered, That a copy of this order be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all parties.

Dated at Washington, D.C., this 24th day of January A.D. 1966.

By the Commission, Commissioner
Freas.

[SEAL] H. NEIL GARSON,
Secretary.

ADDITIONAL NAMES TO BE INCLUDED ON THE
LIST OF KNOWN PARTIES OF RECORD

C. H. Swanson, Overnite Transportation Co.,
Post Office Box 1216, Richmond, Va., 23209.
Emil J. Haut, Ryder Truck Lines, Inc., Post
Office Box 2408, Jacksonville, Fla., 32203.
Eugene L. Clark, The New Dixie Lines, Post
Office Box 103, Charlotte, N.C.
R. A. Blocki, Assistant General Traffic Man-
ager, Kraft Foods, 500 Peshtigo Court, Chi-
cago, Ill., 60690.

[F.R. Doc. 66-1451; Filed, Feb. 9, 1966;
8:47 a.m.]

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 66-3]

EQUIPMENT, INSTALLATIONS, OR MATERIALS

Approval Notice

1. Various items of lifesaving, firefighting, and miscellaneous equipment, installations, and materials used on merchant vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by law and various regulations in 46 CFR Chapter I to be of types approved by the Commandant, U.S. Coast Guard. The procedures governing the granting of approvals, and the cancellation, termina-

tion or withdrawal of approvals are set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installations, and materials, specifications have been prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications), and detailed procedures for obtaining approvals are also described therein.

2. The Commandant's approval of a specific item is intended to provide a control over its quality. Therefore, such approval applies only to the item constructed or installed in accordance with the applicable requirements and the details described in the specific approval. If a specific item when manufactured does not comply with the details in the approval, then such item is not considered to have the Commandant's approval, and the certificate of approval issued to the manufacturer does not apply to such modified item. For example, if an item is manufactured with changes in design or material not previously approved, the approval does not apply to such modified item.

3. After a manufacturer has submitted satisfactory evidence that a particular item complies with the applicable laws and regulations, a Certificate of Approval (Form CGHQ-10030) will be issued to the manufacturer certifying that the item specified complies with the applicable laws and regulations and approval is given, which will be in effect for a period of 5 years from the date given unless sooner canceled or suspended by proper authority.

4. The purpose of this document is to notify all concerned that certain approvals were granted as described in this document during the period from October 29, 1965, to November 4, 1965 (List No. 27-65). These actions were taken in accordance with procedures set forth in 46 CFR 2.75-1 to 2.75-50, inclusive.

5. The delegations of authority for the Coast Guard's actions with respect to approvals may be found in section 632 of Title 14, U.S. Code, and in Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521), 167-14, dated November 28, 1954 (19 F.R. 8026), 167-15 dated January 3, 1955 (20 F.R. 840), 167-20 dated June 18, 1956 (21 F.R. 4894), CGFR 56-28 dated July 24, 1956 (21 F.R. 5659), or 167-38 dated October 26, 1959 (24 F.R. 8857), and the statutory authority may be found in R.S. 4405, as amended, 4462, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 346, as amended, sec. 3, 70 Stat. 152 (46 U.S.C. 375, 416, 481, 489, 367, 526p, 1333, 390b), sec. 4(e), 67 Stat. 462 (43 U.S.C. 1333(e)), or sec. 3(c), 68 Stat. 675 (50 U.S.C. 198), and implementing regulations in 46 CFR Chapter I or 33 CFR Chapter I.

6. In Part I of this document are listed the approvals granted which shall be in effect for a period of 5 years from the dates granted, unless sooner canceled or suspended by proper authority.

PART I—APPROVALS OF EQUIPMENT, INSTALLATIONS, OR MATERIALS

BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.047/463/0, Type I, Model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Swan Products Co., Inc., 130-30 180th Street, Springfield Gardens, N.Y., 11434, for Viking Products Co., 130-30 180th Street, Springfield Gardens, N.Y., 11434, effective November 4, 1965. (It is an extension of Approval No. 160.047/463/0 dated November 4, 1960, and change of address of manufacturer.)

Approval No. 160.047/464/0, Type I, Model CKM-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Swan Products Co., Inc., 130-30 180th Street, Springfield Gardens, N.Y., 11434, for Viking Products Co., 130-30 180th Street, Springfield Garden, N.Y., 11434, effective November 4, 1965. (It is an extension of Approval No. 160.047/464/0 dated November 4, 1960, and change of address of manufacturer.)

Approval No. 160.047/465/0, Type I, Model CKS-1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Swan Products Co., Inc., 130-30 180th Street, Springfield Gardens, N.Y., 11434, for Viking Products Co., 130-30 180th Street, Springfield Gardens, N.Y., 11434, effective November 4, 1965. (It is an extension of Approval No. 160.047/465/0 dated November 4, 1960, and change of address of manufacturer.)

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.052/131/1, Type II, Model "A" adult unicellular plastic foam buoyant vest, dwg. Nos. 11 and 12 dated March 3, 1961, Rev. 1 dated June 1, 1963, and Bill of Materials dated September 29, 1965, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212 and 12th and Graham Streets, Emporia, Kans., 66801, effective November 3, 1965. (It supersedes Approval No. 160.052/131/1 dated June 18, 1963, to show change in specification.)

Approval No. 160.052/132/1, Type II, Model "M", child medium unicellular plastic foam buoyant vest, dwg. Nos. 11 and 13 dated March 3, 1961, Rev. 1 dated June 1, 1963, and Bill of Materials dated September 29, 1965, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212, and 12th and Graham Streets, Emporia, Kans., 66801, effective November 3, 1965. (It supersedes Approval No. 160.052/132/1 dated June 18, 1963, to show change in specification.)

Approval No. 160.052/133/1, Type II, Model "S", child small unicellular plastic

foam buoyant vest, dwg. Nos. 11 and 14 dated March 3, 1961, Rev. 1 dated June 1, 1963, and Bill of Materials dated September 29, 1965, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212, and 12th and Graham Streets, Emporia, Kans., 66801, effective November 3, 1965. (It supersedes Approval No. 160.052/133/1 dated June 18, 1963, to show change in specification.)

LIFE PRESERVERS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

Approval No. 160.055/24/0, Type II, Model 303, adult cloth-covered unicellular plastic foam life preserver, dwg. Nos. 303-1 and 303-2 dated June 3, 1965, and Bill of Materials dated September 3, 1965, manufactured by International Cushion Co., 1110 Northeast Eighth Avenue, Fort Lauderdale, Fla., 33311, effective October 29, 1965.

Approval No. 160.055/25/0, Type II, Model 305, child cloth-covered unicellular plastic foam life preserver, dwg. Nos. 305-1 and 305-2 dated June 3, 1965, and Bill of Materials dated September 3, 1965, manufactured by International Cushion Co., 1110 Northeast Eighth Avenue, Fort Lauderdale, Fla., 33311, effective October 29, 1965.

BUOYANT VESTS, UNICELLULAR POLYETHYLENE FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.060/1/0, Type II, Model AE, adult, cloth-covered polyethylene foam buoyant vest, dwg. Nos. 26 and 29, Rev. 1 dated October 29, 1964, and Bill of Materials dated September 29, 1965, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212, and 12th and Graham Streets, Emporia, Kans., 66801, effective November 2, 1965. (It supersedes Approval No. 160.060/1/0 dated September 8, 1965, to show change in specification.)

Approval No. 160.060/2/0, Type II, Model ME, child medium, cloth-covered polyethylene foam buoyant vest, dwg. Nos. 27 and 30, Rev. 1 dated October 29, 1964, and Bill of Materials dated September 29, 1965, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212, and 12th and Graham Streets, Emporia, Kans., 66801, effective November 2, 1965. (It supersedes Approval No. 160.060/2/0 dated September 8, 1965, to show change in specification.)

Approval No. 160.060/3/0, Type II, Model SE, child small, cloth-covered polyethylene foam buoyant vest, dwg. Nos. 28 and 31, Rev. 1 dated October 29, 1964, and Bill of Materials dated September 29, 1965, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212, and 12th and Graham Streets, Emporia, Kans., 66801, effective November 2, 1965. (It supersedes Approval No. 160.060/3/0 dated September 8, 1965, to show change in specification.)

FIRE PROTECTIVE SYSTEMS

Approval No. 161.002/7/1, supervised automatic fire detecting and manual fire alarm system consisting of a control unit (B-327, B-328, and B-257-4); zone module assembly (B-326); manual fire alarm boxes (dwgs. B-262, alt. 4, and B-262-2, alt. 4); manual fire alarm test box (dwg. B-262-1, alt. 3); battery charging panel, 115v A.C. input (dwg. B-261-3, alt. 0), or battery charging panel, 120v D.C. input (dwg. B-261-2, alt. 0); fire alarm bells (dwgs. D-103-2, alt. 0; D-103, alt. 0; and D-102, alt. 0), manufactured by Sig-Trans, Inc., Amesbury, Mass., effective October 29, 1965. (This system is intended for use with two 24-volt storage batteries, one of which is on charge while the other is supplying the system.) (It supersedes Approval No. 161.002/7/0 dated May 8, 1962.)

Dated: February 3, 1966.

[SEAL] W. D. SHIELDS,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 66-1470; Filed, Feb. 9, 1966;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Montana 072453]

MONTANA

Order Providing for Opening of
Public Lands

FEBRUARY 2, 1966.

1. In exchanges of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following lands have been re-conveyed to the United States:

PRINCIPAL MERIDIAN, MONTANA

- T. 21 N., R. 25 E.,
Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 16 N., R. 28 E.,
Sec. 1, E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 3, Lots 3 and 4;
Sec. 4, Lots 1, 2, and 3;
Sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 17 N., R. 28 E.,
Sec. 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 16 N., R. 29 E.,
Sec. 6, Lots 5 and 6;
Sec. 7, Lots 1 and 2.

The area described contains 531.05 acres.

2. The lands described above lie in the northeastern portion of Fergus County and the east-central portion of Petroleum County. The topography varies from a moderately rolling to steep breaks. The soil varies on the tracts from a sandy loam to a clay loam. Vegetation consists of native grasses with thin stands of pine trees on portions of the tracts. Due to climatic, soil, and topographic features, the subject lands are not suitable for sustained agricultural crops typical of this area.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the

lands are hereby opened to application, petition, location, and selection. All valid applications received at or prior to 10 a.m., on March 10, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The mineral rights in the lands were not exchanged. Therefore, the mineral status of the lands is not affected by this order.

5. Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Billings, Mont., 59101.

EUGENE H. NEWELL,
Acting Land Office Manager.

[F.R. Doc. 66-1434; Filed, Feb. 9, 1966;
8:45 a.m.]

[Fairbanks 035090]

ALASKA

Notice of Proposed Withdrawal and
Reservation of Lands

FEBRUARY 3, 1966.

The Bureau of Sport Fisheries and Wildlife has filed an application, Serial Number Fairbanks 035090, for withdrawal of the lands described below, from all forms of appropriation under the public lands laws, including the mining laws but not the mineral leasing laws. The applicant desires the land as an administrative site for operation and study of the Clarence Rhode National Wildlife Range.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the District and Land Office Manager, Bureau of Land Management, Department of the Interior, Post Office Box 1150, Fairbanks, Alaska, 99701.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior, who will determine whether or not the lands will be withdrawn as requested by the Bureau of Sport Fisheries and Wildlife.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

That part of the SE $\frac{1}{4}$, section 32, T. 16 N., R. 90W., Seward Meridian, lying east of the Keoklevik River and the connecting channel of the Keoklevik and Kashunuk River at approximate latitude 61°25'50" N., longitude 165°26'52" W.

The area described aggregates approximately 54.4 acres.

BURTON W. SILCOCK,
State Director.

[F.R. Doc. 66-1433; Filed, Feb. 9, 1966;
8:45 a.m.]

[Montana 072530]

MONTANA

Notice of Proposed Withdrawal and
Reservation of Lands

FEBRUARY 3, 1966.

The Department of Agriculture has filed the above application, serial number Montana 072530, for the withdrawal of the lands described below, from mineral location and entry under the mining laws, subject to existing valid claims.

The applicant desires the land for campground and recreation areas.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Mont., 59101.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

PRINCIPAL MERIDIAN, MONTANA
HELENA NATIONAL FOREST
Skidway Gulch Campground

T. 7 N., R. 5 E.,

Sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 22, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Total area 60 acres.

Indian Flats Campground

T. 12 N., R. 1 W.,

Sec. 1, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Total area 40 acres.

Pike Creek Campground

T. 13 N., R. 1 W.,

Sec. 36, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Total area 40 acres.

Park Lake Campground

T. 8 N., R. 5 W.,

Sec. 13, Lots 1 and 11.

Total area 52.32 acres.

Ten Mile Campground

T. 9 N., R. 5 W.,

Sec. 16, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Total area 30 acres.

Lincoln Gulch Campground

T. 14 N., R. 9 W.,

Sec. 29, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Total area 60 acres.

Blackfoot Campground

T. 14 N., R. 10 W.,

Sec. 34, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Total area 40 acres.

The areas described aggregate 312.32 acres.

EUGENE H. NEWELL,
Acting Land Office Manager.

[F.R. Doc. 66-1435; Filed, Feb. 9, 1966;
8:45 a.m.]

ALASKA

Notice of Filing of Plat Survey

FEBRUARY 2, 1966.

1. Plat of survey of omitted island described below will be officially filed in the Anchorage District and Land Office, Anchorage, Alaska, effective at 10 a.m., February 15, 1966.

SEWARD MERIDIAN

T. 18 N., R. 1 E.,

Sec. 34, Lot 5.

Containing 0.61 acre.

2. This is an island located in Finger Lake containing scattered spruce and birch timber. The soil is sandy loam extending approximately 5 feet above the water level in elevation.

3. Subject to any existing valid rights, the provisions of existing withdrawals, and the requirements of applicable law, the above-described land is hereby opened to filing applications, selections and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws may be presented to the Manager, Anchorage District and Land Office, beginning on

the date of this order. Such applications, selections and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications and selections under the nonmineral public land laws presented prior to 10 a.m., on February 15, 1966, will be considered as simultaneously filed at that hour and will be governed by the time of filing. The lands will also be open to mining location at that date and hour.

4. Persons claiming preference rights based upon valid settlement, statutory preference or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

5. Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 1821.2-3 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in §§ 2233.9-1(a), 2211.9-1(a), and 2211.0-6(a), of Title 43 of the Code of Federal Regulations.

6. Inquiries concerning these lands shall be addressed to the Manager, Anchorage District and Land Office, 555 Cordova Street, Anchorage, Alaska.

JAMES W. SCOTT,
Manager,

Anchorage District and Land Office.

[F.R. Doc. 66-1454; Filed, Feb. 9, 1966;
8:47 a.m.]

Fish and Wildlife Service

[Docket No. A-366]

LEIGH SYDNEY WRIGHT

Notice of Loan Application

Leigh Sydney Wright, Box 8, Hoonah, Alaska, 99829, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 34.8-foot registered length wood vessel to engage in the fishery for salmon.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised August 11, 1965) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C., 20240. Any person desiring to sub-

mit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic injury or hardship.

DONALD L. MCKERNAN,
Director,

Bureau of Commercial Fisheries.

FEBRUARY 7, 1966.

[F.R. Doc. 66-1457; Filed, Feb. 9, 1966,
8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 85-B]

BUREAU OF THE CENSUS

Organization and Functions

This Department Order 85-B supercedes the material appearing at 30 F.R. 9178-9179 of July 22, 1965; 28 F.R. 9885-9886 of September 11, 1963; and 28 F.R. 6592-6594 of June 26, 1963 (Organization and Function Supplement to Department Order 85).

SECTION 1. Purpose. The purpose of this order is to prescribe the organization and assignment of functions within the Bureau of the Census.

SEC. 2. Organization. The Bureau of the Census shall consist of the following organization units:

.01 Office of the Director.

Director: International Statistical Programs Office and Public Information Office.

Deputy Director.

.02 The heads of the following offices shall report directly to the Director:

a. Assistant Director for Research and Development.

Economic Research and Analysis Division.

Statistical Reports Division.

Statistical Research Division.

b. Assistant Director for Administration.

Administrative and Publications Services Division.

Budget and Finance Division.

Field Division.

Management and Organization Division.

Personnel Division.

.03 The heads of the following offices shall report to the Director through the Deputy Director:

a. Assistant Director for Demographic Fields.

Agriculture Division.

Demographic Surveys Division.

Foreign Demographic Analysis Division.

Housing Division.

Population Division.

Statistical Methods Division.

b. Assistant Director for Operations.
Data Processing Systems Division.
Demographic Operations Division.
Economic Operations Division.
Geography Division.
Jeffersonville Census Operations Office.

c. Assistant Director for Economic Fields.

Business Division.
Construction Statistics Division.
Foreign Trade Division.
Governments Division.
Industry Division.
Transportation Division.

SEC. 3. Functions of the Office of the Director. .01 The Director determines policies and directs the programs of the Bureau of the Census, taking into account applicable legislative requirements and the needs of users of statistical information. He is responsible for the conduct of the activities of the Bureau of the Census and for coordinating its statistical programs and activities with those of other Federal statistical agencies, with due recognition of the programs developed and regulations issued by the Bureau of the Budget.

.02 The Deputy Director shares with the Director generally in the direction of the Bureau, and performs the duties of the Director during the latter's absence. In addition, the Assistant Director for Demographic Fields, Assistant Director for Operations, and Assistant Director for Economic Fields report to the Deputy Director.

.03 The International Statistical Programs Office shall plan and conduct the Bureau's foreign consultation and training programs, coordinate research on international statistical problems of methodology and content, and represent the Bureau in international statistical activities.

.04 The Public Information Office shall, under the policy guidance of the Department's Office of Public Information, plan and conduct Bureau of the Census information programs which are designed to facilitate data collections and provide statistical information to the public and public interest groups.

Sec. 4. Functions of the Office of Assistant Director for Research and Development. The Assistant Director is the principal assistant to the Director on research and development programs, advises him with regard to proposed plans and programs of the Bureau to assure the statistical adequacy of proposed data collections and the applications of appropriate statistical methods and economic principles, and executes the policies established by the Director in these areas. Through his staff and the divisions reporting to him, he shall:

a. Formulate and coordinate mathematical, statistical, psychological and economic research into the development and effective use of these methods and techniques in the work of the Bureau;

b. Develop and apply the techniques of seasonal and other adjustments of time series in order to meet the changing requirements of the economy for statistical intelligence. Develop uniform statistical classification systems; and

c. Prepare the Statistical Abstract of the United States and its supplements and the documentation of statistical technology used in major Census programs.

SEC. 5. Functions of the Office of Assistant Director for Administration. The Assistant Director for Administration is the principal assistant and adviser to the Director an organization, management and administrative activities, and executes the policies established by the Director in these areas. Through the divisions and staff reporting to him, he shall:

a. Plan and coordinate on a bureau-wide basis budget and fiscal programs, including the preparation of official budget estimates and justification, the allocation and control of all funds, and the administration of finance and accounting activities; management analysis and program reporting activities, including production standards, scheduling and control, organization and general management improvement activities; the personnel management program, including classification and pay administration, staffing, employee development, employee relations and services, records and reports; administrative services, including procurement and property management, printing, publications, library, communications and other administrative services;

b. Plan and coordinate the Bureau's emergency planning program and provide specialized staff services, including internal audit;

c. Plan and coordinate a nationwide field data collection program administered through a field organization of fluctuating size and composed of regional, district, and other branch offices; and

d. Provide through the Pittsburg, Kans., office a personal census service to provide individuals or their authorized representatives information about themselves as reflected by census records.

SEC. 6. Functions of the Office of Assistant Director for Demographic Fields. The Assistant Director is the principal assistant to the Director on demographic programs, advises him as to necessary and feasible statistical programs in these fields and executes the policies established by the Director. Through the divisions reporting to him, he shall:

a. Formulate and develop overall plans and programs for the collection, processing and dissemination of statistical data from special and current surveys, censuses, or compilations relating to agriculture, agricultural activities and products, irrigation and drainage enterprises and cotton-ginning; general housing characteristics; and the distribution and characteristics of the population;

b. Conduct research on the nature and extent of needs for statistical data in the demographic fields and on survey design and methodology;

c. Using highly specialized techniques, prepare estimates and projections of population, manpower and related characteristics; and

d. Prepare special analytical and interpretive reports, monographs, and special studies.

SEC. 7. Functions of the Office of Assistant Director for Operations. The Assistant Director is the principal assistant to the Director on statistical processing operations, advises him as to large-scale data processing techniques and geographic concepts for statistical programs of the Bureau and executes the policies established by the Director in these fields. Through the divisions and offices reporting to him, he shall:

a. Plan and coordinate the development of processing techniques and process statistical data collected in special and current surveys, censuses, or compilations undertaken by the Bureau;

b. Plan and coordinate electronic digital computer and mechanical tabulating systems services of the Bureau;

c. Plan and coordinate geographic services needed by the Bureau, especially those needed to facilitate the Bureau's field data collection programs; and

d. Plan and coordinate mechanical and electronic engineering services in the development, maintenance, and manufacture of special purpose equipment used in data processing by the Bureau;

SEC. 8. Functions of the Office of Assistant Director for Economic Fields. The Assistant Director is the principal assistant to the Director on economic programs, advises him as to necessary and feasible statistical programs in these fields and executes the policies established by the Director. Through the divisions reporting to him, he shall:

a. Formulate and develop overall plans and programs for the collection, processing and dissemination of statistical data from special and current surveys, censuses, or compilations relating to the characteristics of wholesale, retail, and service enterprises; various aspects of the construction industry; export and import trade of the United States and foreign trade shipping; State and local government operations and finances; and operations of manufacturing, mineral industries, transportation and related industries;

b. Conduct research on the nature and extent of needs for statistical data in the economic fields and on survey design and methodology; and

c. Prepare special analytical and interpretive reports, monographs, and special studies.

Effective date. January 25, 1966.

DAVID R. BALDWIN,
Assistant Secretary
for Administration.

[F.R. Doc. 66-1460; Filed, Feb. 9, 1966; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27-39]

CALIFORNIA NUCLEAR, INC.

Notice of Amendment of Byproduct, Source, and Special Nuclear Material License

Please take notice that the Atomic Energy Commission has issued Amendment No. 3 to License No. 13-10042-1.

This license authorizes California Nuclear, Inc., to receive, possess, repack, store, and dispose of byproduct, source, and special nuclear material at a site located in Benton County, Wash.

The license provides for the possession of 5,000 grams of special nuclear material of which not more than 20 grams of Uranium 235, 1 gram of Uranium 233, or 1 gram of Plutonium may be in any single package. This amendment authorizes the licensee to possess packages which could contain up to 100 grams of Uranium 235 or 60 grams of Uranium 233 or 60 grams of Plutonium, or any combination of these materials, such that the sum of the ratios of the quantity of each special nuclear material to the maximum quantity permitted does not exceed unity. The maximum concentration of special nuclear material must be 15 grams of combined special nuclear material per cubic foot of package volume.

The licensee is authorized to possess 5,000 grams of special nuclear material for storage at its facility in Benton County, Wash. Each accumulation of packages may contain not more than 500 grams of Uranium 235 or 300 grams of Uranium 233 or 300 grams of Plutonium, or any combination of these materials, such that the sum of the ratios of the quantity of each special nuclear material to the maximum quantity permitted does not exceed unity. Each accumulation of packages must be stored at least 12 feet from any other packages containing special nuclear material. Such spacing will assure nuclear safety.

The amendment authorizes the burial of accumulations of 500 grams of Uranium 235 or 300 grams of Uranium 233 or 300 grams of Plutonium, or combinations of these materials, with the proviso that each accumulation be separated by a minimum of 8 inches of earth in all directions from other packages containing special nuclear material. Burial in this manner will assure nuclear safety.

The Atomic Energy Commission has determined that prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazard considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing by any party and petitions to intervene shall be filed in accordance with the Commission's regulations (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

The text of the amendment is attached to this notice.

Dated at Bethesda, Md., February 3, 1966.

For the Atomic Energy Commission.

J. A. McBRIDE,

Director,

Division of Materials Licensing.

BYPRODUCT, SOURCE, AND SPECIAL NUCLEAR MATERIAL LICENSE

CALIFORNIA NUCLEAR, INC.

[License No. 13-10042-1; Amdt. 3]

The Atomic Energy Commission having found that:

A. The applicant's equipment, facilities and procedures are adequate to protect health and minimize danger to life or property.

B. The licensee is qualified by training and experience to use the material for the purpose requested in accordance with the regulations in Title 10, Code of Federal Regulations, and in such manner as to protect health and minimize danger to life or property.

C. The application dated October 14, 1964, and amendment thereto dated November 24, 1965, comply with the requirements of the Atomic Energy Act of 1954, as amended, and Title 10, Code of Federal Regulations, Chapter 1, and is for a purpose authorized by that act, and

D. Issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Byproduct, Source, and Special Nuclear Material License No. 13-10042-1 is amended as follows:

Condition 1. is amended to read:

1. The licensee shall not possess at any one time more than:

A. 50,000 curies of byproduct material.

B. 4,000 pounds of source material.

C. 5,000 grams of special nuclear material in accordance with the following:

(a) No single package shall contain more than 100 grams of Uranium 235 or 60 grams of Uranium 233 or 60 grams of Plutonium or any combination thereof such that the sum of the ratios of the quantity of each special nuclear material to the quantities specified herein does not exceed unity. Unity shall be determined by the following formula:

$$\frac{\text{grams contained U}^{235}}{100} + \frac{\text{grams contained U}^{233}}{60} + \frac{\text{grams contained Pu}}{60} = 1$$

(b) No single package shall contain more than 15 grams of any combined uranium 235, Uranium 233, and Plutonium per cubic foot of total volume.

The following conditions are added:

11. Each accumulation of packages shall contain not more than 500 grams of Uranium 235 or 300 grams of Uranium 233 or 300 grams of Plutonium or combinations thereof such that the sum of the ratios of the quantity of each special nuclear material to the quantities specified herein does not exceed unity, as determined by the following formula:

$$\frac{\text{grams contained U}^{235}}{500} + \frac{\text{grams contained U}^{233}}{300} + \frac{\text{grams contained Pu}}{300} = 1$$

and shall be stored at least 12 feet from any other packages containing special nuclear material.

12. The licensee shall bury any accumulation of packages containing special nuclear material as specified in Condition 11. of this license so that there is a minimum of 8 inches of earth in all directions from any other packages containing special nuclear material.

For the Atomic Energy Commission.

Date of issuance: February 3, 1966.

J. A. McBRIDE,
Director,

Division of Materials Licensing.

[F.R. Doc. 66-1429; Filed, Feb. 9, 1966; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16028]

DETROIT-TORONTO, ERIE-TORONTO ROUTE CASE

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in connection with the proposals for the establishment of air routes between Detroit, Mich., and Toronto, Canada, and Erie, Pa., and Toronto, Canada, covered by the air transport agreement signed January 17, 1966, between the Government of Canada and the Government of the United States is to be heard on March 1, 1966, at 10 a.m. e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues N.W., Washington, D.C., before Examiner Herbert K. Bryan.

The Board intends to proceed expeditiously with proceedings relating to the implementation of the operating rights granted under the agreement. The instant proceeding will be limited to consideration of (1) whether the public convenience and necessity requires a route between Detroit and Toronto operated by a U.S. local service carrier and if so which carrier shall be authorized to provide the service, and (2) whether the public convenience and necessity requires a route between Erie and Toronto operated by a U.S. carrier and if so which carrier shall be authorized to provide the service. This proceeding will not consider any applications for new or improved domestic route authority.

In order to facilitate the conduct of the conference, interested parties are instructed to submit on or before February 17, 1966, (1) applications conforming to the agreement and motions requesting consolidation of such applications into this proceeding; (2) proposed statements of issues; (3) proposed stipulations; (4) request for evidence; (5) statements of position of parties; and (6) proposed procedural dates. Answers shall be submitted on or before February 24, 1966.

The motions referred to in (1) above, and any answers thereto, shall be filed with the Docket Section in accordance with the Board's rules of practice in economic proceedings and copies thereof shall be served on the parties and the Examiner. The balance of the written submissions called for by this notice shall be made to the Examiner, with copies served on interested parties, but shall not be filed with the Docket Section.

Dated at Washington, D.C., February 4, 1966.

[SEAL]

FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-1461; Filed, Feb. 9, 1966; 8:48 a.m.]

[Docket No. 16879]

EASTERN AIR LINES, INC.

First Class and Jet Coach Rates; Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled mat-

ter is assigned to be held on February 15, 1966, at 10 a.m., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Milton H. Shapiro.

Dated at Washington, D.C., February 7, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-1462; Filed, Feb. 9, 1966;
8:48 a.m.]

[Docket No. 16236; Order E-23188]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its Office in Washington, D.C., on the 4th day of February 1966.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA). The agreement, which has been assigned the above-designated CAB Agreement number, was adopted by the 18th Meeting of Traffic Conference 1 Specific Commodity Rates Board held December 16, 1965, in New York.

The agreement, as it applies to the Western Hemisphere, reestablishes the existing commodity rate structure, and reduces a few existing commodity rates. The agreement, as set forth in the attachments,¹ additionally (1) adopts numerous new rates under existing commodity descriptions, (2) adopts rates under new commodity descriptions, and (3) cancels rates under existing commodity descriptions. The new rates under new and existing descriptions reflect reductions in rates ranging from 16.7 to 82.6 percent of the otherwise applicable rates and are consistent with the existing commodity rate structure.

While the agreement will result in some increases, it will also provide the public with significant reductions on many items. Moreover, the effectiveness of agreed specific commodity rates in this area, we believe, will contribute to the more orderly development of a sound rate structure. Accordingly, we are herein approving the agreement.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement 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 Agreement CAB 18683 be approved, provided that such approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

¹ Attachments filed as part of original.

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. 66-1463; Filed, Feb. 9, 1966;
8:48 a.m.]

[Docket No. 16236; Order E-23187]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its Office in Washington, D.C., on the 3d day of February 1966.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 3-1 and 1-2-3 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated January 14 and 26, 1966,¹ establishes rates under new commodity descriptions as set forth in the attachment hereto.² The rates proposed reflect reductions ranging from 29.5 to 57.9 percent of the otherwise applicable rates and are consistent with the specific commodity rates now offered within the conference areas concerned.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement 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 Agreement CAB 18703, R-1 through R-3, be approved, provided that such approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

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

¹ Received in the Board Jan. 17 and 27, 1966, respectively.

² Attachment filed as part of original.

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. 66-1464; Filed, Feb. 9, 1966;
8:48 a.m.]

ATTACHMENT—SPECIFIC COMMODITY RATES UNDER NEW DESCRIPTIONS

Agreement C.A.B. 18703, R-1.
IATA Letter dated January 14, 1966.

Commodity Item 2502—Babywear, Handkerchiefs, Ladies' Gloves, Women's Undergarments, Blouses, Handbags, Embroideries; made in the Philippines and covered by a Philippine export license, 90 cents per kg., minimum weight 1,000 kgs., Manila to West Coast; 105 cents per kg., minimum weight 1,000 kgs., Manila to New York.

Agreement C.A.B. 18703, R-2.
IATA Letter dated January 14, 1966.

Commodity Item 2865—Carpets and Rugs, 162 cents per kg., minimum weight 300 kgs., Delhi to New York.

Agreement C.A.B. 18703, R-3.
IATA Letter dated January 27, 1966.

Commodity Item 4478—Electric Torches, 208 cents per kg., minimum weight 100 kgs., 189 cents per kg., minimum weight 200 kgs., Calcutta to New York.

[F.R. Doc. 66-1464; Filed, Feb. 9, 1966;
8:48 a.m.]

[Docket No. 16236; Order E-23189]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rate

Adopted by the Civil Aeronautics Board at its Office in Washington, D.C., on the 4th day of February 1966.

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

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated January 26, 1966,¹ establishes a rate under a new commodity description as set forth below. The agreed rate reflects a reduction of 69.9 percent from the

¹ Received in the Board on Jan. 27, 1966.

otherwise applicable rate and is consistent with the present specific commodity rates within this area.

Item 0800—Vegetables, n.e.s., 22 cents per kg., minimum weight 500 kgs., Panama City to San Francisco.

Accordingly, it is ordered, That Agreement CAB 18683, R-1, be approved, provided that such approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

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. 66-1465; Filed, Feb. 9, 1966;
8:48 a.m.]

[Docket No. 16940; Order E-23194]

OZARK AIR LINES, INC.

Government First-Class Fares; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its Office in Washington, D.C., on the 7th day of February 1966.

By tariff revision¹ marked to become effective February 19, 1966, Ozark Air Lines, Inc. (Ozark), proposes to establish local Government travel first-class fares between 36 city pairs at a level equal to the published propeller coach fares of the competitive trunkline carriers between the same points. The fares apply when transportation is via flights designated as first-class flights and only when transportation is paid for with a U.S. Government Transportation Request (GTR).

A complaint requesting investigation and suspension of some of the fares in the Ozark proposal has been filed by Braniff Airways, Inc. (Braniff). In support thereof Braniff states that it is not requesting reconsideration of the Board's policy established in Order E-22929, November 24, 1965, which permitted a local service carrier to offer similar GTR fares in markets where trunkline carriers provided coach service. However, Braniff asserts that the local service carrier GTR fares should not be permitted to undercut the fares for services actually provided by the trunklines. The carrier states that to permit such

undercuts would depart from the Board's three purposes: (1) To enable the local service carriers to participate in GTR traffic on the same basis as trunkline carriers; (2) to make more schedules available to Government travelers; and (3) to reduce the local service carriers' subsidy needs by increasing their revenues. Braniff states that the Ozark tariff undercuts trunkline fares in two respects, viz., by offering special GTR fares in markets where no coach service is now provided, and by offering GTR fares at propeller coach levels in markets where the only or predominant trunkline coach service is provided with jet aircraft at the higher jet fare level.

The Board has determined to investigate and suspend those GTR fares applicable in markets where no trunkline coach service is provided, or where all the trunkline coach service is provided in jet aircraft at a higher fare. As pointed out in Braniff's complaint, to permit the GTR fares to undercut the fares for the trunkline carriers would undermine the bases for the GTR fares. Thus, with respect to those markets where no trunkline coach service is provided,² Ozark can now participate in GTR traffic even though it offers only first-class service. The carrier would therefore not gain access to a new category of traffic by virtue of its GTR fares in these markets. The lower GTR fares will tend to reduce Ozark's revenues from Government travel in these markets, thus tending to increase its subsidy need. Finally, under the Government's travel policy of using less-than-first-class accommodations, the Government traveler may be restricted to using only Ozark's services in these markets, thereby decreasing the number of available schedules.

With respect to those markets where the trunkline coach service is provided with jet aircraft at the higher jet coach fare,³ the Board will likewise suspend and investigate Ozark's proposed GTR fares at the propeller coach level. Ozark would be able to participate in GTR traffic if its GTR fares were at the jet coach fare level in these markets, and Ozark's revenues from GTR traffic would be greater if its GTR fares were at the

¹ In addition to the eight Braniff markets where no, or virtually no, coach service is provided (Des Moines-Rochester, Minn., Kansas City-Rochester, Minn., St. Louis-Rochester, Minn., Waterloo-Rochester, Minn., Kansas City-Waterloo, Sioux City-Sioux Falls, Sioux City-Minneapolis, and Waterloo-Minneapolis) the other proposed GTR markets where no coach service is now provided are Des Moines-Milwaukee, Kansas City-Louisville, and Louisville-Nashville.

² While the Braniff complaint lists six such markets, the Minneapolis-Kansas City and Minneapolis-Omaha markets have daily propeller coach service. Even though the predominant coach service in these two markets is jet, Ozark's proposed fares will not be suspended since they do not undercut the fares for services currently being provided. However, Ozark's proposed GTR fares in the other four Braniff jet markets (Des Moines-Kansas City, Des Moines-Minneapolis, Des Moines-St. Louis, and Minneapolis-St. Louis) will be suspended. In addition, the Board will suspend Ozark's proposed fare between Chicago-Omaha, since it undercuts the fare for coach services provided in that market.

higher jet coach levels. These higher revenues would maximize possible reduction of Ozark's need for Federal subsidy.

No complaints have been filed against the remainder of Ozark's proposed GTR fares, and they will be permitted to become effective since they meet the objectives stated in Order E-22929, November 24, 1965. These fares will enable Ozark to participate in GTR traffic, thereby increasing its revenues and reducing its need for Federal subsidy. In addition, more schedules will become available for the use of the GTR traveler.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the fares and provisions described in Appendix A attached hereto,⁴ and rules, regulations, or practices affecting such fares and provisions, are or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix A hereto are suspended and their use deferred to and including May 19, 1966, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The complaint of Braniff Airways, Inc., in Docket 16872 is dismissed, except to the extent granted herein;

4. The proceeding herein be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated; and

5. Copies of this order shall be filed with the tariff and served upon Ozark Air Lines, Inc., and Braniff Airways, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.⁵

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 66-1466; Filed, Feb. 9, 1966;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16318; FCC 66M-191]

NEW SOUTH BROADCASTING CORP.

Continuance of Procedural Dates

In re application of New South Broadcasting Corp., Meridian, Miss., Docket No. 16318, File No. BPH-4818; for construction permit.

⁴ Appendix filed as part of original.

⁵ Dissenting opinion of Murphy filed as part of original.

¹ Airline Tariff Publishers, Inc., Agent, Local and Joint Passenger Fares Tariff No. PF-5, CAB No. 44, 22d Revised Page 222-C, bearing a posting date of Jan. 5, 1966.

The Hearing Examiner having under consideration a "Motion for Continuance" filed on February 3, 1966, by New South Broadcasting Corp., requesting that the prehearing procedural dates heretofore scheduled be continued for 10 days in each instance and that the hearing presently scheduled for February 24 be continued to March 8, 1966;

It further appearing, that an additional 10 days is required to complete the engineering exhibits to be exchanged in advance of hearing and this necessitates similar extensions of subsequent procedural dates; that the Broadcast Bureau, the only other party herein, informally consents to the continuances and waives the "4-day rule" so as to permit an immediate ruling; and that good cause is shown for granting the relief sought:

Accordingly, it is ordered, This 4th day of February that the "Motion for Continuance" filed February 3, 1966, by New South Broadcasting Corp. is granted, and the pertinent procedural dates are continued as follows:

Procedure	From—	To—
Initial exchange of exhibits.	Feb. 4, 1966	Feb. 14, 1966
Notification as to witnesses.	Feb. 14, 1966	Feb. 24, 1966
Request for additional information.do.....	Do.
Exchange of any further exhibits.	Feb. 21, 1966	Mar. 3, 1966
Commencement of hearing.	Feb. 24, 1966	Mar. 8, 1966

Released: February 4, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-1476; Filed, Feb. 9, 1966;
8:49 a.m.]

[Docket Nos. 16292, 16293; FCC 66M-193]

TRI-CITY BROADCASTING CO. AND HENRYETTA RADIO CO.

Order Continuing Hearing

In re applications of Harmon Davis, trading as Tri-City Broadcasting Co., Eufaula, Okla., Docket No. 16292, File No. BPH-4482; Henryetta Radio Co., Henryetta, Okla., Docket No. 16293, File No. BPH-4593; for construction permits.

The Hearing Examiner having under consideration the cancellation of date for commencement of hearing;

It appearing, that a change in schedule for this proceeding was made desirable by the pendency of rule making proceedings which may have the effect of eliminating the necessity for a hearing:

It is ordered, This 4th day of February 1966, that the hearing date of March 14, 1966, is cancelled and a further pre-

hearing conference will be held at 2 p.m., April 1, 1966.

Released: February 7, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-1477; Filed, Feb. 9, 1966;
8:49 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 65-51]

HAWAII/EUROPE RATE AGREEMENT

Admission, Withdrawal, and Expulsion, Self-Policing Provisions; Second Notice of Postponement of Dates

By order served December 20, 1965, we directed the Hawaii/Europe Rate Agreement and its member lines to show cause why their agreement (FMC No. 8410, as amended) should not be disapproved pursuant to section 15 of the Shipping Act, 1916, because of the parties' failure to comply with the requirements of that section and of our General Orders 7 and 9. On January 19, 1966, good cause appearing, we postponed the dates for filing affidavits of fact and memoranda of law by the respondents and replies by Hearing Counsel and interveners.

On February 2, 1966, the parties to the agreement notified us by telegram that they had unanimously agreed to amend their agreement as required by our General Orders 7 and 9, and that the amendments would be filed as soon as the terms of a self-policing provision are agreed upon. Good cause appearing, the following revisions to that Order are made:

That the dates for filing affidavits of fact and memoranda of law by the respondents and replies by Hearing Counsel and interveners, and oral argument, are hereby postponed until further notice.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-1458; Filed, Feb. 9, 1966;
8:47 a.m.]

[Docket No. 66-6]

TONNAGE CEILING AGREEMENT

Hong Kong Trade; Order of Investigation and Hearing

Agreement 9431 (the "Agreement") is between the member lines of the New York Freight Bureau (Hong Kong) and provides, essentially, that each line will limit its cargo carryings in the trade or be liable for liquidated damages for over-carriage. The Agreement was filed with the Commission for approval on March

3, 1965. Notice of filing was published in the FEDERAL REGISTER on March 17, 1965, and no statements, comments or requests for hearing were received. By order of September 28, 1965, the Agreement was conditionally approved by the Commission and the parties were given until December 3, 1965, to file a modified agreement incorporating the changes required by the Commission. The parties were advised that unless the necessary modifications were so filed, the Agreement would be null and void. Subsequently, at the request of the parties, the date for filing a modified agreement pursuant to the order of conditional approval was extended to and including February 3, 1966.

On January 21, 1966, States Marine Lines, Inc. (SML), a party to the Agreement, advised the Commission that it objected to "reviving or renewing" the Agreement on the grounds that it no longer considered the Agreement "valid or necessary in the light of changed conditions in the trade." Further, SML requested a hearing in the event the Commission were to give further consideration to the Agreement under its regulatory powers. On January 24, 1966, the Commission notified the Secretary of the New York Freight Bureau (Hong Kong) that, in view of the protest of SML, the Commission would institute a hearing to determine whether the Agreement should now be approved and that the order of conditional approval was withdrawn.

Now therefore it is ordered, That pursuant to sections 15 and 22 of the Shipping Act, 1916, an investigation and hearing is hereby instituted to determine (1) whether Agreement 9431, as of the date of this order, is still in effect and (2) if so, whether Agreement 9431 is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors or would operate to the detriment of the commerce of the United States, or be contrary to the public interest, or be in violation of the Shipping Act, 1916, and (3) whether Agreement 9431 should be approved, disapproved or modified and (4) whether the parties to Agreement 9431 or any of them may have carried out a "ceiling agreement" during the pendency before the Commission of Agreement 9431 prior to its filing and approval by the Commission in violation of section 15 of the Shipping Act, 1916.

It is further ordered, That the Conference and the member lines thereof, listed below, be made respondents in this proceeding;

It is further ordered, That this matter be assigned for hearing and decision to an Examiner of the Commission's Office of Hearing Examiners, at a date and place to be hereafter determined and announced by the Presiding Examiner;

It is further ordered, That any persons, other than respondents, having any interest in this matter and desiring to par-

participate in this proceeding, shall file a petition for leave to intervene with the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before February 23, 1966, and upon respondents.

It is further ordered, That this order and notice of hearing be published in the FEDERAL REGISTER, that a copy of such order be served upon respondents, and that all future notices, orders and decisions issued in this proceeding, including notices of time and place of prehearing conference, if any, be mailed directly to each party of record.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

New York Freight Bureau, Hong Kong, D. Parker, Chairman/Secretary, P & O Building, Des Voeux Road Central, Hong Kong, B.C.C.

American President Lines, Ltd., 29 Broadway, New York, N.Y., 10006.

Barber-Wilhelmsen Line, Joint Service, c/o Barber Steamship Line, Inc., 17 Battery Place, New York, N.Y., 10004.

Blue Sea Line, c/o Funch, Edye & Co., 25 Broadway, New York, N.Y., 10004.

Central Gulf Steamship Corp., 1 Whitehall Street, New York, N.Y., 10004.

Japan Line, Ltd., c/o A. L. Burbank & Co., Ltd., 120 Wall Street, New York, N.Y., 10005.

Kawasaki Kisen Kaisha, Ltd., c/o Kerr Steamship Co., 51 Broad Street, New York, N.Y., 10004.

Lykes Bros. Steamship Co., Inc., 17 Battery Place, New York, N.Y., 10004.

Marchessini Lines, c/o P. D. Marchessini & Co., Inc., 26 Broadway, New York, N.Y., 10004.

Maritime Co. of the Philippines, Inc., c/o Furness, Withy & Co., Ltd., 34 Whitehall Street, New York, N.Y., 10004.

Mitsui O.S.K. Lines, Ltd., 17 Battery Place, New York, N.Y., 10004.

Moller-Maersk Lines, A.P., c/o Moller Steamship Co., Inc., 67 Broad Street, New York, N.Y., 10004.

Nedlloyd Lines, Inc., 25 Broadway, New York, N.Y., 10004.

Nippon Yusen Kaisha, Ltd., 25 Broadway, New York, N.Y., 10004.

States Marine Lines, Joint Service, c/o States Marine-Isthmian Agency, Inc., 90 Broad Street, New York, N.Y., 10004.

United Philippine Lines, Inc., c/o Stockard Shipping Co., Inc., 17 Battery Place, New York, N.Y., 10004.

United States Lines Co. (American Pioneer Line), 1 Broadway, New York, N.Y., 10004.

Yamashita-Shinnihon Steamship Co., Ltd., c/o Texas Transport & Terminal Co., Inc., 52 Broadway, New York, N.Y., 10004.

[F.R. Doc. 66-1459; Filed, Feb. 9, 1966; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-1902]

CAPITAL EXCHANGE FUND, INC., AND THEODORE T. MILLER

Notice of Filing of Application for Order Exempting Proposed Trans- action

FEBRUARY 4, 1966.

Notice is hereby given that Capital Exchange Fund, Inc. ("Fund") and

Theodore T. Miller ("Miller"), 111 Devonshire Street, Boston, Mass., 02109, have filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order exempting from section 17(a) of the Act the exchange of shares of common stock of W. R. Grace & Co. having current market value of about \$60,000, owned by Miller, for shares of common stock to be issued by Fund having aggregate asset value equal to the market value of the W. R. Grace & Co. shares. The exchange is prohibited by section 17(a) of the Act unless exempted by the Commission pursuant to section 17(b) thereof. Under section 17(b) of the Act, the Commission shall grant an exemption from the prohibitions of section 17(a) of the Act if it finds that the terms of the proposed transactions are reasonable and fair and do not involve overreaching on the part of any persons concerned; that the proposed transactions are consistent with the policy of the registered investment company concerned, as recited in the registration statement and reports filed under the Act, and with the general purposes of the Act. All interested persons are referred to the application filed with the Commission for a full statement of the representations therein which are summarized below.

Fund, an open-end diversified investment company registered as such under the Act, has filed a registration statement under the Securities Act of 1933 for the sale of 1,999,999 shares of its common stock, which registration statement became effective on December 7, 1965. The prospectus states that Fund is intended as an investment vehicle for investors who wish to exchange securities which they hold having a low federal tax basis for shares of Fund in a simultaneous exchange on a tax-free basis. The terms of the offering provide that unless the Fund has received and accepted securities having a market value of at least \$30,000,000 at the close of the solicitation period, the exchange will not be consummated. The solicitation period closes on January 29, 1966, but the Fund may in its discretion extend the closing date to February 28, 1966 and Fund expects to extend such date.

Miller is a director of Fund and an affiliated person of Fund within the meaning of the Act. He proposes to deposit shares of the common stock of W. R. Grace & Co., as stated above, which the Fund proposes to accept subject to the right of Miller to withdraw such shares and the Fund to reject such shares in whole or in part. The application states that Miller is not an underwriter with respect to the stock to be deposited and is not in control of, controlled by or under common control with W. R. Grace & Co. within the meaning of the Securities Act of 1933; that Miller and all other depositors will pay the applicable subscription fee described in the prospectus and that the Fund intends to accept all deposits of W. R. Grace & Co. common stock by persons other than Miller if such depositors meet the minimum dollar requirements set forth in the prospectus.

The common stock of W. R. Grace & Co. is actively traded on the New York Stock Exchange and its exchange value, as defined in the prospectus, is readily ascertainable. The representation is made that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned; that they are consistent with the policy of the Fund as recited in its registration statement and reports filed under the Act and that they are consistent with the general purposes of the Act.

Notice is further given that any interested person may, not later than February 24, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Fund 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 matter herein may be issued by the Commission upon the basis of the information stated in the application, unless an order for hearing upon said proposal 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. 66-1439; Filed, Feb. 9, 1966; 8:46 a.m.]

[812-1911]

PEPSICO OVERSEAS CORP.

Notice of Filing of Application for Order Exempting Company

FEBRUARY 4, 1966.

Notice is hereby given that PepsiCo Overseas Corp. ("applicant"), 500 Park Avenue, New York, N.Y., 10022, a Delaware corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("the Act") for an order exempting it from all provisions of the Act. 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 PepsiCo, Inc. ("PepsiCo"), under the laws of the State of Delaware in January 1966. All of the authorized stock of ap-

licant, consisting of 1,000 shares of common stock, \$1 par value, will be purchased for \$1,000,000 and held by PepsiCo. On or prior to June 1, 1966, PepsiCo will make a capital contribution to applicant of additional cash, securities or other property so that the capital of applicant will be not less than \$6,000,000 on that date. PepsiCo will also purchase any additional equity securities which applicant may issue in the future and PepsiCo will not dispose of any equity security of applicant except to applicant itself or to another wholly owned subsidiary of PepsiCo.

PepsiCo and its subsidiaries are engaged principally in the manufacture and sale of soft drinks and snack or convenience foods.

Applicant has been organized in order to raise funds abroad for use in financing the requirements of PepsiCo's expanding foreign operations in a manner which will assist in improving the U.S. balance of payments, in compliance with the voluntary cooperation program instituted by President Johnson in February 1965. Applicant intends to issue and sell \$30,000,000 of its Guaranteed Debentures Due 1981 (the "Debentures") to a group of underwriters for sale outside of the United States. PepsiCo will guarantee the principal and interest payments on the Debentures. The Debentures will be convertible into shares of common stock of PepsiCo on and after September 1, 1967. Any additional debt securities of applicant which may be issued to or held by the public will be guaranteed by PepsiCo in substantially the same manner as the Debentures.

It is intended that the assets of applicant will be invested in or loaned to foreign subsidiaries and affiliates and other foreign companies in which PepsiCo has or shall acquire an interest. All of the companies in which applicant's funds will be invested will be primarily engaged in a business other than investing, reinvesting, owning, holding or trading in securities. Applicant will not acquire the securities representing such loans or investments for the purpose of resale and will not trade in such securities. Applicant will proceed as expeditiously as possible with the investment of its assets as described above. Pending the completion of such investment, applicant may make temporary investments in obligations of foreign governments, foreign financial institutions and other foreign persons, including time deposits.

In the opinion of counsel for PepsiCo and applicant, U.S. persons will be subject to payment of the U.S. interest equalization tax with respect to the acquisition of the Debentures. By financing its foreign operations through the applicant rather than through the sale of its own debt obligations, PepsiCo will utilize an instrumentality, the acquisition of whose debt obligations by U.S. persons would, generally, subject such persons to the interest equalization tax, thus discouraging them from purchasing such debt obligations.

The Debentures are to be delivered to underwriters against receipt of payment therefor outside the United States and under conditions which are intended to assure that the Debentures will not be sold to nationals or residents of the United States. The Agreement Among Underwriters will contain various provisions intended to assure that the Debentures will not be purchased by nationals or residents of the United States.

It is expected that the Debentures will be listed on the New York Stock Exchange and registered under the Securities Exchange Act of 1934.

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) The purpose of applicant is to serve as a vehicle through which PepsiCo may obtain funds in foreign countries for its foreign operations in compliance with the President's cooperative program to improve the United States' balance of payments; (2) payment of principal and interest on the Debentures, which is guaranteed by PepsiCo and the value of the right to convert the Debentures by exchange for common stock of PepsiCo, do not depend upon the operation or investment policy of applicant because Debentureholders may ultimately look to the business enterprise of PepsiCo rather than solely to that of applicant; (3) none of the equity securities of applicant will be held by any person other than PepsiCo or a wholly owned subsidiary of PepsiCo; (4) applicant will not deal or trade in securities; (5) applicant's security holders will have the benefit of the disclosure and reporting provisions of the Securities Exchange Act of 1934 and of the New York Stock Exchange; (6) the Debentures will be offered and sold for purchase by foreign nationals under circumstances designed to prevent reoffering or resale in the United States or its territories or possessions or to any national or citizen thereof or resident therein.

Notice is further given that any interested person may, not later than February 16, 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 reason for such request and the issues, if any, of fact or of law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon 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 contempo-

aneously 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. 66-1440; Filed, Feb. 9, 1966;
8:46 a.m.]

[File No. 1-3993]

VTR, INC.

Order Suspending Trading

FEBRUARY 4, 1966.

The common stock, \$1 par value, of VTR, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

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

It is ordered, Pursuant to sections 15 (c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 6, 1966, through February 15, 1966, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-1441; Filed, Feb. 9, 1966;
8:46 a.m.]

[File No. 7-2505]

SELAS CORP. OF AMERICA

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

FEBRUARY 3, 1966.

In the matter of application of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges: Selas Corp. of America, File 7-2505.

Upon receipt of a request, on or before February 19, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information

contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-1455; Filed, Feb. 9, 1966;
8:47 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

FEBRUARY 2, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common

stock, \$1 par value, of United Security Life Insurance Co., Birmingham, Ala., otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 2, 1966, through February 11, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-1456; Filed, Feb. 9, 1966;
8:47 a.m.]

CUMULATIVE LIST OF CFR PARTS AFFECTED—FEBRUARY

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