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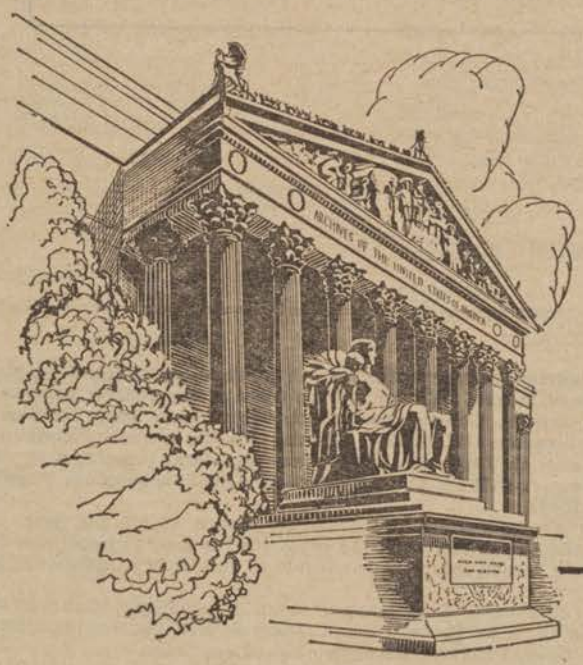

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The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

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Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 66-EA-22]

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

Alteration of Control Zone

On page 8372 of the FEDERAL REGISTER for June 15, 1966, the Federal Aviation Agency published proposed regulations which would alter the Calverton, N.Y., control zone.

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

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., October 13, 1966.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on August 10, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to change the Calverton, N.Y., control zone description by deleting, "This control zone is effective 0800–2400 hours, local time, Monday through Friday." and insert in lieu thereof, "This control zone is effective 0700–2330 hours, local time, Monday through Saturday and 0800–1630 hours, local time, Sunday."

[F.R. Doc. 66-9286; Filed, Aug. 25, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-20]

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

Revocation and Designation of Transition Area

On page 8372 of the FEDERAL REGISTER for June 15, 1966, the Federal Aviation Agency published proposed regulations which would designate a 700-foot floor transition area over Auburn-Lewiston Municipal Airport, Auburn, Maine, and revoke the Lewiston-Auburn, Maine transition area.

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

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., October 13, 1966.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on August 10, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the Lewiston-Auburn, Maine, transition area.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate an Auburn, Maine, 700-foot floor transition area described as follows: "That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 44°02'55'' N., 70°17'00'' W., of Auburn-Lewiston Municipal Airport, Auburn, Maine; within 2 miles each side of the 025° and 205° bearings of the New Gloucester, Maine, RBN extending from the 5-mile radius area to 8 miles southwest of the RBN; and within 2 miles each side of the 049° bearing of the New Gloucester RBN extending from the RBN to 12 miles NE of the RBN."

[F.R. Doc. 66-9287; Filed, Aug. 25, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-23]

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

Alteration of Control Zone

On pages 8372 and 8373 of the FEDERAL REGISTER for June 15, 1966, the Federal Aviation Agency published proposed regulations which would alter the Philadelphia, Pa., control zone.

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

In view of the foregoing, the proposed regulations are hereby adopted effective 0001, e.s.t., October 13, 1966.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on August 10, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to revise the Philadelphia, Pa., control zone by deleting the phrase, "to the OM" and insert in lieu thereof, "to the OM; and within 2 miles each side of the Philadelphia ILS localizer E course extending from the 5-mile radius zone to 5 miles east of the localizer."

[F.R. Doc. 66-9288; Filed, Aug. 25, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-35]

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

Alteration of Transition Area

On Pages 8373 and 8374 of the FEDERAL REGISTER for June 15, 1966, the Federal Aviation Agency published proposed regulations which would alter the Olean, N.Y., 700-foot floor part-time transition area.

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

In view of the foregoing, the proposed regulations are hereby adopted effective 0001, e.s.t., October 13, 1966.

(Sec. 307(a) Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on August 10, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to revise the description of the Olean, N.Y., transition area by deleting the words, "from 0800 hours, local time, to sunset daily.", and insert in lieu thereof, "from 0700 to 2200 hours, local time, daily.".

[F.R. Doc. 66-9289; Filed, Aug. 25, 1966; 8:45 a.m.]

[Airspace Docket No. 66-EA-49]

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

Alteration of Transition Area

On page 8374 of the FEDERAL REGISTER for June 15, 1966, the Federal Aviation Agency published proposed regulations which would alter the Readington, N.J., 700-foot floor transition area.

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

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., October 13, 1966.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on August 10, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulation so as to revise the description of the Readington, N.J., 700-foot floor transition area to be described as follows: "That airspace ex-

tending upward from 700 feet above the surface within a 6-mile radius of the center, 40°34'55" N., 74°44'20" W., of Solberg-Hunterdon Airport, Readington, N.J., and within 5 miles east and 5 miles west of Solberg, N.J., VORTAC 227° radial extending from the 6-mile radius area to 14 miles southwest of the VORTAC excluding the portion that coincides with the New York, N.Y., transition area."

[F.R. Doc. 66-9290; Filed, Aug. 25, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-41]

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

Alteration of Transition Area

On June 24, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 8834) stating that the Federal Aviation Agency proposed to alter controlled airspace in the Eugene, Oreg., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. Comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., October 13, 1966, as hereinafter set forth:

In § 71.181 (31 F.R. 2185) the Eugene, Oreg., transition area is amended as follows:

EUGENE, OREGON

That air space extending upward from 700 feet above the surface within 2 miles E and 8 miles W of the Eugene, Oreg., VORTAC 007° radial, extending from the VORTAC to 14 miles N of the VORTAC; within 2 miles SE and 3 miles NW of the Eugene VORTAC 030° radial, extending from the VORTAC to 13 miles NE of the VORTAC; within 2 miles each side of the Eugene VORTAC 224° radial, extending from the VORTAC to 11 miles SW of the VORTAC; within 2 miles each side of the Eugene VORTAC 187° and 172° radials, extending from the VORTAC to 9 miles S of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 16 miles W and 10 miles E of the Eugene VORTAC 015° and 195° radials, extending from 26 miles N to 12 miles S of the VORTAC; within 6 miles E and 9 miles W of the Eugene VORTAC 172° radial, extending from the VORTAC to 39 miles S of the VORTAC; within 5 miles each side of the Eugene VORTAC 271° radial, extending from the VORTAC to V-27; and that airspace SW of Eugene bounded on the SE by the NW edge of V-121, on the NW by the SE edge of V-287, and on the N by a line 5 miles S of and parallel to the Eugene VORTAC 271° radial.

(Sec. 307(a), Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348))

Issued in Los Angeles, Calif., on August 12, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-9291; Filed, Aug. 25, 1966; 8:45 a.m.]

[Airspace Docket No. 65-SO-90]

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

Alteration of Federal Airways

On May 26, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 7573) stating that the Federal Aviation Agency was considering amendments to the Federal Aviation Regulations that would raise the floors of Federal airway segments in the Atlanta, Ga., Air Route Traffic Control Center area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. No comments were received.

Subsequent to publication of the notice, floors for the following airway segments were designated and will not be considered herein:

1. V-54 From Harris, Ga., to Pinehurst, N.C. (31 F.R. 7556).

2. V-57 From Birmingham, Ala., to Decatur, Ga. and V-7 from Birmingham, to Muscle Shoals, Ala. (31 F.R. 8046, 8747).

3. V-245 From Jackson, Miss., to Columbus, Miss. (31 F.R. 6484).

In V-56, recent mathematical computations have determined that the Montgomery, Ala., 049° radial should be 048°. The correct radial is reflected herein.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., November 10, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009, 3230, 3231, 5055, 5285, 5287, 6297, 6484, 6487, 6960, 7171, 7279, 7352, 7507, 7556, 7610, 8046, 8492, 8621, 8747) is amended as follows:

1. In V-5 all between "Dublin 137° radials;" and "12 AGL Nashville, Tenn.," is deleted and "12 AGL Rex, Ga., including a 12 AGL W alternate via Macon, Ga., and INT Macon 335° and Rex 140° radials; 12 AGL INT Rex 345° and Chattanooga, Tenn., 118° radials; 12 AGL Chattanooga, including a 12 AGL W alternate from Rex to Chattanooga via INT Rex 268° and Atlanta, Ga., 347° radials and INT Atlanta 347° and Chattanooga 152° radials;" is substituted therefor.

2. In V-7 all between "Marianna, Fla., 141° radials and Marianna, excluding the airspace between the main and this W alternate;" and "12 AGL Muscle Shoals, Ala.," is deleted and "12 AGL INT Dothan 333° and Montgomery, Ala., 129° radials; 12 AGL Montgomery; 12 AGL INT Montgomery 308° and Birmingham, Ala., 180° radials; 7 miles wide (4 miles on E, 3 miles on W and within 4.5° of the centerline) 12 AGL Birmingham;" is substituted therefor.

3. In V-16 all between "Crossville 301° radials;" and "12 AGL Roanoke, Va.;" is deleted and "12 AGL Knoxville, Tenn., including a 12 AGL S alternate via INT Crossville 100° and Knoxville 247° radials; 12 AGL Holston Mountain, Tenn., including a 12 AGL S alternate from Knoxville to Holston Mountain via Snowbird, Tenn.; 12 AGL Pulaski, Va., including a 12 AGL N alternate from Knoxville to Pulaski via INT Knoxville 050° and Blackford, Va., 246° radials and Blackford;" is substituted therefor.

4. In V-18 all between "12 AGL Tuscaloosa, Ala.;" and "12 AGL INT Augusta 097°" is deleted and "12 AGL Birmingham, Ala.; 12 AGL Anniston, Ala.; 12 AGL Rex, Ga.; 12 AGL INT Rex 090° and Augusta, Ga., 278° radials; 12 AGL Augusta, including a 12 AGL S alternate from Birmingham to Augusta via INT Birmingham 114° and Brookwood, Ala., 083° radials, Atlanta, Ga., and INT Atlanta 098° and Augusta 263° radials;" is substituted therefor.

5. In V-20 all between "Picayune, Miss., excluding the airspace between the main and this N alternate;" and "12 AGL Richmond, Va.;" is deleted and "12 AGL INT Mobile 048° and Monroeville, Ala., 231° radials; 12 AGL Monroeville, including a 12 AGL N alternate via INT Mobile 033° and Monroeville 250° radials and also a 6-mile wide 12 AGL S alternate via INT Mobile 063° and Monroeville 216° radials; 12 AGL Montgomery, Ala.; 12 AGL La Grange, Ga., 12 AGL Atlanta, Ga., including a 12 AGL N alternate from Montgomery to Atlanta via INT Montgomery, 033° and Atlanta 248° radials; 12 AGL Rex, Ga.; 12 AGL Anderson, S.C.; 12 AGL Spartanburg, S.C., including a 12 AGL N alternate from Atlanta to Spartanburg via Norcross, Ga., and INT Norcross 055° and Spartanburg 244° radials; 12 AGL Greensboro, N.C.; 12 AGL South Boston, Va.;" is substituted therefor.

6. In V-35 all between "12 AGL Albany;" and "12 AGL Blackford, Va.;" is deleted and "12 AGL Macon, Ga., including a 12 AGL W alternate via INT Albany 010° and Macon 228° radials; 12 AGL Athens, Ga.; 12 AGL Asheville, N.C.; 12 AGL Holston Mountain, Tenn., including a 12 AGL E alternate via INT Asheville 022° and Holston Mountain 146° radials and also a 12 AGL W alternate via INT Asheville 301° and Holston Mountain 203° radials;" is substituted therefor.

7. In V-37 all between "Fort Mill 201° radials;" and "12 AGL Elkins, W. Va.;" is deleted and "12 AGL Pulaski, Va., including a 12 AGL W alternate via Hickory, N.C.;" is substituted therefor.

8. In V-45 "Greensboro, N.C.;" is deleted and "12 AGL Greensboro, N.C.;" is substituted therefor.

9. In V-51 all between "Dublin, Ga.;" and "12 AGL Louisville, Ky.," is deleted and "12 AGL Rex, Ga.; 12 AGL Crossville, Tenn.; including a 12 AGL W alternate from INT Rex 345° and Chattanooga, Tenn., 118° radials to Crossville via Chattanooga; 12 AGL Highway, Tenn.;" is substituted therefor.

10. In V-53 all between "Columbia;" and "12 AGL Whitesburg, Ky.;" is deleted and "12 AGL Spartanburg, S.C.; 12 AGL Asheville, N.C., including a 12 AGL W alternate from Columbia to Asheville via Greenwood, S.C., excluding the airspace between the main and this W alternate; 12 AGL Holston Mountain, Tenn." is substituted therefor.

11. In V-54 all after "Chattanooga 229° radials;" is deleted and "12 AGL Harris, Ga.; 12 AGL Spartanburg, S.C.; 12 AGL Fort Mill, S.C.; 12 AGL Pinehurst, N.C." is substituted therefor.

12. In V–56 all before "12 AGL Columbia, S.C.;" is deleted and "From Montgomery, Ala., 12 AGL INT Montgomery 048° and Columbus, Ga., 270° radials; 12 AGL Columbus; 12 AGL Macon, Ga.; 12 AGL Augusta, Ga.;" is substituted therefor.

13. In V–66 all after "12 AGL Sulphur Springs." is deleted and "From Tuscaloosa, Ala., 12 AGL Brookwood, Ala.; 15 miles, 7 miles wide (4 miles N and 3 miles S of centerline) 12 AGL Atlanta, Ga.; 12 AGL Rex, Ga.; 12 AGL INT Rex 090° and Athens, Ga., 238° radials; 12 AGL Athens; 12 AGL Fort Mill, S.C.; 12 AGL Raleigh-Durham, N.C." is substituted therefor.

14. In V–70 all after "12 AGL Greene County, Miss.;" is deleted and "12 AGL Monroeville, Ala.; 12 AGL INT Monroeville 073° and Eufaula, Ala., 258° radials; 12 AGL Eufaula; 12 AGL Vienna, Ga.; 12 AGL Allendale, S.C." is substituted therefor.

15. In V–97 all between "Albany;" and "12 AGL London, Ky.," is deleted and "12 AGL Atlanta, Ga., including a 12 AGL E alternate from Albany to Atlanta via INT Albany 010° and Rex, Ga., 173° radials, and INT of Rex 173° and Atlanta 147° radials; 12 AGL INT Atlanta 007° and Knoxville, Tenn., 198° radials; 12 AGL Knoxville, including a 12 AGL E alternate from Atlanta to Knoxville via Norcross, Ga., and Harris, Ga.;" is substituted therefor.

16. In V–115 all before "12 AGL Whitesburg, Ky.;" is deleted and "From Crestview, Fla., 12 AGL Montgomery, Ala.; 12 AGL INT Montgomery 308° and Birmingham, Ala., 180° radials; 7 miles wide (4 miles E and 3 miles W and within 4.5° of centerline) 12 AGL Birmingham; 12 AGL Chattanooga, Tenn., including a 12 AGL E alternate via INT Birmingham 097° and Gadsden, Ala., 233° radials, Gadsden and INT Gadsden 042° and Chattanooga 214° radials; 12 AGL INT Chattanooga 037° and Knoxville, Tenn., 247° radials; 12 AGL Knoxville;" is substituted therefor.

17. In V–133 all before "12 AGL Charleston, W. Va.;" is deleted and "From Fort Mill, S.C., 12 AGL Hickory, N.C.;" is substituted therefor.

18. In V–143 all before "12 AGL Lynchburg, Va.;" is deleted and "From Fort Mill, S.C., 12 AGL Greensboro, N.C.;" is substituted therefor.

19. V–154 is amended to read as follows:

V–154 From Meridian, Miss., 12 AGL Kewanee, Miss., 12 AGL Selma, Ala.; 12 AGL Montgomery, Ala.; 12 AGL Tuskegee, Ala.; 12 AGL INT Tuskegee 078° and Columbus, Ga., 255° radials; 12 AGL Columbus, including a 12 AGL S alternate from Montgomery to Columbus via INT Montgomery 090° and Columbus 219° radials; 12 AGL Macon, Ga.; 12 AGL Dublin, Ga.; 12 AGL Savannah, Ga.

20. In V–159 all after "12 AGL Eufaula, Ala.;" is deleted and "12 AGL Tuskegee, Ala.; 12 AGL Birmingham, Ala." is substituted therefor.

21. In V–185 all after "12 AGL Greenwood, S.C.;" is deleted and "12 AGL Asheville, N.C.; 12 AGL Snowbird, Tenn.; 12 AGL INT Snowbird 301° and Knoxville, Tenn. 069° radials; 12 AGL Knoxville, including a 12 AGL E alternate from Asheville to Knoxville via INT Asheville 329° and Knoxville 069° radials." is substituted therefor.

22. In V–194 all between "From Norcross, Ga.," and "12 AGL Rocky Mount, N.C.;" is deleted and "12 AGL INT Norcross 055° and Anderson, S.C., 267° radials; 12 AGL Anderson; 12 AGL INT Anderson 065° and Charlotte, N.C., 240° radials; 12 AGL Charlotte; 12 AGL Liberty, N.C.; 12 AGL Raleigh-Durham, N.C.;" is substituted therefor.

23. In V–222 all between "12 AGL Hattiesburg, Miss.;" and "12 AGL Lynchburg, Va.;" is deleted and "12 AGL Monroeville, Ala. From Norcross, Ga., 12 AGL INT Norcross 010° and Toccoa, Ga., 230° radials; 12 AGL Toccoa; 12 AGL Asheville, N.C.; 12 AGL Hickory, N.C.;" is substituted therefor.

24. In V–241 all after "12 AGL Dothan;" is deleted and "12 AGL Eufaula, Ala.; 12 AGL Columbus, Ga., including a 12 AGL W alternate from Dothan to Columbus via INT Dothan 002° and Columbus 219° radials; 12 AGL INT Columbus 086° and Atlanta, Ga., 198° radials; 12 AGL Atlanta, including a 12 AGL W alternate via INT Columbus 019° and Atlanta 233° radials, and also a 12 AGL E alternate via INT Columbus 086° and Atlanta 198° radials, INT of Columbus 041° and Atlanta 198° radials and INT of Columbus 041° and Atlanta 174° radials." is substituted therefor.

25. In V–243 all between "Vienna 104° radials;" and "12 AGL Bowling Green, Ky.;" is deleted and "12 AGL Atlanta, Ga., including a 12 AGL E alternate from INT Vienna 328° and Macon, Ga., 205° radials, to INT Vienna 328° and Macon 297° radials via Macon; 12 AGL INT Atlanta 347° and Chattanooga, Tenn., 152° radials; 12 AGL Chattanooga;" is substituted therefor.

26. V–259 is amended to read as follows:

V–259 From Fort Mill, S.C., 12 AGL Holston Mountain, Tenn., including a 12 AGL E alternate via Hickory, N.C., and INT Hickory 350° and Holston Mountain 104° radials.

27. In V–266 "via South Boston, Va.;" is deleted and "12 AGL South Boston, Va.;" is substituted therefor.

28. In V–267 all after "12 AGL Dublin;" is deleted and "12 AGL Norcross, Ga.; 12 AGL Harris, Ga.; 12 AGL Knoxville, Tenn." is substituted therefor.

29. In V–278 all after "12 AGL Columbus, Miss.;" is deleted and "12 AGL Birmingham, Ala., including a 12 AGL S alternate from Columbus to Birmingham via INT Columbus 082° and Tuscaloosa, Ala., 304° radials, and Tuscaloosa, excluding the airspace between the main and this alternate airway." is substituted therefor.

30. V–296 is amended to read as follows:

V–296 From Asheville, N.C., 12 AGL Fort Mill, S.C.

31. In V–310 all between "12 AGL Holston Mountain, Tenn.;" and "From Rocky Mount, N.C.," is deleted and "12 AGL INT Holston Mountain 104° and Greensboro, N.C., 280° radials; 12 AGL Greensboro." is substituted therefor.

32. V–311 is amended to read as follows:

V–311 From Norcross, Ga., 12 AGL INT Norcross 055° and Anderson, S.C., 267° radials; 12 AGL Anderson; 12 AGL Greenwood, S.C.; 12 AGL Columbia, S.C.

33. V–321 is amended to read as follows:

V–321 From Atlanta, Ga., 12 AGL INT Atlanta 264° and Gadsden, Ala., 130° radials; 12 AGL Gadsden; 12 AGL INT Gadsden 333° and Huntsville, Ala., 149° radials; 12 AGL Huntsville.

34. V–325 is amended to read as follows:

V–325 From Gadsden, Ala., 12 AGL Muscle Shoals, Ala., including a 12 AGL E alternate via INT Gadsden 318° and Decatur, Ala., 130° radials, and Decatur.

35. V–425 is amended to read as follows:

V–425 From Brookley, Ala., 12 AGL INT Brookley 357° and Mobile, Ala., 048° radials.

36. V–454 is amended to read as follows:

V–454 From Monroeville, Ala., 12 AGL INT Monroeville 073° and Eufaula, Ala., 258° radials; 12 AGL INT Eufaula 258° and Columbus, Ga., 219° radials; 12 AGL Columbus; 12 AGL INT Columbus 019° and Atlanta, Ga., 233° radials; 12 AGL Atlanta; 12 AGL Rex, Ga.; 12 AGL INT Rex 090° and Greenwood, S.C., 240° radials; 12 AGL Greenwood; 12 AGL INT Greenwood 060° and Fort Mill, S.C., 227° radials; 12 AGL Fort Mill; 12 AGL Liberty, N.C.; 12 AGL Lawrenceville, Va.; 12 AGL Hopewell, Va.

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

Issued in Washington, D.C., on August 22, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–9319; Filed, Aug. 25, 1966; 8:48 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter III—Economic Development Administration, Department of Commerce

ESTABLISHMENT, ORGANIZATION, AND PROCEDURES

Chapter III of Title 13 of the Code of Federal Regulations relating to the establishment and organization of the Economic Development Administration and to the establishment of procedures, standards, and designations under the Public Works and Economic Development Act of 1965, is revised to read as follows:

PART 301—ESTABLISHMENT AND ORGANIZATION

Subpart A—Introduction.

Sec.
301.1 Creation.
301.2 Definitions.
301.3 Purpose.

AUTHORITY: The provisions of this Part 301 issued under sec. 701, 79 Stat. 570; 42 U.S.C. 3211; secs. 214, 302, 79 Stat. 17, 19; 40 U.S.C. App. A 214, 302. Dept. Orders 4–A, 5, Sept. 1, 1965, 30 F.R. 11399, 11892.

Subpart A—Introduction

§ 301.1 Creation.

The Economic Development Administration was created by order of the Department of Commerce pursuant to the authority vested in the Secretary of Commerce by the Public Works and Economic Development Act of 1965. The authority delegated by the Secretary to the Economic Development Administration is vested in the Administrator for Economic Development. The Secretary has also delegated certain functions under the Appalachian Regional Development Act of 1965 to the Economic Development Administration. The general supervision of the Economic Development Administration has been delegated to the Assistant Secretary of Commerce and Director of Economic Development.

§ 301.2 Definitions.

(a) *Act.* "Act" when used without further designation means the Public Works and Economic Development Act of 1965, cited in § 301.1.

(b) *Administration.* "Administration" when used without further designation means the Economic Development Administration.

(c) *Administrator.* "Administrator" when used without further designation means the Administrator for Economic Development.

(d) *Area.* "Area" when used without further designation means a geographic area which is being proposed or considered for designation by the Administrator under the Act and generally refers to a county, a "labor area" (as defined by the Secretary of Labor), or a municipality with a population of over 250,000, whichever the Administrator may determine to be appropriate.

(e) *Assistant Secretary.* "Assistant Secretary" when used without further designation means the Assistant Secretary of Commerce and Director of Economic Development.

(f) *Center.* "Center" when used without further designation means any economic development center or redevelopment center designated by the Administrator under section 403 of the Act. (See "Economic development center" below.)

(g) *Designated area.* "Designated area" when used without further designation means any area or center which has been designated by the Administrator under sections 102, 401, or 403 of the Act as eligible to apply for financial assistance.

(h) *Designation.* "Designation" when used without further designation means the act of the Administrator in designating an area as eligible to apply for financial assistance under the Act; or else the status of an area which is eligible to apply for such assistance. (See "Designated area".)

(i) *District.* See "Economic development district" below.

(j) *Economic development center.* "Economic development center" when used without further designation means any area within the United States which has been identified as an economic development center in an approved district overall economic development program and which has been designated by the Administrator under section 403 of the Act as eligible for financial assistance.

(k) *Economic development district.* "Economic development district" when used without further designation means any area within the United States composed of at least two cooperating redevelopment areas and, where appropriate, designated economic development centers or neighboring counties or communities, which has been designated by the Administrator as an economic development district.

(l) *Eligible area.* See "Designated area" above.

(m) *Financial assistance.* "Financial assistance" when used without further designation means loan or grant assistance from the Administration in accordance with sections 101, 201, or 202 of the Act.

(n) *Local government.* "Local government" when used without further designation means any municipality, county, town, parish, or other general purpose political subdivision of a State or territory.

(o) *OEDP.* "OEDP" when used without further designation means an Overall Economic Development Program (or, plan or action) pertaining to an area, district, or region. Approval of an OEDP by the Administrator is a prerequisite for designation.

(p) *Qualified (or, qualifying) area.* "Qualified area" when used without further designation means an area which is qualified under the statistical or related criteria of the Act for designation as a "redevelopment area" or "Title I area," subject to the other provisions of the Act. Qualification is a prerequisite for designation.

(q) *Redevelopment area.* "Redevelopment area" when used without further designation means any area which has been designated by the Administrator as a redevelopment area under section 401 of the Act.

(r) *Redevelopment center.* "Redevelopment center" when used without further designation means any center, identified in a district OEDP approved by the Administrator, situated within a redevelopment area.

(s) *Secretary.* "Secretary" when used without further designation means the Secretary of Commerce.

(t) *Title I area.* "Title I area" when used without further designation means any area which has been designated by the Administrator under section 102 of the Act.

§ 301.3 Purpose.

The purpose of the Public Works and Economic Development Act of 1965 and the administration thereof is to establish an effective program of Federal financial assistance in order to create long-term employment opportunities and to benefit the long-term unemployed and members of low-income families, or otherwise to further the objectives of the Economic Opportunity Act of 1964, in economically distressed communities, areas, districts, and regions of the United States through economic planning, public works, industrial and commercial loans, planning grants, and technical assistance.

Subpart B—Functions and Programs

§ 301.10 Direct and supplementary grants for public works and development facilities under the Public Works and Economic Development Act of 1965.

Public works, public service, and development facility projects which directly or indirectly contribute to long-range economic growth or benefit long-term unemployed and members of low-income families in designated areas are eligible for direct grants not exceeding 50 percent of the aggregate cost of the project as determined by the Administrator. Such projects in severely distressed areas may receive supplementary grants to augment basic grants received under this Act or under other Federal grant-in-aid programs, provided the total Federal financial assistance for any project does not

exceed 80 percent of the aggregate project cost.

§ 301.11 Loans for public works and development facilities.

Loans are authorized for public works, public service, and development facility projects in redevelopment areas and centers, but not in Title I areas. It must be established that the funds requested for any such project are not otherwise available on terms which will permit the accomplishment of the project within the designated area, that the project will make a substantial contribution to opportunities for permanent employment or the alleviation of poverty, and that there is reasonable expectation of repayment.

§ 301.12 Loans for industrial and commercial projects.

Loans up to a maximum of 65 percent of the aggregate cost of a project (as determined by the Administrator) are authorized for industrial and commercial purposes in redevelopment areas and centers, but not in Title I areas. It must be established that the funds sought are not otherwise available on terms which will permit the accomplishment of the project within the designated area and that the project will make a substantial contribution to opportunities for permanent employment.

§ 301.13 Guarantees for working capital loans.

The Administrator may guarantee loans for working capital made to private borrowers by private lending institutions for projects assisted under § 301.12. Such guarantees may not exceed 90 percent of the outstanding unpaid balance of the working capital loan.

§ 301.14 Technical assistance.

The Administrator may provide technical assistance, including project planning and feasibility studies, management and operational assistance, and studies evaluating an area's needs and potentialities for economic growth, to redevelopment areas and other areas which he finds have substantial need for such assistance. Technical assistance may be provided by the Administration staff, by other Federal departments or agencies on a reimbursable basis, by individuals, firms, or institutions under contract with the Administrator, or by grants-in-aid to appropriate public or nonprofit organizations. The Administrator is authorized to require repayment of technical assistance, when appropriate, and to set the terms and conditions of such repayment.

§ 301.15 Grants-in-aid for planning and administrative expenses.

The Administrator may provide grants-in-aid to defray up to 75 percent of the allowable administrative expenses of appropriate State, area, district, or local public or private nonprofit economic planning organizations. To assure adequate and effective planning and economical use of funds, these grants-in-aid must, where practicable, be used in conjunction with other available Federal planning assistance, such as urban planning grants authorized under the Housing Act of 1954, as amended, and highway planning and research grants authorized under the Federal Aid Highway Act of 1962.

§ 301.16 Long-range study, training, and research.

The Administrator is authorized to establish and conduct a continuing program of study, training, and research to (a) assist in determining the causes of unemployment, underemployment, underdevelopment, and chronic economic depression in the various areas of the Nation; (b) assist in the formulation and implementation of national, State, and local programs which will raise income levels and otherwise produce solutions to the problems resulting from these conditions; and (c) assist in providing the personnel needed to conduct such programs. This program may be carried out by the Administration staff, by other Federal departments and agencies on a reimbursable basis, by others under contract with the Administrator, through grants authorized by the Act, or through conferences and similar meetings. The results of such research may be made available to interested individuals, and organizations.

§ 301.17 Information.

The Administrator is authorized to aid redevelopment areas and other areas by furnishing to individuals, communities, industries, and enterprises technical information, market research, and other forms of assistance, information, and advice which would be useful in alleviating or preventing conditions of excessive unemployment or underemployment within such areas.

Subpart C—Description of Organization

§ 301.30 Washington office.

The central and principal office of the Economic Development Administration is in the Department of Commerce, 15th Street at Constitution Avenue NW., Washington, D.C. 20230.

§ 301.31 Economic Development Area Offices: locations.

(a) *North Eastern.* Sheraton-Eastland Motor Hotel, 157 High Street, Portland, Maine. Serving Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont.

(b) *Mid Atlantic.* Veterans Administration Building, 19 North Maine Street, Wilkes-Barre, Pa. Serving Delaware, Maryland, New Jersey, Pennsylvania, and Puerto Rico.

(c) *Mid Eastern.* Chafin Building, 517 Ninth Street, Huntington, W. Va. Serving Kentucky, North Carolina, Virginia, West Virginia, and the following counties of Ohio: Adams, Athens, Belmont, Brown, Clermont, Columbiana, Fairfield, Fayette, Gallia, Harrison, Highland, Hocking, Jackson, Jefferson, Lawrence, Meigs, Monroe, Morgan, Noble, Perry, Pickaway, Pike, Ross, Scioto, Tuscarawas, Vinton, and Washington.

(d) *South Eastern.* Acuff Building, 904 Bob Wallace Avenue, Huntsville, Ala. Serving: Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee.

(e) *Mid Western.* 1010 Lafayette Building, Detroit, Mich. Serving: Illinois, Indiana, Michigan, Missouri, and the following counties of Ohio: Allen, Ashland, Ashtabula, Auglaize, Butler, Carroll, Champaign, Clark, Clinton, Coshocton, Crawford, Cuyahoga, Darke, Defiance, Delaware, Erie, Franklin, Fulton, Geauga, Greene, Guernsey, Hamilton, Hancock, Hardin, Henry, Holmes, Huron, Knox, Lake, Licking, Logan, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Mercer, Miami, Montgomery, Morrow, Muskingum, Ottawa, Paulding, Portage, Preble, Putnam, Richland, Sandusky, Seneca, Shelby, Stark, Summit, Trumbull, Union, Van Wert, Warren, Wayne, Williams, Wood, and Wyandot.

(f) *North Central.* 505 Selwood Building, 200 West Superior Street, Duluth, Minn. Serving: Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

(g) *South Western.* 314 West 11th Street, Austin, Tex. Serving: Arizona, Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, Texas, and Utah.

(h) *Western.* Queen Anne Post Office Station, First and Republic Streets, Seattle, Wash. Serving: Alaska, American Samoa, California, Guam, Hawaii, Idaho, Nevada, Oregon, and Washington.

§ 301.32 Administrator.

The Economic Development Administration is headed by the Administrator, who directs the programs and is responsible for the conduct of all activities of the Administration subject to the policies and directives prescribed by the Secretary of Commerce and the Assistant Secretary of Commerce and Director of Economic Development.

§ 301.33 Deputy Administrator.

The Deputy Administrator assists the Administrator in all matters affecting the Economic Development Administration, and performs the duties of the Administrator during the latter's absence.

§ 301.34 Office of Program Coordination.

The Office of Program Coordination coordinates interagency policy matters; plans and coordinates operations between the Federal, State and local governments; coordinates the efforts of the Administration in the manpower retraining program; promotes the development and coordinates the activities of the small business development and opportunity centers; provides guidance on questions and problems relative to industry relocation and coordinates related activities; provides guidance on questions and problems associated with the equal opportunity program and coordinates the efforts of the Administration relative to this program; and maintains liaison with Federal and State agencies and nongovernment organizations on the aforegoing functions.

§ 301.35 Office of Field Coordination.

The Office of Field Coordination proposes policies and guidelines for the establishment of the Economic Development Area Offices and the conduct of program responsibilities delegated to the field; assists in the development and issuance of program and administrative standards and procedures pertaining to field activities; provides continuing evaluation of program progress in the Area Offices; conducts liaison between the Area Offices and the Washington offices to insure effective coordination of activities; and carries out other assignments pertinent to the administration of field activities and to continuing improvement in their effectiveness.

§ 301.36 Office of Program Evaluation.

The Office of Program Evaluation evaluates the effectiveness of economic development projects, activities, and programs in achieving the objectives of the Economic Development and Appalachian Assistance Acts, and the goals of the Economic Development Administration; assembles, evaluates, and monitors information relating to the designation of qualified areas, districts, and centers; conducts an annual review of such designations, and recommends modification or termination of eligibility; reviews and approves Overall Economic Development Plans, and proposes policies and criteria to govern their preparation, modification, and improvement; establishes and maintains a system of statistical and factual information to serve project and program analysis requirements; conducts studies and investigations to develop policies concerning industry and market potential and program effect; conducts economic evaluation of industrial and commercial project proposals as required; develops and carries out experimental programs using new or modified methods and techniques, or demonstrating the effectiveness of research findings; provides reports and other information on existing economic development programs, both domestic and overseas; and carries out such liquidation of the affairs and functions conducted under the Area Redevelopment Act as may be directed by the Administrator.

§ 301.37 Office of Technical Assistance.

The Office of Technical Assistance proposes policies and criteria to govern the review and approval of all request for technical assistance and administrative grants-in-aid; proposes rules, regulations, and procedures pertaining to the acceptance, review, and approval of requests for technical assistance and administrative grants-in-aid consistent with the criteria of the Public Works and Economic Development Act of 1965; plans and develops, and originates where appropriate, technical assistance projects and reviews and evaluates requests for technical assistance for submission to the Administrator for appropriate action; serves as the focal point, technical and administrative, for the review, evaluation, and recommendation of technical assistance applications and provides the necessary assistance and controls for administration of approved requests; directs or oversees the performance and implementation of approved technical assistance projects; arranges for the execution of agreements with other departments and agencies and with Federal, State, and local Governments for the conduct of a specialized technical assistance; arranges for contracts or grant agreements with private individuals, partnerships, firms, corporations, or other suitable institutions to perform approved technical assistance projects; arranges terms and conditions within policy framework for administrative grants-in-aid and administers approved requests; drafts terms and conditions for repayment of technical assistance when such repayment is required and administers such repayment agreements; recommends policies and practices to facilitate effective relationships with other Government agencies having similar complementary programs on technical assistance and administrative grants-in-aid; and assists in the implementation of program grants and contracts including the study, training, and research programs of the Office of Program Evaluation and of the Office of Economic Research, to assure proper coordination and relationship between the Administration and prospective contractors.

§ 301.38 Office of Public Works.

The Office of Public Works proposes policies and criteria to govern the approval and administration of grants and loans for public works and development facilities; proposes rules, regulations, and procedures pertaining to the acceptance, review, and approval of requests for grants consistent with the criteria contained in the Public Works and Economic Development Act of 1965; reviews and makes recommendation on applications for public works and development facilities loans, suggesting alternate methods of financing where indicated; monitors approved requests for grants and loans for public works and development facilities; arranges for services from other Federal agencies for administration of approved grants and loans as required, and maintains liaison with such agencies; maintains liaison with other agencies having grant-in-aid programs which are eligible for supplementary grants; and evaluates the progress of the public works and development facilities program.

§ 301.39 Office of Business Loans.

Proposes policies and criteria to govern the approval and administration of financial assistance for industrial or commercial usage; proposes rules, regulations, and procedures pertaining to the acceptance, review and approval of requests for financial assistance for industrial and commercial usage consistent with the criteria contained in the Public Works and Economic Development Act of 1965; reviews and makes recommendations on applications for industrial and commercial financial assistance in the form of (a) industrial or commercial loans, and (b) working capital guarantees; monitors operations of active industrial and commercial projects approved by the Administration and also outstanding loans for projects approved under provisions of the Area Redevelopment Act; provides specialized assistance to recipients of the Economic Development Administration industrial and commercial loans and guarantees, and Area Redevelopment Administration loans; develops plans to improve or terminate projects in default of loan conditions; carries out such liquidation of the affairs and functions conducted under the Area Redevelopment Act as directed by the Administrator; and maintains liaison with other agencies concerned with activities of this Office.

§ 301.40 Office of Appalachian Assistance.

The Office of Appalachian Assistance proposed policies and criteria for the administration of the supplemental grant-in-aid program, administrative expense grant program, and research and development programs authorized by sections 214 and 302(a)(1) of the Appalachian Regional Development Act of 1965, and administers these programs in accordance with such approved policies and criteria; proposes rules, regulations, and procedures governing the acceptance, review, evaluation, and approval of requests for supplemental grants-in-aid, and administrative expense grants to States, local development districts, localities, and other public or private bodies in the Appalachian region, reviews and acts upon specific recommendations of the Appalachian Regional Commission for the allocation of funds to other Federal departments, agencies, and instrumentalities, or for the approval of grants for administrative expenses of local development districts, as provided in section 214 or 302(a)(1) of the Act; administers regulations governing supplementation of the Federal share of grant-in-aid project costs and makes grants as authorized by section 214, and requires necessary reports on the application, expenditure, and results of funds so allocated; administers regulations governing the approval of grants for administrative expenses of local development districts, evaluates the contribution of such districts to the total budgeted expenses and makes grants for such administrative expenses as authorized by section 302(a)(1) of the Act; reviews periodic reports submitted by grantees to monitor performance of approved projects or programs, in accordance with appropriate regulations, and arranges for audit as may be desirable with respect to assistance provided; represents the Administrator in the survey of strip and surface mining authorized by section 206(c) of the Act; evaluates, and accepts or rejects, any certifications of maintenance of effort, determinations of eligibility, and other reviews or approvals, under sections 221, 223, 301, and 302 of the Act, as may be desirable in carrying out the responsibilities of the Administrator under the Act, and under Executive Order 11209, except as may be

delegated to the Federal Highway Administrator; acts as a focal point within the Administration and the Department for coordinating requested assistance to the Federal Cochairman, the Appalachian Regional Commission, or the Federal Development Committee for Appalachia by other operating units in the Department possessing data, expertise, or resources related to the purposes of the Act; develops close and effective relationships with the Federal Cochairman, the Appalachian Regional Commission, the Bureau of Public Roads, and the other Federal agencies and departments participating in programs authorized or assisted by the Act; and acts to carry out any other functions which may be assigned to the Administrator under the Act or Executive Order 11209.

§ 301.41 Economic Development Area Offices.

(a) Purpose and function: In order to effect the desired change in redevelopment areas whereby the impediments to a fuller participation in the economic affairs of the Nation are understood and removed, it is essential that the development process in the communities that lag behind the growth of the country as a whole be accelerated. In accomplishing this objective, Area Offices play a critical role, inasmuch as their knowledge of general conditions and the status of the development process in their respective areas are a basis for the actions of the Economic Development Administration. Equally critical is the position of the Area Office as an operating arm of the Economic Development Administration bringing to the participating areas the needed knowledge about, and the use of, the developmental aids provided by the Public Works and Economic Development Act. Specifically, the Economic Development Area Offices cooperate with and assist local areas in organizing for economic development; provide economic development informational services covering all programs, Federal and otherwise; assist in obtaining field surveys of local area problems through staff or through contract; cooperate with local area and other economic development representatives in the development or modification of Overall Economic Development Programs (OEDPs); review those OEDPs submitted for approval and take appropriate action in accordance with prescribed Administration policies and procedures; review applications for industrial and commercial assistance, for public works loans and grants, and for technical assistance, including administrative grants, and take appropriate final action in accordance with Administration policies, rules, regulations, and procedures and within the authority specifically delegated by the Administrator; review financial assistance project reports of processing offices, submitting analyses and recommendations for action to the Administration's Washington Office; develop and comment upon proposals for training projects within the area served by the Area Office; and provide for official liaison channels with State economic development agencies, district and redevelopment area economic development organizations, and regional or local offices of other Federal agencies located within the same area, particularly those with related programs such as Small Business Administration, Office of Economic Opportunity, the Departments of Housing and Urban Development, Labor, Health, Education and Welfare, Agriculture, etc.

(b) Organization structure: Each Area Office is headed by an Area Director who reports to and is under the supervision and direction of the Administrator, Economic Development Administration. Area Offices are comprised of the following functional units:

(1) The Area Director, who shall be responsible for promoting the objectives and purposes of the Area Office, and who shall direct and supervise all personnel and activities of the Area Office, assigning duties, setting priorities, and monitoring work performance for conformity with agency standards and policies.

(2) Administrative Staff, which shall administer administrative management policies, programs, and standards, maintain efficient management of all official records, and provide necessary personnel, office, and other administrative management services to the Area Office.

(3) Advisory Staffs, comprised of a Legal Staff and an Equal Employment Opportunity Staff.

(i) The Legal Staff shall provide necessary legal services to the Area Office, subject to the general policy guidance and legal supervision of the Office of the Chief Counsel in Washington, and the overall policies established by the General Counsel, Department of Commerce. It shall be responsible for the preliminary legal review of all projects.

(ii) The Equal Employment Opportunity Staff shall provide services to the Area Office in connection with the implementation of Executive Order 11246 and Title VI of the Civil Rights Act of 1964 in all activities of the Economic Development Administration, subject to the guidance and direction of the Office of Equal Employment Opportunity, Washington office.

(4) Program Staffs shall include a Public Works Division and a Business Development Division.

(i) The Public Works Division shall review and make recommendations on applications for public works grants and loans, suggesting changes in the engineering plans and specifications, and alternate methods of financing, where indicated. It shall monitor approved requests and perform other project related functions. The work of the Public Works Division is carried out by four branch offices:

(*a*) The Project Review Branch shall receive all Public Works project applications and shall be primarily responsible for developing the project file in accordance with prescribed standards and procedures. It shall consider the economic impact of each proposed project and report on its relationship to the Area OEDP and its significance in solving the problems and advancing the objectives and purposes of the Public Works and Economic Development Act. It shall monitor the submission of all supporting information, documentations, plans and specifications necessary to the processing and consideration of those applications which are accepted, after preliminary review, for further processing.

(*b*) The Engineering Review Branch shall study and report on the engineering feasibility of proposed projects, suggesting revisions in the plans and specifications where indicated, and shall review and comment on the necessity and reasonableness of engineering cost items.

(*c*) The Financial Review Branch shall study and report on the financial feasibility of proposed projects, suggesting alternate methods of financing where indicated, and shall determine the necessity and reasonableness of nonengineering cost items. It shall examine and report on the applicant's ability to finance its share of the project costs, and shall participate in closing approved loans and servicing completed projects during the lifetime of outstanding development facility loans.

(*d*) The Construction Management Branch shall coordinate and approve bid awards in approved public works projects, monitor the construction of those projects, and assist the Area Director in the disbursement of grant and loan funds in accordance with established procedures, and in closing out completed projects.

(ii) The Business Development Division shall assist the Area Director in appraising the potential of the Area for industrial and commercial expansion, or for economic reorientation, and in attempting to meet the needs of the areas as those needs are reflected by the statistics and standards upon which they are designated. It will also assist the Area Director in providing Field Coordinators with technical information needed to assist prospective borrowers in the planning and preparation of acceptable applications, giving special attention to the availability of alternative Federal or private sources of financing. The Business Development Division shall review and make recommendations on applications received by the Area Office for industrial and commercial financial assistance in the form of industrial or commercial loans and working capital guarantees. It shall assist the Area Director in performing those duties which the Administrator may assign in connection with the closing of approved loans and disbursement of funds. It shall participate in servicing approved loans and working capital guarantees, and in developing plans to improve or terminate projects in default of loan conditions, and shall perform other project related functions as required and directed. The above activities of the Business Development Division shall be carried out in accord with the agreement existing between the Economic Development Administration and the Small Business Administration, under which the latter agency is providing certain support services to the Economic Development Administration.

(5) Field Coordinators shall disseminate information about the Administration's programs and activities, and interpret the Administration's role in redevelopment efforts for the benefit of community and area leaders; assist prospective borrowers or grantees in the preparation of applications for financial or technical assistance; and keep the Area Director informed about all developments in their areas that might bear on the effectiveness of the Administration's program. In assisting applicants, the Field Coordinator shall communicate the Administration's objectives and policies, and explain the manner in which statutory requirements are to be met; indicate such alternative forms of assistance as might be available under other Federal programs, or from private sources; and provide guidance and advice on planning the contents of applications for assistance.

(c) Management responsibilities: The Area Director shall be responsible for performing all functions in connection with the closing, disbursing and servicing of approved projects in areas served by the Area Office. He shall establish a system for the logging and internal control of all applications and correspondence received by the Area Office. Where necessary, he may designate a senior staff member of the Area Office to act in his stead. Program Staff personnel shall communicate directly with their counterparts in the Washington office to exchange factual and technical information concerning particular projects, and for guidance on technical program matters. The professional functions of the Legal and Equal Employment Opportunity advisory staffs are subject to the general guidance of their counterparts in the Washington office through direct communication.

(d) The procedure for initial review of applications and OEDPs is as follows:

(1) Promptly after their receipt, and prior to detailed technical analysis and verification of engineering and financial feasibility, applications for public works grants, and loans and for industrial and commercial loans, shall be reviewed by the Area Office project review committee composed of key Area Office personnel appointed by the Area Director. The purpose of this initial review will be to consider the potential of the proposed project in solving the economic problems of the area in which it is to be located, its relationship to the area and district OEDPs, and its value in advancing the purposes and objectives of the Public Works and Economic Development Act. The committee shall set forth its analysis of the project's prospective economic impact in a report, in such form as the Administrator may from time to time prescribe, submitted with the application through the Area Director to the appropriate program office in Washington. The report shall contain the committee's recommendations as to whether the application should be processed further.

(2) Applications for technical assistance and administrative grants shall be forwarded promptly to the Office of Technical Assistance in Washington with appropriate comments by the Area Director.

(3) OEDPs shall be forwarded by the Field Coordinator to the Area Director for review and comment. The Area Director shall forward to the Office of Program Evaluation in Washington those OEDPs which initially appear to meet minimum program standards.

(e) Procedure for processing applications: Projects which are accepted by the Administrator for further processing will be handled in the following manner:

(1) Public Works applications will be returned to the Area Office for the development of full information bearing on the quality and acceptability of the project, including a detailed technical analysis and verification of engineering and financial feasibility. The findings, observations, and recommendations of the Area Office, including those of the legal staff, shall be incorporated into a project report, in such form as the Administrator may direct, and shall be forwarded with the complete project file by the Area Director to the Assistant Administrator for Public Works. Following final approval action by the Administrator, the Area Director will be instructed to close, disburse, and service the project.

(2) Business Loan applications will ordinarily be submitted to the Small Business Administration for detailed analysis and verification of salient facts, including prospective markets, management skills, availability of working capital, and other matters bearing on the financial viability of the project. The completed SBA report will be reviewed by the Area Office Business Development Division. The findings, observations, and recommendations of the Area Office, including those of the legal staff, shall be incorporated into a project report, in such form as the Administrator may direct, and shall be forwarded with the complete project file by the Area Director to the Assistant Administrator for Business Loans. Following final approval action by the Administrator, the Area Director will be instructed to close, disburse, and service the project in cooperation with officials of the Small Business Administration in accordance with the memorandum of understanding between the Small Business Administration and the Economic Development Administration.

Subpart D [Reserved]

Subpart E—General Rules

§ 301.50 Relocation and expansion.

(a) Assurances must be received that any project financed under the Act is being carried out without any design or intention to accommodate or assist any business enterprise in relocating from one geographic area to another, or in establishing a new or enlarged facility for the purpose of curtailing employment elsewhere, or of assisting subcontractors whose purpose is to divest other contractors or subcontractors of contracts customarily performed by them in another location. For the purposes of this section the term "contractors" or "subcontractors" includes (1) an applicant who is performing work for other manufacturers who supply the materials or parts for such work and to whom the finished product is returned by the contractors; and (2) a business which purchases and processes materials on behalf of another firm and is later reimbursed, its sole function having been to supply labor.

(b) The Administrator may require detailed information concerning the background, plans, and activities of the applicant, or of any related business enterprise with which the applicant or its principals has any contract or arrangement or proposes to make any contract or arrangement based on benefits expected from the proposed project, or of any business enterprise which is known and intended by the applicant to be a major beneficiary of the project.

(c) This provision will not be construed to prohibit the extension of financial assistance to assist an existing business entity to expand through the establishment of new branches, affiliates, or subsidiaries, provided that such expansion is to be carried out and operated without increasing unemployment at other places of business of the enterprise, and provided further that it is not intended that the existing business entity will close down or curtail operations in the area of its original location or in any other area where it conducts such operations.

§ 301.51 Excess capacity.

Projects assisted under the Act must not serve to increase the production of goods, materials, or commodities, or the availability of services or facilities, when there is not sufficient demand for such goods, materials, commodities, services, or facilities, to employ the efficient capacity of existing competitive commercial or industrial enterprises.

§ 301.52 Applicable labor standards.

All laborers and mechanics employed by contractors or subcontractors on projects assisted by the Administrator under the Act must be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a to 276a–5).

§ 301.53 Nondiscrimination.

No financial assistance will be extended under the Act until assurances have been obtained from the recipients of the assistance that they will comply with Title VI of the Civil Rights Act of 1964, and the applicable implementing Federal regulations, including the regulations of the Department of Commerce (Part 8 of Subtitle A of Title 15 of the Code of Federal Regulations). Further, all Federal procurement contracts must comply with Executive Order 11246, dated September 24, 1965.

§ 301.54 Records and audit.

(a) Each recipient of assistance under the Act shall keep such records as the

Administrator may prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient which are pertinent to assistance received under the Act.

§ 301.55 Penalties.

(a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of obtaining for himself or for any applicant any financial assistance under the Act or any extension thereof by renewal, deferment of action, or otherwise, or the acceptance, release, or substitution of security therefor, or for the purpose of influencing in any way the action of the Assistant Secretary, the Administrator, or members of their staffs, or for the purpose of obtaining money, property, or anything of value, under the Act, shall be punishable by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

(b) Whoever, being connected in any capacity with the Assistant Secretary or the Administrator, in the administration of this Act (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to him or pledged or otherwise entrusted to him, or (2) with intent to defraud the Assistant Secretary or the Administrator or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner, makes any false entry in any book, report, or statement of or to the Assistant Secretary or Administrator, or without being duly authorized draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof, or (3) with intent to defraud participates or shares in or receives directly or indirectly any money, profit, property, or benefit through any transaction, loan, grant, commission, contract, or any other act of the Assistant Secretary or Administrator, or (4) willfully gives any unauthorized information concerning any future action or plan of the Assistant Secretary or Administrator which might affect the value of securities, or having such knowledge invests or speculates, directly or indirectly, in the securities or property of any company or corporation receiving loans, grants, or other assistance from the Assistant Secretary or Administrator, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

§ 301.56 Assignment or sale at public or private sale.

The Administrator may assign or sell at public or private sale, after acquiring an independent appraisal, or otherwise dispose of for cash or credit, in his discretion and upon such terms and conditions as he shall determine to be reasonable, any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with loans made or evidences of indebtedness purchased under the Act, and collect or compromise all obligations assigned to or held by him in connection with such loans or evidences of indebtedness until such time as such obligations may be referred to the Attorney General for suit or collection.

§ 301.57 Employment of expediters and administrative employees.

As a condition to the extension of any financial assistance under the Act, any business enterprise making application will be required to:

(a) Certify to the Administrator the names of any attorneys, agents, and other persons engaged by or on behalf of such business enterprise for the purpose of expediting applications made to the Administrator for assistance of any sort, under the Act, and the fees paid or to be paid to any such person; and

(b) Execute an agreement binding such business enterprise, for a period of 2 years after such assistance is rendered by the Administrator to such business enterprise, to refrain from employing, tendering any office or employment to, or retaining for professional services, any person who, on the date of such assistance or any part thereof, or within 1 year prior thereto, has served as an officer, attorney, agent or employee, occupying a position or engaging in activities which the Administrator has determined involve discretion with respect to the granting of assistance under the Act.

§ 301.58 Employment of local labor.

(a) The maximum feasible employment of local labor shall be made in the construction of public works and development facility projects receiving direct Federal grants under § 305.3 of this chapter or Federal loans under § 305.17 of this chapter. Accordingly, every contractor and subcontractor undertaking to do work on any such project which is or reasonably may be done as on-site work, shall be required to employ in carrying out such contract work qualified persons who regularly reside in the designated area where such project is to be located, or in the case of economic development centers, qualified persons who regularly reside in the center or in the adjacent or nearby redevelopment areas within the economic development district, except:

(1) To the extent that qualified persons regularly residing in the designated area or economic development district are not available;

(2) For the reasonable needs of any such contractor or subcontractor to employ supervisory or specially experienced individuals necessary to assure an efficient execution of the contract;

(3) For the obligation of any such contractor or subcontractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that in no event shall the number of nonresident persons employed under this subparagraph (3) exceed 20 percent of the total number of employees employed by such contractor and his subcontractors on such project.

(b) Every such contractor and subcontractor shall furnish the U.S. Employment Service office in the area in which the public works or development facility project is located with a list of all positions for which it may from time to time require laborers, mechanics, and other employees, the estimated numbers of employees required in each classification, and the estimated dates on which such employees will be required;

(c) The contractor shall give full consideration to all qualified job applicants referred by the local employment service, but is not required to employ any job applicants referred whom the contractor does not consider qualified to perform the classification of work required;

(d) The payrolls maintained by the contractor shall contain the following information: The employee's full name, address, and social security number and a notation indicating whether the employee does, or does not, normally reside in the area in which the project is located or, in the case of an economic development center, in such center or in an adjacent or nearby redevelopment area within the economic development district;

(e) The contractor shall include the provisions of this section in every subcontract for work which is, or reasonably may be, done as on-site work.

§ 301.59 Facilities for electricity and gas.

Federal assistance under the Act may not be used to finance the cost of facilities for the generation, transmission, or distribution of electric energy, except on projects specifically authorized by the Congress, or to finance the cost of facilities for the production or transmission of natural, manufactured, or mixed gas.

§ 301.60 Sewer facilities.

No financial assistance under the Act may be made directly or indirectly for sewer or other waste disposal facilities unless the Secretary of Health, Education, and Welfare certifies to the Administrator that any waste material carried by such facilities will be adequately treated before it is discharged into any public waterway so as to meet applicable Federal, State, interstate, or local water quality standards.

§ 301.61 Preapproval construction.

It is the policy of the Administration to discourage the undertaking of any construction prior to the submission of an application for financial assistance. Commencement of a project prior to ap-

proval of the application for assistance is not prohibited but may jeopardize the favorable consideration of such application since, among other things, it raises a rebuttable presumption that funds necessary for the accomplishment of the project are otherwise available and that proper contracting procedures and labor standards have not been followed.

§ 301.62 Record of application.

The Administrator will maintain as a permanent part of the records of the Economic Development Administration a list of applications approved for financial assistance under Part 305 of the regulations in this chapter, which shall be kept available for public inspection during the regular business hours of the Department of Commerce. The following information will be posted in such list as soon as each application is approved: (a) The name of the applicant and, in the case of corporate applications, the names of the officers and directors thereof, (b) the amount and duration of the loan or grant for which application is made, (c) the purposes for which the proceeds of the loan or grant are to be used, and (d) a general description of the security offered in the case of a loan.

PART 302—DESIGNATION OF AREAS

Subpart A—Standards for Designation of Redevelopment Areas Under Section 401(a) of the Act

Sec.
302.1 General standards for designation on the basis of unemployment.
302.2 Additional standards for designation.

Subpart B—Standards for Designation of Areas Under Section 102 of the Act

302.10 Standards for the designation of Title I areas.

Subpart C—Limitations on Designation of Areas

302.20 General.

Subpart D—Lists of Designated Areas and Centers

302.30 Lists of areas and centers designated under the Act.

Subpart E [Reserved]

Subpart F—Annual Review, Modification, and Termination of Designated Areas

302.50 Termination.
302.51 Adjustment of boundaries.
302.52 Annual OEDP progress reports.
302.53 Periodic revision of OEDP's.

AUTHORITY: The provisions of this Part 302 issued under sec. 701, 79 Stat. 570; 42 U.S.C. 3211; 40 U.S.C. App. A 214, 302. Dept. Orders 4–A, 5, Sept. 1, 1965, 30 F.R. 11399, 11892.

Subpart A—Standards for Designation of Redevelopment Areas Under Section 401(a) of the Act

§ 302.1 General standards for designation on the basis of unemployment.

The Administrator shall designate as "redevelopment areas" those areas in which he determines, upon the basis of standards generally comparable with those set forth in paragraphs (a) and (b) of this section, that there has existed substantial and persistent unemployment for an extended period of time, including any area for which the Secretary of Labor finds:

(a) That the current rate of unemployment, as determined by appropriate annual statistics for the most recent available calendar year, is 6 percent or more and has averaged at least 6 percent for the qualifying time periods specified in paragraph (b) of this section; and

(b) That the annual average rate of unemployment has been at least—

(i) 50 percent above the national average for 3 of the preceding 4 calendar years, or

(ii) 75 percent above the national average for 2 of the preceding 3 calendar years, or

(iii) 100 percent above the national average for 1 of the preceding 2 calendar years.

§ 302.2 Additional standards for designation.

The Administrator will also designate as redevelopment areas:

(a) Those additional areas which have suffered substantial loss of population due to lack of employment opportunities. Such additional areas shall be defined as those which suffered a 25-percent or more loss of population between 1950 and 1960, and which also have an annual median family income of not more than $2,830.00, as determined by the 1960 census;

(b) Those additional areas which have an annual median family income of not more than $2,264.00, as determined by the 1960 census;

(c) Those additional Federal or State Indian reservations or trust or restricted Indian-owned land areas which the Administrator, after consultation with the Secretary of the Interior or an appropriate State agency, determines manifest the greatest degree of economic distress on the basis of unemployment and income statistics and other appropriate evidence of economic underdevelopment;

(d) Upon request of such areas, those additional areas in which the Administrator determines that the loss, removal, curtailment, or closing of a major source of employment has caused within 3 years prior to, or threatens to cause within 3 years after, the date of the request an unusual and abrupt rise in unemployment of such magnitude that the unemployment rate for the areas at the time of the request exceeds the national average, or can reasonably be expected to exceed the national average, by 50 percent or more unless assistance is provided;

(e) Within a State which otherwise has no qualifying areas, that area in such State which in his opinion most nearly qualifies under paragraphs (a) through (d) of this section.

Subpart B—Standards for Designation of Areas Under Section 102 of the Act

§ 302.10 Standards for the designation of Title I areas.

The Administrator will designate as Title I areas those areas which the Secretary of Labor determines, on the basis of available unemployment statistics, were areas of substantial unemployment during the preceding calendar year. Substantial unemployment for the purposes of this section is defined as an average unemployment rate of 6 percent or more during the preceding calendar year.

Subpart C—Limitations on Designation of Areas

§ 302.20 General.

The Administrator will determine the size and boundaries of the areas designated in accordance with §§ 302.1, 302.2, and 302.10, subject to the following limitations:

(a) Generally, no area will be designated until the Administrator has received a request for designation and has approved an Overall Economic Development Program (OEDP) for such area. However, areas qualified in accordance with § 302.2(d) may be designated subject to the receipt of an acceptable OEDP within 6 months following such conditional designation, or within such additional period as the Administrator may grant for good cause;

(b) Any area which does not submit an acceptable OEDP within 6 months after notification of its eligibility for designation shall not thereafter be designated prior to the next annual review of eligibility; however, such period may be extended for good cause;

(c) No area will be designated which does not have a population of at least 1,500 persons, except for areas designated in accordance with § 302.2(c), which must have a population of not less than 1,000 persons; and

(d) Except for areas designated in accordance with § 302.2 (c) and (d), no area will be designated which is smaller than a "labor area" (as defined by the Secretary of Labor), a county, or a municipality with a population of over 250,000 persons, whichever the Administrator deems appropriate.

Subpart D—Lists of Designated Areas and Centers

§ 302.30 Lists of areas and centers designated under the Act.

The Economic Development Administration will maintain current lists of areas and centers designated under the Act, which shall be kept available for public inspection during the regular business hours of the Department of Commerce.

Subpart E [Reserved]

Subpart F—Annual Review, Modification, and Termination of Designated Areas

§ 302.50 Termination.

(a) Prior to June 1 of each year, the Administrator will conduct a review of all areas designated pursuant to this part, which will be used as the basis for terminating, upon 30 days' notice and prior to June 30, those areas in which economic circumstances have so im-

proved that the area no longer meets the standards for designation set forth in § 302.1, § 302.2, or § 302.10.

(b) The termination of an area's designated status will not:

(1) Affect the validity of any application filed, or contract or undertaking entered into, with respect to such area prior to such termination, so long as the applicant pursues such application diligently and submits promptly thereafter such information as the Administrator may from time to time request;

(2) Prevent any area from again being designated if the Administrator subsequently determines it to be eligible;

(3) Be made in the case of any designated area where the Administrator determines that an improvement in the unemployment rate of the area is primarily the result of increased employment in occupations not likely to be permanent.

(c) An area designated pursuant to § 302.2(e) will be terminated if any other area within the same State subsequently becomes qualified or is designated under any section of Subpart A of this part at the time of the annual review prescribed in this subpart. The Administrator will not terminate the designation of an area in a State if to do so would result in such State having no redevelopment area.

§ 302.51 Adjustment of boundaries.

The Administrator may make minor modifications in the boundaries of a redevelopment area or a Title I area to the extent he deems appropriate, consistent with standards for designation set forth in §§ 302.1 and 302.2, if he determines that such minor modification will contribute to a more effective program for economic development within such area.

§ 302.52 Annual OEDP progress reports.

Each area designated pursuant to this part must submit to the Administration annually by March 31 an acceptable current area OEDP progress report briefly describing both activities under the existing area OEDP up to the end of the preceding calendar year and current and future program priorities and objectives. If the area OEDP progress report is not received by March 31, or is not acceptable, the Administrator may conditionally renew the designated status of the area, if otherwise eligible, for a period not to exceed 60 days following March 31, during which period the Administrator may advise and consult with the responsible area OEDP organization. Upon a subsequent showing of good cause, the Administrator may further extend the designated status of the area until June 30. However, an acceptable area OEDP progress report must be received 15 days prior to the end of the period specified, including any extensions thereof, or the Administrator will give notice to the State and to the area OEDP organization affected that the designated status of the area will be suspended until such report has been received.

§ 302.53 Periodic revision of OEDP's.

Each area designated pursuant to this part will be asked periodically by the Administrator to review and update its OEDP. Failure of an area to submit a revised OEDP in acceptable form within the time specified, and any extensions thereof, may result in the suspension or termination of such area, upon 30 days' written notice.

PART 303—DESIGNATION OF DISTRICTS AND CENTERS

Subpart A—Standards for Designation, Modification, and Termination of Economic Development Districts

Subpart B—Standards for Designation, Modification, and Termination of Economic Development Centers

AUTHORITY: The provisions of this Part 303 issued under sec. 701, 79 Stat. 570; 42 U.S.C. 3211; secs. 214, 302, 79 Stat. 17, 19; 40 U.S.C. App. A 214, 302. Dept. Orders 4–A, 5, Sept. 1, 1965, 30 F.R. 11399, 11892.

Subpart A—Standards for Designation, Modification, and Termination of Economic Development Districts

§ 303.1 General standards.

The Administrator may designate "economic development districts" under section 403 of the Act, with the concurrence of the States in which such districts are wholly or partially located, if the proposed district:

(a) Contains sufficient resources and is of sufficient size or population to foster economic growth which will benefit more than a single redevelopment area;

(b) Contains two or more redevelopment areas;

(c) Contains at least one redevelopment center or economic development center which has sufficient size and potential to foster the economic growth activities needed to alleviate the distress of the redevelopment areas within the district; and

(d) Has a district OEDP which identifies at least one proposed center, includes adequate land use and transportation planning, contains a specific program for district cooperation, self-help, and public investment, and is approved by the State or States affected and by the Administrator.

(e) Requests such designation.

§ 303.2 Coordination with State and local organizations.

In designating an economic development district and approving a district OEDP, the Administrator will:

(a) Invite the States to draw up proposed district boundaries and to identify potential economic development or redevelopment centers;

(b) Cooperate with the States in sponsoring and assisting district economic planning and development groups and in assisting such district groups to formulate district OEDP's; and

(c) Encourage participation by appropriate local governmental authorities in such economic development districts.

§ 303.3 Termination of districts.

The Administrator will, upon 30 days' prior notice, terminate the designated status of an economic development district when he determines that the district:

(a) No longer meets the standards for designation set forth in § 303.1;

(b) Has not maintained a currently approved district OEDP in accordance with § 303.5; or

(c) Has requested termination with the approval of the State or States affected.

§ 303.4 Modification of district boundaries.

The Administrator, with the concurrence of the State or States affected, may modify the boundaries of a district consistent with standards for establishing new districts set forth in § 303.1 if he determines that such modification will contribute to a more effective program for economic development.

§ 303.5 Annual district OEDP progress report.

Each district must submit to the Administration annually by March 31 an acceptable current district OEDP Progress Report briefly describing both activities under the existing district OEDP up to the end of the preceding calendar year and current and future program priorities and objectives. If the district OEDP Progress Report is not received by March 31, or is not acceptable, the Administrator may conditionally renew the designated status of the district, if otherwise eligible, for a period not to exceed 60 days following March 31, during which period the Administrator may advise and consult with the responsible district OEDP organization. Upon a subsequent showing of good cause, the Administrator may further extend the designated status of the district until June 30. However, an acceptable district OEDP must be received 15 days prior to the end of the period specified, including extensions thereof, or the Administrator will give notice to the State and to the district that its designated status will be suspended until such report has been received.

Subpart B—Standards for Designation, Modification, and Termination of Economic Development Centers

§ 303.10 General standards.

The Administrator may, upon the recommendation of the State or States affected, designate an "economic development center", if such proposed center:

(a) Is included in an approved district OEDP in accordance with § 303.1;

(b) Is geographically and economically so related to a district that its economic growth may reasonably be expected to contribute significantly to the alleviation of distress in the redevelopment areas of such district;

(c) Has a population not in excess of 250,000 persons according to the last preceding Federal census; and

(d) Is necessary to carry out the economic development program of the district effectively.

§ 303.11 Modification of centers.

The Administrator may modify either the boundaries of a center or the number of centers in a district, after giving notice and opportunity for comment to the State or States affected, consistent with the standards set forth in §§ 303.10 and 303.12, if he determines that such modification will contribute to a more effective program for economic development.

§ 303.12 Termination of centers.

The Administrator may, upon 30 days' prior notice to interested State and local agencies, terminate the designated status of an "economic development center" when he determines that such center:

(a) Is no longer identified and included in an approved district OEDP in accordance with § 303.1;

(b) Is no longer geographically and economically so related to a district that its economic growth may reasonably be expected to contribute significantly to the alleviation of distress in the redevelopment areas of such district;

(c) Has a population in excess of 250,000 persons according to the last preceding Federal census; or

(d) Is no longer necessary to carry out the program of the district effectively.

PART 305—GRANTS, LOANS, AND GUARANTEES

Subpart A—Direct and Supplementary Grants for Public Works and Development Facilities

Subpart B—Public Works and Development Facility Loans

Subpart C—Loans for Industrial and Commercial Purposes

Subpart D—Working Capital Guarantees for Industrial and Commercial Purposes

Subpart E—General Rules

AUTHORITY: The provisions of this Part 305 issued under sec. 701, 79 Stat. 570; 42 U.S.C. 3211; secs. 214, 302, 79 Stat. 17, 19; 40 U.S.C. App. A 214, 302. Dept. Orders 4–A, 5, Sept. 1, 1965, 30 F.R. 11399, 11892.

Subpart A—Direct and Supplementary Grants for Public Works and Development Facilities

§ 305.1 General.

The purpose of this subpart is to outline the procedure by which qualified applicants may obtain direct and supplementary grants for public works and development facilities under section 101 of the Act, and the conditions and terms of such grants.

§ 305.2 Who may qualify for public works grants.

Subject to the limitations set forth in § 305.50, the following entities may apply for grant assistance under this subpart:

(a) Any State or political subdivision thereof including municipalities, and all agencies, instrumentalities, and quasi-public corporations and authorities created by a State or political subdivision thereof, or any Indian tribe.

(b) Any private or public nonprofit organization or association, if the Administrator determines that the organization or association is potentially capable of furthering the objectives of the economic development program of the area in which it is located.

§ 305.3 Direct grants.

(a) The Administrator may make direct grants not exceeding 50 percent of the cost of public works and development facility projects if he determines that the project for which the grant is sought will:

(1) Directly or indirectly tend to improve the opportunities in the designated area where such project is or will be located for the successful establishment or expansion of industrial or commercial plants or facilities, or otherwise assist in the creation of additional long-term employment opportunities for such area, or primarily benefit the long-term unemployed and members of low-income families or otherwise substantially further the objectives of the Economic Opportunity Act of 1964;

(2) Fulfill a pressing need of the designated area or part thereof in which it is or will be located; and

(3) Be consistent with a currently approved OEDP for the area and district (if any) in which it is or will be located.

(b) In assuring that adequate consideration is given to the relative needs of designated areas for grant assistance under this subpart, the Administrator will consider, among other factors, the following matters:

(1) The severity of the rates of unemployment in the designated areas and the duration of such unemployment, and

(2) The income levels of families and the extent of underemployment in designated areas.

§ 305.4 Supplementary grants.

(a) The Administrator may make supplementary grants to enable the States and other entities within designated areas to take maximum advantage of (1) direct grants under § 305.3, (2) such existing or future Federal grant-in-aid programs assisting in the construction or equipping of facilities as the Administrator may, in furtherance of the purposes of the Act, from time to time designate as eligible for allocation of funds under this subpart, and (3) the Federal grant-in-aid programs authorized by the Watershed Protection and Flood Prevention Act (68 Stat. 666, as amended) and the eleven watersheds authorized by the Flood Control Act of December 22, 1944, as amended and supplemented (58 Stat. 887).

(b) In determining the exact percentage of the grant in excess of 50 percent to be made available for each project, the Administrator will take into consideration the following factors:

(1) The nature of the project to be assisted;

(2) That amount of loan assistance which may reasonably be expected to be financed from fair user charges, which are determined by comparing the charges subscribed to by users of facilities located in generally comparable areas providing like services, and from other revenues produced by the project after due allowance for maintenance and operating expenses, including depreciation, and amortization of the local share of such project; and

(3) The relative needs of the designated area in accordance with the following criteria:

Areas with—	*Maximum grant (percent)*
A. Median family income of $1,600 or below, or annual unemployment rate of 12 percent or higher	80
B. Median family income of $1,601–$1,800, or annual average unemployment rate of 10.0–11.9 percent	70
C. Median family income of $1,801–$2,000, or annual average unemployment rate of 8.0–9.9 percent	60
D. All other areas	50

§ 305.5 Ten percent bonus.

Subject to the limitation that the maximum Federal share for any project may not exceed 80 percent of the aggregate project cost, the Administrator may in-

crease the amount of grant assistance authorized by this subpart for projects within redevelopment areas by an amount not to exceed 10 percent of the aggregate cost of any such project, if:

(a) The redevelopment area is situated within a designated economic development district and is actively participating in the economic development activities of the district; and

(b) The project is consistent with a currently approved district OEDP.

§ 305.6 Project review and comment by local governmental authorities.

When a project applicant is not the State, county, city, town, parish, village, or other general-purpose governmental authority of the area in which a project is to be located, the applicant must afford such local government 15 days in which to review and comment upon the proposed project, and then must submit such comments, or a detailed statement of the efforts made to obtain them, with the application for Federal assistance. The following guidelines will determine which governmental body should review and comment in particular cases:

(a) If the project is located within an incorporated municipality, or substantially affects only one municipality, appropriate officials of the municipal government affected must be asked to review and comment upon the project.

(b) If the project is located outside the limits of any incorporated municipality and affects more than one municipality, the appropriate officials of the county in which it is located must be asked to review and comment upon the project.

(c) If the project is located within an Indian reservation, appropriate authorities of the reservation must be asked to review and comment upon the project.

(d) If the project substantially affects several major political subdivisions, review and comment by several local governments may be required, as the Administrator may deem appropriate.

(e) Additional time for comment may be requested by local governmental authorities.

§ 305.7 Special limitations.

(a) Not more than 15 percent of the total amount appropriated by Congress for the purposes of Title I of the Act may be made available for public works and development facilities within any one State.

(b) Except for projects specifically authorized by Congress, no grant assistance under this subpart for public service and development facilities will be approved for any facility which would compete with an existing privately owned public utility rendering a service to the public at rates or charges subject to regulation by a State or Federal regulatory body, unless the State or Federal regulatory body determines that in the area to be served by the development facility for which the financial assistance is to be extended there is a need for an increase in such service (taking into consideration reasonably foreseeable future needs) which the existing public utility is not able to meet through its existing facilities or through an expansion which it agrees to undertake.

§ 305.8 Forms and filing.

Applications for direct and supplementary grants shall be made on Form EDA–101, except that supplementary grants augmenting the basic grant of another Federal agency shall be made on EDA Form–102. Applications shall be filed as provided in § 305.52.

§ 305.9 Additional information.

The Administrator may require such additional information and evidence supplemental to the application, as he deems appropriate.

Subpart B—Public Works and Development Facility Loans

§ 305.15 General.

The purpose of this subpart is to outline the procedure by which qualified applicants may obtain loans for public works and development facilities as provided in section 201 of the Act, and the conditions and terms of such assistance.

§ 305.16 Who may qualify for public works loans.

Subject to the limitations set forth in § 305.50, the following entities may apply for loan assistance under this subpart:

(a) Any State or political subdivision thereof including municipalities, and all agencies, instrumentalities, and quasi-public corporations and authorities created by a State or political subdivision thereof, or an Indian tribe.

(b) Any private or public nonprofit organization or association, if the Administrator determines that the organization or association is potentially capable of furthering the objectives of the economic development program of the area in which it is located.

§ 305.17 Loan requirements.

(a) The Administrator may purchase evidence of indebtedness and make loans for public works and development facilities in redevelopment areas and centers if he determines that:

(1) The project for which the loan is sought will directly or indirectly tend to improve the opportunities in the redevelopment area or center for the successful establishment or expansion of industrial or commercial plants or facilities, otherwise assist in the creation of additional long-term employment opportunities for such redevelopment area or center, or primarily benefit the long-term unemployed and members of low-income families or otherwise substantially further the objectives of the Economic Opportunity Act of 1964;

(2) The funds requested for such project are not otherwise available from private lenders or from other Federal agencies on terms which in the opinion of the Administrator will permit the accomplishment of the project;

(3) The amount of such loan plus the amount of other available funds for such project are adequate to insure the completion thereof;

(4) There is a reasonable expectation of repayment; and

(5) The project is consistent with a currently approved OEDP for the area or district (if any) in which it is or will be located.

(b) With the exception of projects specifically authorized by Congress, no loan assistance under this subpart will be approved for public service or development facilities if any such facility would complete with an existing privately owned public utility rendering a service to the public at rates or charges subject to regulation by a State or Federal regulatory body, unless the State or Federal regulatory body determines that in the redevelopment area or center to be served by the development facility for which the loan is to be extended there is a need for an increase in such service taking into consideration reasonably foreseeable future needs) which the existing public utility is not able to meet through its existing facilities or through an expansion which it agrees to undertake.

§ 305.18 Maturity of loans.

Loans must be repaid within the minimum reasonable time which the Administrator finds to be consistent with the financial capabilities and prospects of the applicant. In no event may a loan including renewals and extensions be made, or evidence of indebtedness be purchased, with a maturity exceeding 40 years. If, however, the Administrator finds during the life of a loan or an evidence of indebtedness that a further extension will aid in its orderly liquidation, he may extend its maturity or renew it for additional periods not to exceed 10 years.

§ 305.19 Interest rates.

Loans made under this subpart will bear interest at a rate not less than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, adjusted to the nearest one-eighth of 1 percent, less not to exceed one-half of 1 percent per annum.

§ 305.20 Project review and comment by local governmental authorities.

When the applicant is not the State, county, city, town, parish, village, or other general-purpose governmental authority of the area in which a project is to be located, the applicant must afford such local government 15 days in which to review and comment upon the proposed project, and then must submit such comments, or a detailed statement of the efforts made to obtain them, with the application for Federal assistance. The following guidelines will determine which governmental body should review and comment in particular cases:

(a) If the project is located within an incorporated municipality, or substantially affects only one municipality, appropriate officials of the municipal

government affected must be asked to review and comment upon the project.

(b) If the project is located outside the limits of any incorporated municipality and affects more than one municipality, the appropriate officials of the county in which it is located must be asked to review and comment upon the project.

(c) If the project is located within an Indian reservation, appropriate authorities of the reservation must be asked to review and comment upon the project.

(d) If the project substantially affects several major political subdivisions, review and comment by several local governments may be required, as the Administrator may deem appropriate.

(e) Additional time for comment may be requested by local governmental authorities.

§ 305.21 Forms and filing.

Applications for public works and development facility loans shall be made on Form EDA–101, except that such loans which augment a basic grant of another Federal agency shall be made on Form EDA–102. Applications shall be filed as provided in § 305.52.

§ 305.22 Additional information.

The Administrator may require such additional information and evidence, supplemental to the application, as he deems appropriate.

Subpart C—Loans for Industrial and Commercial Purposes

§ 305.30 General.

The purpose of this subpart is to outline the procedure by which qualified applicants may obtain loans for commercial and industrial purposes under section 202 of the Act, and the conditions and terms of such loans.

§ 305.31 Who may qualify for commercial and industrial loans.

Subject to the limitations set forth in § 305.50, and to the requirement that each applicant must be approved in accordance with § 305.32, the following entities may apply for loan assistance under this subpart:

(a) Any business enterprise including sole proprietorships, partnerships, and corporations.

(b) Any nonprofit organization or association.

(c) Any State or political subdivision thereof including municipalities, and all agencies, instrumentalities, and quasi-public corporations and authorities created by a State or political subdivision thereof, or any Indian tribe.

§ 305.32 Approval of applicants.

No loan will be made under this subpart unless the applicant has first been approved for such loan by an agency or instrumentality of the State or political subdivision thereof which is directly concerned with problems of economic development in such State or subdivision where the proposed project is located.

§ 305.33 Limitations.

Loans under this subpart may be made on terms and conditions set by the Administrator from time to time, subject to the following restrictions and limitations:

(a) No loan will be extended for working capital, or to assist establishments relocating from one area to another, or to assist subcontractors whose purpose it is to divest, or whose economic success is dependent upon divesting, other contractors or subcontractors of contracts theretofore customarily performed by them.

(b) No loan will be extended unless the State, or any agency, instrumentality, or local political subdivision thereof, finds that the project is consistent with a currently approved OEDP for the area and district (if any) in which it is or will be located.

(c) The project for which the loan is sought must be reasonably calculated to provide more than a temporary alleviation of unemployment or underemployment within the redevelopment area or district.

(d) No loan will be extended unless such financial assistance is not otherwise available from private lenders or from other Federal agencies on terms which in the opinion of the Administrator will permit the accomplishment of the project.

(e) No loan will be made without participation unless the Administrator determines that it cannot be made on a participation basis.

(f) No evidences of indebtedness will be purchased, and no loans will be made, unless the Administrator is satisfied that there is a reasonable assurance of repayment.

(g) Loan assistance may not exceed 65 percent of the aggregate cost to the applicant (excluding all other Federal aid in connection with the undertaking) of acquiring or developing land and facilities (including machinery and equipment), and of constructing, altering, converting, rehabilitating, or enlarging the building or buildings of the particular project, and will be extended on the condition, among others, that—

(1) Other funds are available in an amount which, together with the assistance provided hereunder, will be sufficient to pay such aggregate cost;

(2) Not less than 15 percent of such aggregate cost will be supplied as equity capital or as a loan repayable in no shorter period of time and at no faster an amortization rate than the Federal loan assistance extended under this subpart is being repaid, and if such a loan is secured, its security will be subordinate and inferior to the lien or liens securing such Federal loan assistance. Except as indicated in § 305.34, and in projects involving financial participation by Indian tribes, not less than 5 percent of such aggregate cost must be supplied by the State or any agency, instrumentality, or political subdivision thereof, or by a community or area organization which is nongovernmental in character.

(3) To the extent the Administrator finds such action necessary to encourage financial participation in a particular project by lenders and investors, and except as otherwise provided in subparagraph (2) of this paragraph, the security, if any, for a Federal loan extended under this subpart may be subordinate and inferior to the lien or liens securing other loans made in connection with the same project.

§ 305.34 Waiver of community share.

(a) The Administrator may waive all of the 5 percent community share of the aggregate project cost required by § 305.33(g)(2) when the applicant requests financial assistance to replace, rehabilitate, or expand the facilities of an existing local industrial or commercial enterprise.

(b) The Administrator may also waive part or all of the 5 percent share when he determines that all or part of such community share is not reasonably available to the project. In determining whether to waive all or part of the 5 percent community share of the aggregate project cost, the Administrator will consider the following factors:

(1) The extent of economic distress of the redevelopment area or center for which the project is proposed, manifested by unemployment, underemployment, and income levels;

(2) The extent of previous and current bona fide efforts to gain broad community financial support for economic development;

(3) The extent of local support for the project, manifested by previous and current bona fide efforts to assist it financially; and

(4) The extent of previous and current local financial investment in the project and in other projects for local economic development.

§ 305.35 Repayment.

Loans extended and evidences of indebtedness purchased under this subpart must be repaid within the minimum reasonable time which the Administrator finds to be consistent with the financial capabilities and prospects of the applicant. No loan, including renewals and extensions, may be made under this subpart for a period exceeding 25 years, and no evidence of indebtedness maturing more than 25 years from the date of purchase may be purchased under this subpart. If, however, the Administrator finds during the life of a loan or evidence of indebtedness that a further extension will aid in its orderly liquidation, he may extend its maturity or renew it for additional periods not to exceed 10 years.

§ 305.36 Interest rates.

Loans and evidences of indebtedness purchased under this subpart will bear interest at a rate not less than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average

maturities of such loans, adjusted to the nearest one-eighth of 1 percent, plus such additional charge, if any, toward covering other costs of the program as the Administrator may determine to be consistent with its purpose.

§ 305.37 Forms and filing.

Applications for loans under this subpart shall be made by industrial enterprises on Form EDA–201, and by community organizations, Indian tribes, and public agencies on Form EDA–202. Applications shall be filed in accordance with § 305.52.

§ 305.38 Additional information.

The Administrator may require such additional information and evidence, supplemental to the application, as he deems appropriate.

Subpart D—Working Capital Guarantees for Industrial and Commercial Purposes

§ 305.40 General.

The purpose of this subpart is to outline the procedure by which private lending institutions may obtain guarantees of working capital loans made to industrial and commercial loan applicants under section 202 of the Act, and the conditions and terms of such guarantees.

§ 305.41 Guarantees.

The Administrator may guarantee loans for working capital made by private lending institutions to private borrowers in connection with projects in redevelopment areas and centers assisted under Subpart C of this part, upon application of such lending institution and upon such terms and conditions as the Administrator may prescribe.

§ 305.42 Limitations.

Working capital guarantees under this subpart are subject to the following restrictions and limitations:

(a) No working capital guarantees may at any time exceed 90 percent of the amount of the outstanding unpaid balance of the working capital loan;

(b) No working capital loan will be guaranteed which is secured by a prior lien on the same assets which secure a loan extended by the Administrator under this part.

(c) No guarantee will be extended where the working capital loan is otherwise available from private lenders or from other Federal agencies on terms which, in the opinion of the Administrator, will permit the accomplishment of the project; and

(d) No working capital loan will be guaranteed unless there is a reasonable assurance of repayment of the loan.

§ 305.43 Service charge.

The Administrator may impose on the private lender a guarantee service charge of one-half of 1 percent per annum on the unpaid balance of the working capital loan.

§ 305.44 Forms and filing.

Applications for guarantees of working capital loans shall be made on Form EDA–203 and filed as provided in § 305.52.

§ 305.45 Additional information.

The Administrator may require such additional information and evidence, supplemental to the application, as he deems appropriate.

Subpart E—General Rules

§ 305.50 General limitations.

Financial assistance extended under this part is subject to the following general restrictions and limitations:

(a) The project must be consistent with a currently approved OEDP for the area and district (if any) in which it will be undertaken;

(b) In the case of projects to be located in economic development centers:

(1) The amount of Federal financial assistance extended must be reasonably related to the size, population, and economic needs of the district;

(2) The project must enhance the economic growth potential of the district or result in additional long-term employment opportunities commensurate with the amount of Federal financial assistance extended.

§ 305.51 Forms.

Requests for assistance under this part shall be made on appropriate EDA forms, copies of which may be obtained from State economic development agencies, EDA Area Offices, or by writing to the Administrator, Economic Development Administration, Washington, D.C. 20230.

§ 305.52 Where to file.

All requests or applications for assistance under this part may be filed with or forwarded to the appropriate offices listed in §§ 301.30 and 301.31 of this chapter.

PART 306—TECHNICAL ASSISTANCE, PLANNING AND ADMINISTRATIVE GRANTS-IN-AID, AND RESEARCH

Subpart A—Technical Assistance

Subpart B—Planning and Administrative Grants-in-Aid

Subpart C—Research

Subpart D—General Rules

AUTHORITY: The provisions of this Part 306 issued under sec. 701, 79 Stat. 570; 42 U.S.C. 3211; secs. 214, 302, 79 Stat. 17, 19; 40 U.S.C. App. A, 214, 302. Dept. Orders 4–A, 5, Sept. 1, 1965; 30 F.R. 11399, 11892.

Subpart A—Technical Assistance

§ 306.1 General.

The purpose of this subpart is to outline the procedure for rendering technical assistance under section 301(a) of the Act.

§ 306.2 Qualified areas.

The Administrator may provide technical assistance, which would be useful in alleviating or preventing conditions of excessive unemployment or underemployment, to designated redevelopment areas and to other areas which he finds have substantial need for such assistance.

§ 306.3 Type and form of assistance.

(a) Technical assistance may include project planning and feasibility studies, management and operation assistance, and studies evaluating the needs and potentialities for economic growth of such areas.

(b) Technical assistance may be provided by the Administrator through members of his staff, through the payment of funds to other departments or agencies of the Federal Government, through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purposes, or through grants-in-aid to appropriate public or private nonprofit State, area, district, or local organizations.

§ 306.4 Limitations.

Technical assistance shall be made on terms and conditions set by the Administrator, subject to the following restrictions and limitations:

(a) Technical assistance funds may not be used to cover the costs of work already performed or of services already provided;

(b) No technical assistance project will be approved without satisfactory assurance to the Administrator that it is not being simultaneously considered for financial support by another organization or Federal agency;

(c) Maximum possible non-Federal contributions will be required;

(d) The Federal share of technical assistance provided in the form of a grant-in-aid must not exceed 75 percent of the total amount of the funds required. In determining the non-Federal share, the Administrator will give consideration to all contributions, both in case and in kind, fairly evaluated, including but not limited to space, equipment, and services. No Federal funds may be included in the 25 percent non-Federal share.

§ 306.5 Repayment.

The Administrator may, in his discretion, require the repayment of technical assistance and prescribe the terms and conditions of such repayment.

§ 306.6 Forms and filing.

Application for technical assistance should be made on Form EDA–302 and filed as provided in § 306.32.

§ 306.7 Additional information.

The Administrator may require such additional information and evidence, supplemental to the request or application form, as he deems appropriate.

Subpart B—Planning and Administrative Grants-in-Aid

§ 306.10 General.

The purpose of this subpart is to outline the procedure for planning and administrative grants-in-aid under section 301(b) of the Act.

§ 306.11 Type and form of assistance.

The Administrator may make grants-in-aid to defray administrative expenses of organizations which he determines to be qualified to receive grants-in-aid under § 306.3(b).

§ 306.12 Limitations.

Grant-in-aid assistance will be made on terms and conditions set by the Administrator, subject to the following restrictions and limitations in addition to the restriction set forth in § 306.30:

(a) Grants-in-aid will not be made to cover the costs of work already performed or of services already provided;

(b) No grant-in-aid will be extended without satisfactory assurance to the Administrator that no other organization or Federal agency is considering the same request for financial support to the project. However, grants-in-aid may be used in conjunction with other available planning grants, such as urban planning grants authorized under the Housing Act of 1954, as amended, and highway planning and research grants authorized under the Federal Aid Highway Act of 1962, to assure adequate and effective planning and economical use of funds; and

(c) The Federal grant-in-aid must not exceed 75 percent of the total amount of funds required. In determining the amount of the non-Federal share, the Administrator will give consideration to all contributions both in cash and in kind, fairly evaluated, including but not limited to space, equipment, and services. No Federal funds may be included in the 25 percent non-Federal share.

§ 306.13 Forms and filing.

Application for grant-in-aid assistance shall be made on Form EDA–301 and filed as provided in § 306.32.

§ 306.14 Additional information.

The Administrator may require such additional information and evidence, supplemental to the application, as he may deem appropriate.

Subpart C—Research

§ 306.20 General.

The purpose of this subpart is to outline the procedure for rendering research assistance under section 301(c) of the Act.

§ 306.21 Type and form of assistance.

(a) The Administrator, in cooperation with other agencies of the Federal Government which have similar functions, will establish and conduct a continuing long-range program of study, training, and research to assist in;

(1) Determining the causes of unemployment, underemployment, underdevelopment, and chronic depression in the various areas of the Nation;

(2) The formulation and implementation of national, State, and local programs which will raise income levels and otherwise produce solutions to the problems resulting from these conditions; and

(3) Providing the personnel needed to conduct such programs.

(b) Such studies, training, and research may be conducted by the Administrator through members of his staff, through payment of funds authorized for such purposes to other departments or agencies of the Federal Government, or through the employment of private individuals, partnerships, firms, corporations, or suitable institutions, under contracts entered into for such purposes, or through grants to such individuals, organizations, or institutions, or through conferences and similar meetings organized for such purposes.

§ 306.22 Limitations.

Research and training assistance may be provided on terms and conditions set by the Administrator, subject to the following restrictions and limitations:

(a) No assistance will be extended to cover the costs of work already performed or of services already provided; and

(b) No assistance will be extended without satisfactory assurance to the Administrator that no other organization or Federal agency is considering the same request for financial support to the project.

Subpart D—General Rules

§ 306.30 Forms.

Requests for assistance under this part should ordinarily be made on appropriate EDA forms, copies of which may be obtained from State economic development agencies, EDA Area Offices, or by writing to the Administrator, Economic Development Administration, Washington, D.C. 20230.

§ 306.31 Where to file.

All requests or applications for assistance under this part may be filed with or forwarded to the appropriate offices listed in §§ 301.30 and 301.31 of this chapter.

In accordance with the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) it has been found that notice and hearing on the foregoing Chapter III of Title 13 of the Code of Federal Regulations is unnecessary for the reason that all matters therein relate to agency management, personnel, loans, grants, guarantees, or benefits; and for the reason that because of the nature of these rules, such notice and hearing would serve no useful purpose. The provisions of this chapter are effective upon publication in the FEDERAL REGISTER.

Dated: August 18, 1966.

ROSS D. DAVIS,
Administrator for Economic Development.

Approved:

EUGENE P. FOLEY,
Assistant Secretary of Commerce and Director of Economic Development.

[F.R. Doc. 66–9195; Filed, Aug. 25, 1966; 8:45 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

White House Conference "To Fulfill These Rights"

Effective on publication in the FEDERAL REGISTER, § 213.3185, 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, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 66–9307; Filed, Aug. 25, 1966; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

General Services Administration

Section 213.3337 is amended to show that the position of a second Special Assistant to the Administrator is excepted under Schedule C, and that the positions of two Assistants to the Assistant Administrator are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3337 is amended as set out below.

§ 213.3337 General Services Administration.

(a) *Office of the Administrator.* * * *

(3) Two Special Assistants to the Administrator.

* * * * *

(7) One Assistant to the Assistant Administrator.

* * * * *

(10) [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, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 66–9304; Filed, Aug. 25, 1966; 8:46 a.m.]

PART 213—EXCEPTED SERVICE

Housing and Home Finance Agency and Department of Housing and Urban Development

1. Section 213.3344 is amended to show that the position of Special Assistant (Administrator's Office) is no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (9) of paragraph (a) of § 213.3344 is revoked.

§ 213.3344 Housing and Home Finance Agency.

(a) *Office of the Secretary.* * * *
(9) [Revoked]

* * * * *

2. Section 213.3384 is amended to show that the position of Special Assistant to the Secretary is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (17) is added to paragraph (a) of § 213.3384 as set out below.

§ 213.3384 Department of Housing and Urban Development.

(a) *Office of the Secretary.* * * *
(17) One Special Assistant to the Secretary.

* * * * *

(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, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 66-9305; Filed, Aug. 25, 1966; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-1082]

PART 13—PROHIBITED TRADE PRACTICES

United States Sales Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections:* § 13.15–80 *Government connection:* § 13.15–175 *Liquidation:* § 13.15–195 *Nature;* § 13.70 *Fictitious or misleading guarantees;* § 13.155 *Prices:* § 13.155–100 *Usual as reduced, special, etc.;* § 13.235 *Source or origin:* § 13.235–50 *Maker or seller, etc.* Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1425 *Government connection;* § 13.1490 *Nature;* Misrepresenting on self and goods—goods: § 13.1647 *Guarantees;* § 1745 *Source or origin:* § 13.1745–60 *Maker or seller.* Subpart—Using misleading name—vendor: § 13.2380 *Government connection.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, United States Sales Corp. et al., North Hollywood, Calif., Docket C-1082, July 7, 1966]

In the Matter of United States Sales Corp., a Corporation, Also Doing Business as United States Purchasing Exchange and U.S. Purchasing Exchange, and Ronald D. Goldman, and Theodore J. Slavin, Individually and as Officers of Said Corporation.

Consent order requiring a North Hollywood, Calif., mail order retailer of miscellaneous merchandise, to cease misrepresenting itself as a liquidator, as being connected with U.S. Government, that it sells at public auctions, the nature of its guarantees, that it sells at wholesale prices, the source of its merchandise, and making other false claims.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents United States Sales Corp., a corporation, trading under its own name and as United States Purchasing Exchange and U.S. Purchasing Exchange, or under any other name or names, and its officers, and Ronald D. Goldman and Theodore J. Slavin, individually and as officers of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of electrical household appliances, housewares, tools, radios, watches, tape recorders, or any other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the term "claim adjuster" or any other word or words of similar import or meaning, in or as a part of respondents' trade or corporate name, or representing, directly or by implication, that they are liquidators, authorized adjusters, or agents engaged in the sale or disposition of bankrupt, estate, salvage, distrained, or other distress or surplus merchandise.

2. Representing, directly or by implication, that they are liquidating, adjusting, paying off or otherwise settling indebtedness or claims.

3. Misrepresenting, in any manner, their trade or business status or the source, character or nature of the merchandise being offered for sale.

4. Using the name United States or the abbreviation U.S. in or as a part of their corporate or trade name without clearly and conspicuously disclosing in immediate conjunction therewith that respondents are a private stock corporation not connected or affiliated with the U.S. Government; or representing in any manner that respondents' business is connected or affiliated with the U.S. Government.

5. Offering for sale, products at prices appreciably less than the prices at which substantial sales of said products are being made in the area where respondents do business unless respondents have on hand a sufficient supply of said products to fill the orders reasonably to be expected, or, if respondents have a limited supply that the number of items be clearly disclosed in connection with the offer.

6. Representing, directly or by implication, that merchandise offered for sale by respondents is sold by them at public auctions; or representing in any manner that respondents' method of selling merchandise is other than the over-the-counter and mail-order retail sale thereof.

7. Representing, directly or by implication, that the supply of merchandise offered for sale is limited: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder in respect to any article of merchandise so advertised for respondents to establish that their supply of said items is not sufficient to meet reasonably anticipated demands therefor and that the supply cannot be replenished through their customary sources.

8. Representing, directly or by implication, that any of respondents' products are guaranteed unless the nature and extent of the guarantee, the identity of the guarantor and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

9. Representing, directly or by implication, that the merchandise offered for sale by respondents is manufacturers' liquidated or surplus inventory: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder in respect to any article of merchandise so represented for respondents to establish that it is merchandise of such class.

10. Representing, directly or by implication, that merchandise is being offered to the public at wholesale prices.

11. Representing, directly or by implication, that watches are shockproof; or misrepresenting in any manner the degree or extent to which the watch case or watch movement is protected from damage by shock.

12. Using the words "Hamilton" or "Remington," or any simulation thereof, as brand or trade names to designate, describe, or refer to any of their products: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that a product so represented is that of the manufacturer with which such brand name or trade name is associated.

13. Misrepresenting by use of brand names, trade names or simulations thereof, or in any other manner the actual manufacturer of any product.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 7, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-9293; Filed, Aug. 25, 1966; 8:45 a.m.]

[Docket C-1083]

PART 13—PROHIBITED TRADE PRACTICES

International Creditors' Association, Inc., et al.

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception:* Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1460 *Individual or private business as professional person, association or guild;* § 13.1490 *Nature;* § 13.1553 *Services.* Subpart—Using misleading name—Vendor: § 13.2395 *Individual or private business being association or guild.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, International Creditors' Association, Inc., et al., Chicago, Ill., Docket C-1083, July 7, 1966]

In the Matter of International Creditors' Association, Inc., a Corporation, and Harold G. Beebe and Eleanor Beebe, Individually, and as Officers of Said Corporation.

Consent order requiring a Chicago, Ill., seller of debt collection forms to cease misrepresenting the nature and scope of its business and making other false claims.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents International Creditors' Association, Inc., a corporation, and its officers, and Harold G. Beebe and Eleanor Beebe, individually and as officers of said corporate respondent, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of any service or printed matter for use in the collection of claims or accounts in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Association", "Creditors' Association", "International Creditors' Association", or any other words or terms of similar import or meaning in or as a part of respondents' trade or corporate name; or representing any any other manner that respondents' enterprise is an association, or is an organization of creditors, or is international in scope.

2. Representing, directly or by implication, that respondents' business is a credit reporting agency or is a collection agency, or that an account has been placed with them for collection; or misrepresenting in any manner the nature and scope of their business.

3. Representing, directly or by implication, that respondents:

(a) Have bonded or other attorneys or associated representatives in principal cities or in all cities and towns in the United States and Canada; or misrepresenting in any other manner the geographical scope of respondents' operations.

(b) Compile or disseminate credit information.

(c) Are prepared to or render legal services or institute, or cause to be instituted, legal proceedings in the collection of delinquent debts.

4. Representing, directly or by implication, that the corporate respondent has a collection department, claim department, or credit department.

5. Placing in the hands of others the means and instrumentalities to represent any of the matters heretofore prohibited by this order.

It is further ordered, That respondents herein shall have 6 months from date of service of this order upon them within which to comply with this order and within which to file a report in writing setting forth in detail the manner and form in which they have complied with said order.

Issued: July 7, 1966.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-9294; Filed, Aug. 25, 1966; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Reference Service for Members of Trade Association

§ 15.85 Reference service for members of trade association.

(a) A national trade association has been advised by the Federal Trade Commission that its proposed reference service for members concerning problems encountered by them would not be unlawful "so long as the program embraces only an interchange of information and experience among members of the Association, and is not used as a device for a concerted boycott of particular sellers."

(b) The Association stated the purpose of the program is to assist its members to communicate with each other so that there may be a greater availability of the knowledge and experience acquired by them on materials used in the industry. Especially of interest is the experience of members with materials that have been newly developed and the properties and suitability of which are not yet widely known. Under the reference service members would be invited to write the Association advising it of any special experience or knowledge they have had with materials, either favorable or unfavorable.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: August 25, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-9309; Filed, Aug. 25, 1966; 8:47 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Sales Promotion Plan Involving a Lottery Rejected

§ 15.86 Sales promotion plan involving a lottery rejected.

(a) In an advisory opinion the Federal Trade Commission informed a retailer that his proposed sales promotion is illegal because it involves the sale of merchandise by means of a lottery and therefore is an unfair method of competition and an unfair practice.

(b) The retailer planned to list certain selected items with the local bank. After the customer makes his regular purchase at the retail store, he checks with the bank, and if that particular item is listed with the bank, the customer is entitled to keep the merchandise without charge. On the other hand, if the item is not listed at the bank, the purchaser must pay the regular price for it.

(c) In reaching its conclusion that the plan was illegal, the Commission reasoned that "the mere fact that a purchaser receives a thing of value for his contribution does not negate the existence of a lottery."

(38 Stat 717, as amended; 15 U.S.C. 41-58)

Issued: August 25, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 66-9310; Filed, Aug. 25, 1966; 8:47 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 315—REGULATIONS GOVERNING U.S. SAVINGS BONDS

PART 332—OFFERING OF U.S. SAVINGS BONDS, SERIES H

Miscellaneous Amendments

The regulations set forth in Treasury Department Circulars No. 530, Ninth Revision (31 CFR Part 315), dated December 23, 1964, as amended, No. 905, Fourth Revision (31 CFR Part 332), dated April 7, 1966, as amended, and No. 906 (formerly codified as 31 CFR Part 333; terminated at 22 F.R. 1631), dated April 29, 1952, as amended, are hereby further revised and amended in the form shown below. These amendments and revisions of the regulations are issued under authority of the Revised Statutes, section 161 (5 U.S.C. 22), and the Second Liberty Bond Act (31 U.S.C. 757c, 757c-1), both as amended.

The revisions and amendments, which extend the term of certain Series H bonds and dispense with the requirement of 1 month's notice for the redemption of Series H, J, and K bonds, are matters

involving fiscal policy of the United States and public procedures thereon are unnecessary. The revisions and amendments were adopted on August 16, 1966.

Dated: August 16, 1966.

[SEAL] GEORGE F. STICKNEY,
Deputy Fiscal Assistant Secretary.

I. Department Circular No. 530, Ninth Revision (31 CFR Part 315), dated December 23, 1964, as amended, is hereby further revised and amended as follows:

1. Section 315.35 is revised to read as follows:

§ 315.35 Payment or redemption.

(a) *General.*[9] Payment of a savings bond will be made to the person or persons entitled thereto under the provisions of these regulations upon presentation and surrender of the bond with an appropriate request for payment, except that checks in payment will not be delivered to addresses in areas with respect to which the Treasury Department restricts or regulates the delivery of checks drawn against funds of the United States or any agency or instrumentality thereof.[9a] Payment will be made without regard to any notice of adverse claims to a bond and no stoppage or caveat against payment in accordance with the registration will be entered. Pursuant to its terms, a savings bond may not be called for redemption by the Secretary of the Treasury prior to the maturity date, or the extended maturity date for bonds having an optional extension period, but may be redeemed in whole or in part at the option of the owner prior to the maturity date or the extended maturity date, under the terms and conditions set forth in the offering circular for each series and in accordance with the provisions of the regulations in this part, following presentation and surrender as provided in this Subpart H. At or after maturity, or extended maturity for bonds having an optional extension period, the bond will be paid at the maturity value or the extended maturity value fixed by the terms of the circular and in no greater amount.

(b) *Series E.* A Series E bond will be redeemed at any time after 2 months from issue date at the appropriate redemption value shown in the revision of Department Circular No. 653 (Part 316 of this chapter), current at the time of redemption.

(c) *Series H.* A Series H bond will be redeemed at par after 6 months from issue date. However, a bond received for redemption during the calendar month preceding an interest payment date will not be redeemed until that date. At or after maturity, or extended maturity for bonds having an optional extension period, a bond presented for payment will be paid at par, and final interest, in the amount shown in the revision of Department Circular No. 905 current at the time of payment (31 CFR Part 332), will be paid with the principal. (See § 315.32(g) for provisions as to interest on bonds redeemed prior to maturity.)

(d) *Series J.* Prior to maturity, a Series J bond will be redeemed at the appropriate redemption value shown in Department Circular No. 906 (formerly codified as 31 CFR Part 333). At or after maturity, the bond will be paid at its face amount as provided for in that circular.

(e) *Series K*—(1) *General.* Prior to maturity, a Series K bond will be redeemed at the appropriate redemption value shown in Department Circular No. 906 (formerly codified as 31 CFR Part 333). However, a bond received for redemption or payment during the calendar month preceding an interest payment date will not be redeemed or paid until that date. At or after maturity, the bond will be paid at par, and final interest, in the amount provided for in that circular, will be paid with the principal.

(2) *Redemption at par.* (i) A bond of Series K issued in exchange for matured bonds of Series E under the provisions of Department Circular No. 906 is payable at par.

(ii) A bond of Series K registered in the name of a natural person or persons in their own right will be paid at par upon the request of the person entitled to the bond upon the death of the owner or either coowner.

(iii) A bond of Series K held by a trustee, life tenant, or other fiduciary (exclusive of trustees of a pension, retirement, investment, insurance, annuity, or similar fund, or employees' savings plan) will be paid at par upon appropriate request upon the termination, in whole or in part, of a trust, life tenancy, or other fiduciary estate by reason of the death of a natural person, but in the case of partial termination, redemption at par will be made to the extent of not more than the pro rata portion of the trust or fiduciary estate so terminated. Bonds of Series K held by a financial institution in its name as trustee of its common trust fund will be paid at par upon the request of the fiduciary upon the termination, in whole or in part, of a participating trust by reason of the death of a natural person, to the extent of not more than the pro rata portion of the common trust fund so terminated.

The option to receive payment at par under paragraph (e)(2) (ii) and (iii) of this section may be exercised by a signed request for payment or by express written notice, in either case specifying that redemption at par is desired. Payment may be postponed to the second interest payment date following the date of death, if so requested; otherwise, payment will be made in regular course. A death certificate or other acceptable evidence of death must be submitted. In no case of redemption at par before maturity under paragraph (e)(2) (ii) and (iii) will interest be payable beyond the second interest payment date following the date of death.

2. Section 315.37 is revised to read as follows:

§ 315.37 Withdrawal of request for redemption.

An owner or a coowner who has presented and surrendered a bond to the Treasury Department or a Federal Reserve Bank or Branch or to an authorized paying agent, with an appropriate request for payment, may withdraw such request if notice of intent to withdraw is given to and received by the same agency to which the bond was presented for payment prior to the issuance of a check in payment or prior to payment by the authorized paying agent. Such request may be withdrawn under the same conditions by the executor or administrator of the estate of a deceased owner or by the person or persons who would have been entitled to the bond under Subpart O, or by the legal representative of the estate of a person under legal disability, unless presentation and surrender of the bond have cut off rights of survivorship under the provisions of Subpart M or Subpart N.

3. Footnotes 1 and 6 (§§ 315.2 and 315.30, respectively) are revised and amended as follows:

[1] All Series E bonds have a 10-year optional extension period. Those bearing issue dates of May 1, 1941, through May 1, 1949, have a second 10-year optional extension period. Series H bonds bearing issue dates of June 1, 1952, through May 1, 1959, have a 10-year optional extension period. Other bonds do not have this feature.

[6] The final interest on Series H bonds bearing issue dates of June 1, 1952, through January 1, 1957, covers a period of 2 months, from 9½ years to 9 years, 8 months. The final interest for bonds bearing issue dates of February 1, 1957, through May 1, 1959, covers a period of 6 months, from 9½ years to 10 years. Bonds so dated will continue to earn interest for a 10-year optional extension period during which time interest will accrue and be paid beginning 6 months from the original maturity date, in accordance with the provisions of Department Circular No. 905 (Part 332 of this chapter), current revision.. Since May 1, 1957, the only current income bonds on sale are those of Series H. See Department Circular No. 906 (formerly codified as 31 CFR Part 333), as amended for Series K.

II. Department Circular No. 905, Fourth Revision (31 CFR Part 332), dated April 7, 1966, as revised and amended, is hereby further revised and amended as follows:

1. Paragraph (d) of § 332.2 is revised to read as follows:

§ 332.2 Description of bonds.

* * * * *

(d) *Term.* A Series H bond will be dated as of the first day of the month in which payment therefor is received by an agent authorized to issue such bonds. This date is the issue date and the bond will mature and be payable 10 years from such issue date. The bond may not be called for redemption by the Secretary of the Treasury prior to maturity, but may be redeemed AT PAR after 6 months from issue date as provided for in § 332.10. The Treasury Department may require reasonable notice of presentation

[9] Bonds of Series A through D and Series F and G have all now matured. They earn no interest after maturity. Any such bonds which have not been redeemed should be presented for payment.

[9a] See Part 211 of this chapter.

of a bond for redemption prior to maturity or extended maturity.

* * * * *

2. In § 332.8, paragraphs (a) and (b) (3) are revised, and (b) (4) is added, as follows:

§ 332.8 Extended term and improved yields for outstanding bonds.

(a) *Extended maturity period for bonds with issue dates June 1, 1952, through May 1, 1959.*[5] Owners of Series H bonds with issue dates of June 1, 1952, through January 1, 1957, have the option of retaining their bonds for an extended maturity period of 10 years. Owners of Series H bonds with issue dates of February 1, 1957, through May 1, 1959, are hereby granted the option of retaining their bonds for an extended maturity period of 10 years.

(b) *Improved yields.* * * *

(3) *Bonds with issue dates February 1, 1957, through May 1, 1959.*[6] The investment yield on outstanding Series H bonds with issue dates of February 1, 1957, through May 1, 1959, for the remaining period to the maturity date was increased by four-tenths of 1 percent per annum if held to original maturity and by lesser amounts if redeemed earlier. The increase, on a graduated basis, began with the first interest period starting on or after December 1, 1965. The investment yield for the extended maturity period will be approximately 4.15 percent per annum if the bonds are held to extended maturity, but the yield will be less if the bonds are redeemed earlier.

(4) *Bonds with issue dates June 1, 1959, through November 1, 1965.* The investment yield on outstanding Series H bonds with issue dates of June 1, 1959, through November 1, 1965, was increased by four-tenths of 1 percent per annum if held to original maturity and by lesser amounts if redeemed earlier. The increase, on a graduated basis, began with the first interest period starting on or after December 1, 1965.

3. Section 332.10 is revised to read as follows (footnote 7 is deleted):

§ 332.10 Redemption or payment.

Prior to maturity, or extended maturity for bonds having an extended maturity period, a Series H bond will be redeemed AT PAR at the option of the owner, in whole or in part, in the amount of an authorized denomination or multiple thereof, after 6 months from issue date, upon presentation and surrender of the bond with a duly executed request for payment to (a) a Federal Reserve Bank or Branch, (b) the Office of the Treasurer of the United States, Securities Division, Washington, D.C. 20220, or (c) the Bureau of the Public Debt, Division of Loans and Currency Branch, 536 South Clark Street, Chicago, Ill. 60605. However, a bond received for redemption or payment by an agency during the calendar month preceding an interest payment date will not be redeemed or paid until that date. At or after maturity, or extended maturity for bonds having an extended maturity period, a bond presented for payment will be paid at par, and final interest will be paid with the principal.

4. New Tables 13–A, 14–A, 15–A, 16–A, and 17–A are added, reading as follows:

TABLES OF CHECKS ISSUED AND INVESTMENT YIELDS FOR UNITED STATES SAVINGS BONDS OF SERIES H BEARING ISSUE DATES OF FEBRUARY 1, 1957 THROUGH MAY 1, 1959

Each table shows: (1) The amounts of interest check payments during the original maturity period and during the 10-year extension period, on bonds bearing issue dates covered by the table; (2) the approximate investment yield on the face value from issue date to each interest payment date; and (3) the approximate investment yield on the face value from each interest payment date to next maturity. Yields are expressed in terms of rate per annum, compounded semiannually.

TABLE 13–A—BONDS BEARING ISSUE DATES FROM FEBRUARY 1 THROUGH MAY 1, 1957

Face value: Issue price	$500	$1,000	$5,000	$10,000	Approximate investment yield on face value‡	
Face value: Redemption [1] and maturity value	500	1,000	5,000	10,000		
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From Issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	*Percent*
½ year	$4.00	$8.00	$40.00	$80	1.60	*3.35
1 year	7.25	14.50	72.50	145	2.25	*3.38
1½ years	8.45	16.90	84.50	169	2.62	*3.38
2 years	8.45	16.90	84.50	169	2.80	*3.38
2½ years	8.45	16.90	84.50	169	2.92	†3.88
3 years	8.70	17.40	87.00	174	3.01	†3.92
3½ years	8.70	17.40	87.00	174	3.07	†3.95
4 years	8.70	17.40	87.00	174	3.12	†4.00
4½ years	8.70	17.40	87.00	174	3.16	†4.05
5 years	8.70	17.40	87.00	174	3.19	†4.11
5½ years	9.90	19.80	99.00	198	3.25	†4.13
6 years	9.90	19.80	99.00	198	3.30	†4.16
6½ years	9.90	19.80	99.00	198	3.35	†4.19
7 years	9.90	19.80	99.00	198	3.39	†4.23
7½ years	9.90	19.80	99.00	198	3.42	†4.29
8 years	10.50	21.00	105.00	210	3.46	†4.31
8½ years	10.50	21.00	105.00	210	3.50	†4.35
9 years	10.50	21.00	105.00	210	3.53	**4.83
Amounts of interest checks and investment yields to maturity on basis of Dec. 1, 1965 revision						
9½ years	$11.55	$23.10	$115.50	$231	3.58	5.04
10 years (maturity)	12.60	25.20	126.00	252	3.64	
Period of time bond is held after maturity date	Extended maturity period					(b) To extended maturity§
½ year	$10.37	$20.75	$103.75	$207.50	3.66	4.15
1 year	10.37	20.75	103.75	207.50	3.68	4.15
1½ years	10.37	20.75	103.75	207.50	3.70	4.15
2 years	10.37	20.75	103.75	207.50	3.71	4.15
2½ years	10.37	20.75	103.75	207.50	3.72	4.15
3 years	10.37	20.75	103.75	207.50	3.74	4.15
3½ years	10.37	20.75	103.75	207.50	3.75	4.15
4 years	10.37	20.75	103.75	207.50	3.76	4.15
4½ years	10.37	20.75	103.75	207.50	3.77	4.15
5 years	10.38	20.75	103.75	207.50	3.78	4.15
5½ years	10.38	20.75	103.75	207.50	3.79	4.15
6 years	10.38	20.75	103.75	207.50	3.80	4.15
6½ years	10.38	20.75	103.75	207.50	3.80	4.15
7 years	10.38	20.75	103.75	207.50	3.81	4.15
7½ years	10.38	20.75	103.75	207.50	3.82	4.15
8 years	10.38	20.75	103.75	207.50	3.82	4.15
8½ years	10.38	20.75	103.75	207.50	3.83	4.15
9 years	10.38	20.75	103.75	207.50	3.84	4.15
9½ years	10.38	20.75	103.75	207.50	3.84	4.15
10 years (extended maturity) [2]	10.38	20.75	103.75	207.50	3.85	

‡ Calculated on basis of $1,000 bond.
* Yields on the basis of the original schedule of interest checks prior to the June 1, 1959 revision are: (1) 3.25 percent for entire period from issuance to maturity; (2) as shown for any period from each interest payment date to maturity.
† Starting with the effective date of the June 1, 1959 revision yields for any remaining period from each interest payment date to maturity prior to the December 1, 1965 revision.
** Yield from the effective date of the December 1, 1965 revision to maturity.
§ 4.15 percent per annum yield for the full 10-year extension period.
[1] At all times, except that bond was not redeemable during first 6 months.
[2] 20 years from issue date.

[5] Maturities and summary of investment yields to maturity and extended maturity dates under regulations heretofore prescribed for Series H bonds with issue dates prior to Dec. 1, 1965:

Bonds with issue dates June 1, 1952, through Jan. 1, 1957:

9-year, 8-month maturity; 3.00 percent per annum compounded semiannually.

Increased five-tenths of 1 percent per annum for remaining period to maturity date, beginning with interest checks due Dec. 1, 1959.

Extended maturity period (10 years), approx. 3.75 percent per annum for each half-year period.

Bonds with issue dates Feb. 1, 1957, through May 1, 1959:

10-year maturity; 3.25 percent per annum compounded semiannually.

Increased five-tenths of 1 percent per annum for remaining period to maturity date, beginning with interest checks due Dec. 1, 1959.

Bonds with issue dates June 1, 1959, through Nov. 1, 1965:

10-year maturity; 3.75 percent per annum compounded semiannually.

[6] The tables incorporated herein, arranged according to issue dates, show the current schedules of interest payments and investment yields.

TABLE 14-A—BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1957

Face value	$500	$1,000	$5,000	$10,000	Approximate investment yield on face value‡	
Issue price	$500	$1,000	$5,000	$10,000		
Redemption [1] and maturity value	500	1,000	5,000	10,000		
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	*Percent*
½ year	$4.00	$8.00	$40.00	$80	1.60	*3.35
1 year	7.25	14.50	72.50	145	2.25	*3.38
1½ years	8.45	16.90	84.50	169	2.62	*3.38
2 years	8.45	16.90	84.50	169	2.80	†3.88
2½ years	8.70	17.40	87.00	174	2.94	†3.91
3 years	8.70	17.40	87.00	174	3.02	†3.95
3½ years	8.70	17.40	87.00	174	3.08	†3.99
4 years	8.70	17.40	87.00	174	3.13	†4.03
4½ years	8.70	17.40	87.00	174	3.17	†4.09
5 years	9.75	19.50	97.50	195	3.24	†4.11
5½ years	9.75	19.50	97.50	195	3.29	†4.14
6 years	9.75	19.50	97.50	195	3.34	†4.17
6½ years	9.75	19.50	97.50	195	3.38	†4.21
7 years	9.75	19.50	97.50	195	3.41	†4.27
7½ years	10.45	20.90	104.50	209	3.45	†4.29
8 years	10.45	20.90	104.50	209	3.49	†4.31
8½ years	10.45	20.90	104.50	209	3.53	**4.76
Amounts of interest checks and investment yields to maturity on basis of Dec. 1, 1965 revision						
9 years	$11.40	$22.80	$114.00	$228	3.58	4.87
9½ years	11.40	22.80	114.00	228	3.62	5.18
10 years (maturity)	12.95	25.90	129.50	259	3.68	----------
Period of time bond is held after issue date	Extended maturity period					(b) To extended maturity§
½ year	$10.37	$20.75	$103.75	$207.50	3.70	4.15
1 year	10.37	20.75	103.75	207.50	3.72	4.15
1½ years	10.37	20.75	103.75	207.50	3.73	4.15
2 years	10.37	20.75	103.75	207.50	3.75	4.15
2½ years	10.37	20.75	103.75	207.50	3.76	4.15
3 years	10.37	20.75	103.75	207.50	3.77	4.15
3½ years	10.37	20.75	103.75	207.50	3.78	4.15
4 years	10.37	20.75	103.75	297.50	3.79	4.15
4½ years	10.37	20.75	103.75	207.50	3.80	4.15
5 years	10.38	20.75	103.75	207.50	3.81	4.15
5½ years	10.38	20.75	103.75	207.50	3.82	4.15
6 years	10.38	20.75	103.75	207.50	3.82	4.15
6½ years	10.38	20.75	103.75	207.50	3.83	4.15
7 years	10.38	20.75	103.75	207.50	3.84	4.15
7½ years	10.38	20.75	103.75	207.50	3.84	4.15
8 years	10.38	20.75	103.75	207.50	3.85	4.15
8½ years	10.38	20.75	103.75	207.50	3.86	4.15
9 years	10.38	20.75	103.75	297.50	3.86	4.15
9½ years	10.38	20.75	103.75	207.50	3.87	4.15
10 years (extended maturity) [2]	10.38	20.75	103.75	207.50	3.87	----------

For footnotes see table 13-A.

TABLE 15-A—BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1957 THROUGH MAY 1, 1958

Face value	$500	$1,000	$5,000	$10,000	Approximate investment yield on face value‡	
Issue price	$500	$1,000	$5,000	$10,000		
Redemption [1] and maturity value	500	1,000	5,000	10,000		
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	*Percent*
½ year	$4.00	$8.00	$40.00	$80	1.60	*3.35
1 year	7.25	14.50	72.50	145	2.25	*3.38
1½ years	8.45	16.90	84.50	169	2.62	†3.88
2 years	8.70	17.40	87.00	174	2.83	†3.91
2½ years	8.70	17.40	87.00	174	2.96	†3.94
3 years	8.70	17.40	87.00	174	3.04	†3.98
3½ years	8.70	17.40	87.00	174	3.10	†4.02
4 years	8.70	17.40	87.00	174	3.14	†4.07
4½ years	9.65	19.30	96.50	193	3.22	†4.10
5 years	9.65	19.30	96.50	193	3.28	†4.12
5½ years	9.65	19.30	96.50	193	3.33	†4.15
6 years	9.65	19.30	96.50	193	3.37	†4.19
6½ years	9.65	19.30	96.50	193	3.40	†4.25
7 years	10.35	20.70	103.50	207	3.45	†4.27
7½ years	10.35	20.70	103.50	207	3.49	†4.29
8 years	10.35	20.70	103.50	207	3.52	**4.74
Amounts of interest checks and investment yields to maturity on basis of Dec. 1, 1965 revision						
8½ years	$10.65	$21.30	$106.50	$213	3.56	4.90
9 years	11.70	23.40	117.00	234	3.61	5.02
9½ years	12.55	25.10	125.50	251	3.67	5.02
10 years (maturity)	12.55	25.10	125.50	251	3.73	----------
Period of time bond is held after maturity date	Extended maturity period					(b) To extended maturity§
½ year	$10.37	$20.75	$103.75	$207.50	3.75	4.15
1 year	10.37	20.75	103.75	207.50	3.76	4.15
1½ years	10.37	20.75	103.75	207.50	3.77	4.15
2 years	10.37	20.75	103.75	207.50	3.79	4.15
2½ years	10.37	20.75	103.75	207.50	3.80	4.15
3 years	10.37	20.75	103.75	207.50	3.81	4.15
3½ years	10.37	20.75	103.75	207.50	3.82	4.15
4 years	10.37	20.75	103.75	207.50	3.83	4.15
4½ years	10.37	20.75	103.75	207.50	3.83	4.15
5 years	10.38	20.75	103.75	207.50	3.84	4.15
5½ years	10.38	20.75	103.75	207.50	3.85	4.15
6 years	10.38	20.75	103.75	207.50	3.86	4.15
6½ years	10.38	20.75	103.75	207.50	3.86	4.15
7 years	10.38	20.75	103.75	207.50	3.87	4.15
7½ years	10.38	20.75	103.75	207.50	3.87	4.15
8 years	10.38	20.75	103.75	207.50	3.88	4.15
8½ years	10.38	20.75	103.75	207.50	3.88	4.15
9 years	10.38	20.75	103.75	207.50	3.89	4.15
9½ years	10.38	20.75	103.75	207.50	3.89	4.15
10 years (extended maturity)[2]	10.38	20.75	103.75	207.50	3.90	----------

TABLE 16-A—BONDS BEARING ISSUE DATES FROM JUNE 1 THROUGH NOVEMBER 1, 1958

Face value: Issue price	$500	$1,000	$5,000	$10,000	Approximate investment yield on face value‡	
Face value: Redemption [1] and maturity value	500	1,000	5,000	10,000		
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	*Percent*
½ year	$4.00	$8.00	$40.00	$80	1.60	*3.35
1 year	7.25	14.50	72.50	145	2.25	†3.88
1½ years	8.70	17.40	87.00	174	2.65	†3.91
2 years	8.70	17.40	87.00	174	2.85	†3.94
2½ years	8.70	17.40	87.00	174	2.98	†3.97
3 years	8.70	17.40	87.00	174	3.06	†4.01
3½ years	8.70	17.40	87.00	174	3.11	†4.06
4 years	9.55	19.10	95.50	191	3.20	†4.08
4½ years	9.55	19.10	95.50	191	3.26	†4.11
5 years	9.55	19.10	95.50	191	3.31	†4.14
5½ years	9.55	19.10	95.50	191	3.35	†4.18
6 years	9.55	19.10	95.50	191	3.39	†4.23
6½ years	10.30	20.60	103.00	206	3.44	†4.25
7 years	10.30	20.60	103.00	206	3.48	†4.27
7½ years	10.30	20.60	103.00	206	3.52	**4.71
Amounts of interest checks and investment yields to maturity on basis of Dec. 1, 1965 revision						
8 years	$10.55	$21.10	$105.50	$211	3.56	4.84
8½ years	10.55	21.10	105.50	211	3.59	5.06
9 years	12.65	25.30	126.50	253	3.66	5.06
9½ years	12.65	25.30	126.50	253	3.72	5.06
10 years (maturity)	12.65	25.30	126.50	253	3.78	----------
Period of time bond is held after maturity date	Extended maturity period					(b) To extended maturity§
½ year	$10.37	$20.75	$103.75	$207.50	3.79	4.15
1 year	10.37	20.75	103.75	207.50	3.80	4.15
1½ years	10.37	20.75	103.75	207.50	3.82	4.15
2 years	10.37	20.75	103.75	207.50	3.83	4.15
2½ years	10.37	20.75	103.75	207.50	3.84	4.15
3 years	10.37	20.75	103.75	207.50	3.85	4.15
3½ years	10.37	20.75	103.75	207.50	3.85	4.15
4 years	10.37	20.75	103.75	207.50	3.86	4.15
4½ years	10.37	20.75	103.75	207.50	3.87	4.15
5 years	10.38	20.75	103.75	207.50	3.88	4.15
5½ years	10.38	20.75	103.75	207.50	3.88	4.15
6 years	10.38	20.75	103.75	207.50	3.89	4.15
6½ years	10.38	20.75	103.75	207.50	3.89	4.15
7 years	10.38	20.75	103.75	207.50	3.90	4.15
7½ years	10.38	20.75	103.75	207.50	3.90	4.15
8 years	10.38	20.75	103.75	207.50	3.91	4.15
8½ years	10.38	20.75	103.75	207.50	3.91	4.15
9 years	10.38	20.75	103.75	207.50	3.92	4.15
9½ years	10.38	20.75	103.75	207.50	3.92	4.15
10 years (extended maturity) [2]	10.38	20.75	103.75	207.50	3.93	----------

For footnotes see table 13-A.

TABLE 17-A—BONDS BEARING ISSUE DATES FROM DECEMBER 1, 1958 THROUGH MAY 1, 1959

Face value: Issue price	$500	$1,000	$5,000	$10,000	Approximate investment yield on face value‡	
Face value: Redemption [1] and maturity value	500	1,000	5,000	10,000		
Period of time bond is held after issue date	(1) Amounts of interest checks for each denomination				(2) From issue date to each interest payment date	(3) From each interest payment date to maturity*
					Percent	*Percent*
½ year	$4.00	$8.00	$40.00	$80	1.60	†3.85
1 years	7.50	15.00	75.00	150	2.30	†3.91
1½ years	8.70	17.40	87.00	174	2.68	†3.94
2 years	8.70	17.40	87.00	174	2.88	†3.97
2½ years	8.70	17.40	87.00	174	3.00	†4.01
3 years	8.70	17.40	87.00	174	3.07	†4.05
3½ years	9.45	18.90	94.50	189	3.17	†4.08
4 years	9.45	18.90	94.50	189	3.24	†4.10
4½ years	9.45	18.90	94.50	189	3.30	†4.14
5 years	9.45	18.90	94.50	189	3.34	†4.18
5½ years	9.45	18.90	94.50	189	3.38	†4.23
6 years	10.25	20.50	102.50	205	3.43	†4.24
6½ years	10.25	20.50	102.50	205	3.48	†4.26
7 years	10.25	20.50	102.50	205	3.52	**4.70
Amounts of interest checks and investment yields to maturity on basis of Dec. 1, 1965 revision						
7½ years	$10.50	$21.00	$105.00	$210	3.56	4.81
8 years	10.50	21.00	105.00	210	3.59	4.97
8½ years	10.50	21.00	105.00	210	3.62	5.24
9 years	13.10	26.20	131.00	262	3.70	5.24
9½ years	13.10	26.20	131.00	262	3.76	5.24
10 years (maturity)	13.10	26.20	131.00	262	3.83	----------
Period of time bond is held after maturity date	Extended maturity period					(b) To extended maturity§
½ year	$10.37	$20.75	$103.75	$207.50	3.84	4.15
1 year	10.37	20.75	103.75	207.50	3.85	4.15
1½ years	10.37	20.75	103.75	207.50	3.86	4.15
2 years	10.37	20.75	103.75	207.50	3.87	4.15
2½ years	10.37	20.75	103.75	207.50	3.88	4.15
3 years	10.37	20.75	103.75	207.50	3.89	4.15
3½ years	10.37	20.75	103.75	207.50	3.89	4.15
4 years	10.37	20.75	103.75	207.50	3.90	4.15
4½ years	10.37	20.75	103.75	207.50	3.91	4.15
5 years	10.38	20.75	103.75	207.50	3.91	4.15
5½ years	10.38	20.75	103.75	207.50	3.92	4.15
6 years	10.38	20.75	103.75	207.50	3.92	4.15
6½ years	10.38	20.75	103.75	207.50	3.93	4.15
7 years	10.38	20.75	103.75	207.50	3.93	4.15
7½ years	10.38	20.75	103.75	207.50	3.94	4.15
8 years	10.38	20.75	103.75	207.50	3.94	4.15
8½ years	10.38	20.75	103.75	207.50	3.94	4.15
9 years	10.38	20.75	103.75	207.50	3.95	4.15
9½ years	10.38	20.75	103.75	207.50	3.95	4.15
10 years (extended maturity) [2]	10.38	20.75	103.75	207.50	3.95	----------

III. Department Circular No. 906 (formerly codified as 31 CFR Part 333; terminated at 22 F.R. 1631), dated April 29, 1952, as amended, is hereby further amended as follows:

SEC. 333.15 *Payment or redemption.*

(a) *Series J bonds.* Prior to maturity, a Series J bond will be redeemed, at the option of the owner, at the appropriate redemption value, in whole or in part, in the amount of an authorized denomination or multiple thereof, upon presentation and surrender of the bond with a duly executed request for payment to (1) a Federal Reserve Bank or Branch, (2) the Office of the Treasurer of the United States, Securities Division, Washington, D.C. 20220, or (3) the Bureau of the Public Debt, Division of Loans and Currency Branch, 536 South Clark Street, Chicago, Ill. 60605. A bond presented for payment at or after maturity will be paid at its face amount.

(b) *Series K bonds.* Prior to or at maturity, a Series K bond will be redeemed, at the option of the owner, at the appropriate redemption value, upon presentation and surrender of the bond with a duly executed request for payment to an agency described in paragraph (a), above. However, a bond received by an agency during the calendar month preceding an interest payment date will not be redeemed until that date. Prior to maturity, a Series K bond may be redeemed at par, in whole or in part, (1) upon the death of an individual named on the bond as owner or coowner, or (2) if held by a trustee or other fiduciary, upon the death of any person which results in termination of the trust. Redemption at par will be made only to the extent of the pro rata portion of a trust terminated in part, to the next lower multiple of $500. A Series K bond issued in exchange for matured Series E bonds may be redeemed at par, at the owner's option, at any time. A bond presented for payment at maturity will be paid at par, and final interest will be paid with the principal.

[F.R. Doc. 66-9047; Filed, Aug. 25, 1966; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3634]

[Oregon 013665]

OREGON

Withdrawal for National Forest Administrative Sites and Recreation Areas

Correction

In F.R. Doc 65-4123 appearing in the issue for Wednesday, April 21, 1965, at page 5632, make the following changes:

1. Under Clackamas Lake Administrative Site, the description for Sec. 25 reading "NW¼6S¼NS¼, NE¼NW¼NE¼" should read "SW¼SW¼SW¼SW¼".

2. Under Rainbow Campground, the description for Sec. 2 in the first four component description reads "S½S½-SW¼SW¼". It should read "S½S½-SW¼NW¼".

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 5]

PART 722—COTTON

Subpart—Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton

MISCELLANEOUS AMENDMENTS

Correction

In F.R. Doc. 66-9033, appearing at page 11011 of the issue of Friday, August 19, 1966, § 722.437(c)(1) is corrected to read as follows:

§ 722.437 Amount of allotment transferable.

(c) *Productivity adjustments*—(1) *Reduction in farm allotments being transferred.* If the projected yield for the farm to which transfer is made for the year the transfer is to take effect exceeds the projected yield for the farm from which transfer is made for the year the transfer is to take effect by more than 10 percent, the allotment so transferred shall be reduced for differences in farm productivity. The county committee shall determine the amount of allotment to be transferred by sale, lease, and by owner, under section 344a of the act where productivity adjustment is required under this paragraph as follows: (i) Divide the yield of the receiving farm by the yield of the transferring farm, then (ii) divide the allotment to be transferred by the percentage quotient so obtained. The amount of allotment so transferred from a farm shall be the full amount and the amount of allotment so transferred to a farm shall be the reduced amount. In the case of temporary transfers of allotment for 1 or more years by lease or by owner, the productivity adjustment and amount of allotment so transferred shall be redetermined by the county committee each year the transfer remains in effect in accordance with § 722.438(j).

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 8]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas and Quota Deficits for 1966

Basis and purpose and statement of bases and considerations. The purpose of this amendment to Sugar Regulation 811 (30 F.R. 15313, 31 F.R. 2776, 2895, 3283, 5681, 7999, 9546, 9939) is to revise the determination of sugar requirements for the calendar year 1966, establish quotas, prorations and direct-consumption limits consistent with such requirements and to determine and prorate or allocate deficits in quotas pursuant to the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act."

Section 201 of the Act directs the Secretary to revise the determination of sugar requirements at such times during the calendar year as he deems necessary.

Sugar distribution through August 13 continues strong on a seasonally adjusted basis. Raw sugar for arrival in September, October, and the first part of November has been in relatively short supply. This situation wil be eased by making more sugar available and making more of the total readily available to meet requirements of consumers at this time and as anticipated. Accordingly, total sugar requirements for the calendar year 1966 are hereby increased by 50,000 short tons, raw value, to a total of 10,275,000 short tons, raw value.

Section 204(a) of the Act provides that the Secretary shall from time to time determine whether any area or country will be unable to fill its quota or proration of a quota. The governments of the Republic of the Philippines, Nicaragua, and Panama notified the Department prior to August 1, 1966, that they would be unable to fill that part of their 1966 sugar quotas in excess of 1,202,978, 19,000 and 13,000 short tons, raw value, respectively. Evidence submitted by the Republic of the Philippines substantiates that the inability to fill its quota, including prorated deficits, resulted from a drastic curtailment in the production of sugar from the current crop as a result of extended and abnormal periods of serious deficiencies in rainfall as well as periods of excessive rainfall and serious damage due to repeated typhoons. Evidence submitted by Nicaragua substantiates that the inability to fill its quota resulted from a drastic curtailment in the production of sugar from the current crop because of a serious drought. Evidence submitted by Panama substantiates that the inability to fill its quota resulted from a drastic reduction in the production of sugar from the current crop because of a drought during the growing season

and because heavy rains during the harvest season prevented all acreage from being harvested. Accordingly, it is found, under section 202(d)(4) of the Act, that such failure of the Republic of the Philippines, Nicaragua, and Panama to fill its respective quota was due to crop disaster or other force majeure. Pursuant to section 204(b) of the Act, the quota, including prorated deficits, for the Republic of the Philippines has been reduced to 1,202,978 short tons, raw value; the quota for Nicaragua has been reduced to 19,000 short tons, raw value; and the quota for Panama has been reduced to 13,000 short tons, raw value, representing the approximate quantity of sugar each country will be able to supply in 1966.

It is also found, that the deficits prorated to Nicaragua and Panama in § 811.42, amendment 5 of this part, shall be reprorated to other Western Hemisphere countries. Accordingly, the deficit in domestic quotas previously prorated to foreign countries, other than the Republic of the Philippines, is reprorated to reflect the redistribution of the amount that Panama and Nicaragua failed to give assurance they would fill; and also to reflect a redistribution of the domestic deficits on the basis of published quotas in effect immediately prior to the time the deficit was declared.

It is herein determined that 105,430 short tons, raw value, of the deficit previously allocated to the Republic of the Philippines shall be reprorated and deficits are herein determined for Nicaragua and Panama of 31,040 and 17,590 short tons, raw value, respectively. Pursuant to section 204 of the Act, the deficit in the quota determined for Nicaragua of 31,040 short tons, raw value, is herein prorated to other Central American Common Market countries; and the deficit in the quota determined for Panama of 17,590 short tons, raw value, plus 105,430 short tons, raw value, of the deficit previously allocated to the Republic of the Phillippines, which total 123.020 short tons, raw value, is herein allocated to the Dominican Republic on the basis of the following determination issued by the President:

THE WHITE HOUSE

Washington, August 17, 1966.

Memorandum for: The Secretary of Agriculture.

Subject: Finding pursuant to section 204(a) of the Sugar Act, of 1948, as amended by the Sugar Act Amendments of 1965.

In view of the restoration of stable political conditions in the Dominican Republic and the establishment of a democratically elected government, in accordance with the recommendation of the Conference Report on the Sugar Act Amendments of 1965, that the President use his authority to assign deficits to provide additional quota for the Dominican Republic if the political situation in that Republic warrants such action, and pursuant to section 204(a) of the Sugar Act of 1948, as amended by the Sugar Act Amendments of 1965, I hereby determine that it would be in the national interest to increase the sugar import quota for the Dominican Republic by the amount of any sugar quota deficits declared with respect to Panama and the Republic of the Philippines prior to September 1, 1966.

You are directed to take the necessary steps to allocate deficits in accordance with this finding.

LYNDON B. JOHNSON.

Effective date. This action increases by 150,000 short tons, raw value, the quantity that foreign countries, other than the Republic of the Philippines, may import. To permit such countries for which larger prorations are hereby established to plan and to market in an orderly manner the larger quantity of sugar, it is essential at this time that all persons selling and purchasing sugar for consumption in the continental United States be promptly informed of the changes in marketing opportunities. Therefore, it is hereby determined and found that compliance with the notice, procedure and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable and contrary to the public interest and this amendment shall be effective upon publication in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is thereby amended by amending §§ 811.40, 811.41, 811.42, and 811.43 as follows:

1. Section 811.40 is amended to read as follows:

§ 811.40 Sugar requirements, 1966.

The amount of sugar needed to meet the requirements of consumers in the continental United States for the calendar year 1966 is hereby determined to be 10,275,000 short tons, raw value.

2. Section 811.41 is amended by amending subparagraph (1) of paragraph (a) to read as follows:

§ 811.41 Quotas for domestic areas.

(a)(1) For the calendar year 1966 domestic area quotas limiting the quantities of sugar which may be brought into or marketed for consumption in the continental United States are established, pursuant to section 202(a) of the Act, in column (1) and the amounts of such quotas for offshore areas that may be filled by direct-consumption sugar are established, pursuant to section 207 of the Act, in column (2) as follows:

Area	Quotas (1)	Direct-consumption limits (2)
	(Short tons, raw value)	
Domestic Beet Sugar	3,025,000	(1)
Mainland Cane Sugar	1,100,000	(1)
Hawaii	1,200,227	35,140
Puerto Rico	1,140,000	154,125
Virgin Islands	15,000	0

[1] No limit.

3. Section 811.42 is amended to read as follows:

§ 811.42 Proration and allocation of deficits and quotas in effect.

(a) The deficits in the quotas determined in paragraph (a)(2) of § 811.41 amounting to 415,000 short tons, raw value, are hereby prorated, pursuant to section 204(a) of the Act, between the Republic of the Philippines and Western Hemisphere countries named in section 202(c)(3)(A) of the Act, which are in diplomatic relations with the United States, by prorating 195,963 tons to the Republic of the Philippines, and by prorating the remainder of the deficit amounting to 219,037 short tons, raw value, to Western Hemisphere countries named in section 202(c)(3)(A) of the Act on the basis of quotas in effect. Each deficit proration to a Western Hemisphere country is contingent upon the Secretary having received an assurance from such country at some time prior to August 1, 1966, that such country agrees to use an amount equal to the total net receipts f.a.s. port of shipment derived from the sale of sugar from such deficit proration for the purchase and importation of U.S. agricultural commodities prior to July 1, 1967.

(b) Pursuant to section 204(a) of the Act, a deficit is hereby determined in the section 202 quota established herein in § 811.43 for Nicaragua amounting to 31,040 short tons, raw value, and prorated in § 811.43 to other Central American Common Market countries able to fill additional quota.

(c) Pursuant to section 204(a) of the Act, a deficit is hereby determined in the section 202 quota established herein in § 811.43 for Panama amounting to 17,590 short tons, raw value, and it is hereby determined that the Republic of the Philippines will be unable to fill the proration established in paragraph (a) of this § 811.42 of 195,963 short tons, raw value, by 105,430 short tons, raw value, and in accordance with section 204(a) of the Act and a Presidential Memorandum dated August 17, 1966, the Panama deficit and the Philippine shortfall are allocated herein to the Dominican Republic.

4. Section 811.43 is amended by amending paragraphs (a), (b), and (c) to read as follows:

§ 811.43 Quotas for foreign countries.

(a) For the calendar year 1966, the quota for the Republic of the Philippines is 1,202,978 short tons, raw value, representing 1,112,445 tons established pursuant to section 202 of the Act and 90,533 short tons established pursuant to section 204 of the Act.

(b) Of the quantity 1,112,445 short tons established in paragraph (a) of this section, only 59,920 short tons, raw value, may be filled by direct consumption sugar, pursuant to section 207(d) of the Act.

(c) For the calendar year 1966, the prorations to individual foreign countries pursuant to section 202 of the Act are shown in columns (1) and (2) of the following table. Deficit prorations established in amendment 5 of this § 811.43 (31 F.R. 7999), representing deficit prorations made on the basis of quotas then in effect are herein revised, to reflect the reproration of such prorations for Nicaragua and Panama and the revised

prorations are shown in column (3). The deficit in the quota for Nicaragua, amounting to 31,040 short tons, raw value, is prorated herein to other Central American Common Market countries; the deficit for Panama, amounting to 17,590 short tons, raw value, and the portion of the previously prorated deficit which the Republic of the Philippines is unable to fill, amounting to 105,430 short tons, raw value, are herein allocated to the Dominican Republic to column (4). Total quotas and prorations are herein established in column (5) as follows:

Country	Basic quotas	Temporary quotas and prorations pursuant to sec. 202(d)[1]	Previous deficit prorations as revised	New Deficits and deficit prorations	Total quotas and prorations
Mexico	206,930	215,335	43,365		465,630
Dominican Republic	202,380	210,599	42,412	123,020	578,411
Brazil	202,380	210,599	42,412		455,391
Peru	161,422	167,978	33,828		363,228
British West Indies	80,845	73,908	16,942		171,695
Ecuador	29,447	30,642	6,171		66,260
French West Indies	25,431	23,249	5,330		54,010
Argentina	24,896	25,907	5,217		56,020
Costa Rica	23,825	26,215	5,139	12,614	67,793
Nicaragua	23,825	26,215		31,040	19,000
Colombia	21,416	22,286	4,488		48,190
Guatemala	20,077	22,090	4,330	10,630	57,127
Panama	14,991	15,599		17,590	13,000
El Salvador	14,723	16,199	3,176	7,796	41,894
Haiti	11,243	11,700	2,356		25,299
Venezuela	10,173	10,586	2,132		22,891
British Honduras	5,889	5,384	1,234		12,507
Bolivia	2,409	2,508	505		5,422
Australia	96,371	87,546			183,917
Republic of China	40,155	36,478			76,633
India	38,549	35,019			73,568
South Africa	28,376	25,778			54,154
Fiji Islands	21,148	19,212			40,360
Thailand	8,834	8,025			16,859
Mauritius	8,834	8,025			16,859
Malagasy Republic	4,551	4,134			8,685
Swaziland	3,480	3,161			6,641
Ireland	5,351				5,351

[1] Proration of quotas withheld from Cuba, Southern Rhodesia and the proration of the Honduras quota to Central American Common Market countries.

* * * * * * *

(Secs. 201, 202, 204, 403; 61 Stat. 923 as amended, 924 as amended, 925 as amended, 932 as amended; 7 U.S.C. 1111, 1112, 1114, 1153)

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

Signed at Washington, D.C., this 23d day of August 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-9349; Filed, Aug. 25, 1966; 8:49 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Amdt. 2]

PART 1481—RICE

Subpart—Rice Export Program; Payment-in-Kind (GR-369); Revision III

MISCELLANEOUS AMENDMENTS

The regulations issued by Commodity Credit Corporation governing the Rice Export Payment-in-Kind Program (GR-369) (30 F.R. 778, 31 F.R. 7396) are further amended to assert explicitly the obligations of an exporter to pay liquidated damages with respect to milled or brown rice exported under this program and thereafter reentered into the United States, including Alaska, Hawaii, and Puerto Rico, and to extend the prohibition against reentry and transshipment to an ineligible country of the milled or brown rice exported to any form or product into which the exported rice may be converted. The amended provisions of the regulations read as follows:

1. In § 1481.111, the fourth sentence through the end of subparagraph (1) of paragraph (c) and the first sentence of paragraph (d) are amended to read as follows:

§ 1481.111 Exportation requirements.

* * * * * *

(c) (1) * * * The reentry of exported rice in any form or product and, except as provided in § 1481.112, the failure of the exporter to export the required quantity of rice in accordance with his contract with CCC, will cause serious and substantial losses to CCC, such as damages to CCC's export and price-support programs, and the incurrence of storage, administrative, and other costs. Inasmuch as it will be difficult, if not impossible, to prove the exact amount of such damages, the exporter shall pay to CCC, promptly on demand, (i) if the milled rice or brown rice exported is reentered into the United States, including Alaska, Hawaii, or Puerto Rico, in any form or product, liquidated damages of $1.50 per hundredweight on the net weight of the reentered rice or (ii) if there is a delay in exportation, for each day of delay in exportation beyond the period provided for export in his contract with CCC, or any extension of such period approved in writing by the Vice President, CCC, liquidated damages of 2½ cents per hundredweight on the net weight of the rice not exported: *Provided, however,* That such liquidated damages for delay in timely exportation shall not exceed $1.50 per hundredweight on the net weight of rice not timely exported. Interest shall accrue on the amount of any unpaid damages at the rate of 6 percent per annum from the date of reentry. Interest shall accrue at the rate of 6 percent per annum on the amount of any unpaid damages due for delay in exportation beginning with the 61st day after export should have been made. If the milled rice or brown rice exported is reentered in some other form or product, the exporter agrees that the milled rice or brown rice equivalent of such reentered rice shall be determined on such basis as may be specified by CCC.

* * * * *

(d) If the exportation of any milled rice or brown rice pursuant to the exporter's contract with CCC does not qualify as an exportation to an eligible country as provided in paragraph (a) of this section, or if any milled or brown rice exported is reentered in any form or product into the United States, including Alaska, Hawaii, or Puerto Rico, whether or not such reentry is caused by the exporter, or if any milled rice or brown rice exported is transshipped, or caused to be transshipped, in any form or product by the exporter to any country excluded by § 1481.150, the exporter shall be in default, shall refund any payment made by CCC with respect to such rice, and, with respect to any of the exported milled rice or brown rice reentered in any form or product into the United States, including Alaska, Hawaii, and Puerto Rico, shall also pay to CCC the liquidated damages specified in paragraph (c) of this section. * * *

2. In § 1481.128, the third sentence of subparagraph (3) of paragraph (a) is amended to read as follows:

§ 1481.128 Export requirements.

(a) * * *

(3) * * * The rice exported shall not be reentered in any form or product by anyone into the United States, including Alaska, Hawaii, and Puerto Rico, nor shall the purchaser transship the rice exported, or cause it to be transshipped, in any form or product to any country excluded by § 1481.150. * * *

* * * * *

3. In § 1481.130, subparagraphs (1) and (2) of paragraph (b) are amended to read as follows:

§ 1481.130 Adjusted sales price.

* * * * *

(b) * * *

(1) The milled rice or brown rice has not been exported, or the milled rice or brown rice has been reentered in some form or product into the United States, including Alaska, Hawaii, or Puerto Rico, due to causes without the fault or negligence of the purchaser and that an equivalent quantity of milled rice or brown rice was, pursuant to written approval of CCC, subsequently exported to an eligible country within a period specified by CCC in such approval, and that the purchaser submitted evidence of

such exportation in accordance with § 1481.129, or

(2) That milled rice or brown rice placed in transit to an export location for export pursuant to this announcement, or the milled rice or brown rice which was reentered in some form or product into the United States, including Alaska, Hawaii, or Puerto Rico, was lost, damaged, destroyed, or deteriorated and the physical condition thereof is such that its entry into domestic market channels will not impair CCC's price support operation.

* * * * *

(Secs. 481.101 to 481.158 issued under sec. 5, 62 Stat. 1072; 15 U.S.C. 714c. Interpret or apply sec. 407, 63 Stat. 1055, as amended; sec. 201(a), 70 Stat. 188, 7 U.S.C. 1427, 1851)

Signed at Washington, D.C., on August 22, 1966.

RAYMOND A. IOANES,
Vice President, Commodity Credit Corporation, Administrator, Foreign Agricultural Service.

[F.R. Doc. 66-9302; Filed, Aug. 25, 1966; 8:46 a.m.]

[Announcement PS-GR-4, Rev. I; Amdt. 2]

PART 1486—FLAXSEED AND LINSEED OIL

Subpart—Flaxseed and Linseed Oil Export Payment-in-Kind Program Terms and Conditions

EXPORT AND EXPORTATION REQUIREMENTS

This subpart issued by the Commodity Credit Corporation governing the Flaxseed and Linseed Oil Export Payment-in-Kind Program (PS-GR-4, Rev. 1), as amended, 31 F.R. 2954 and 7735, is further amended as follows to prohibit flaxseed or linseed oil exported under this subpart from being, in any form or product, transshipped or diverted to an ineligible country by the exporter or returned to the United States or Canada by anyone:

1. Section 1486.108(b) is amended to read as follows:

§ 1486.108 Exportation requirements.

* * * * *

(b) Flaxseed or linseed oil exported under the exporter's contract with CCC shall not, in any form or product, be (1) transshipped or caused to be transshipped by the exporter, or diverted or caused to be diverted by the exporter, to any country other than an eligible country, or (2) returned by anyone to the United States or Canada.

* * * * *

2. The last sentence of § 1486.126(a) is amended to read as follows:

§ 1486.126 Export requirements.

(a) * * * The flaxseed or linseed oil exported under the purchaser's contract with CCC shall not, in any form or product, be (1) transshipped or caused to be transshipped by the purchaser, or diverted or caused to be diverted by the purchaser, to any country other than an eligible country, or (2) returned by anyone to the United States or Canada.

* * * * *

(Secs. 4 and 5, 62 Stat. 1070 and 1072, as amended, 15 U.S.C. 714b and 714c; sec. 407, 63 Stat. 1055, as amended, 7 U.S.C. 1427; sec. 201(a), 70 Stat. 198, 7 U.S.C. 1851)

Effective date. This amendment shall be effective with respect to any contract entered into pursuant to any offer to export or offer to purchase submitted to CCC under this subpart after the date the amendment is published in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 22, 1966.

RAYMOND A. IOANES,
Vice President, Commodity Credit Corporation, Administrator, Foreign Agricultural Service.

[F.R. Doc. 66-9303; Filed, Aug. 25, 1966; 8:46 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 18; Amdt. 3]

PART 537—CONFERENCE AGREEMENT PROVISIONS RELATING TO CONCERTED ACTIVITIES

On January 29, 1966, the Federal Maritime Commission published in the FEDERAL REGISTER (31 F.R. 1202) rules governing the maintenance of minutes and the filing of reports by parties to approved section 15 agreements. The rules were originally to become effective May 2, 1966. This date was, at the behest of several foreign governments whose lines would be directly affected by the rules, extended to September 1, 1966, in order that these governments could apprise the Commission of the concern regarding certain provisions considered objectionable by them. A series of meetings with representatives of these governments prompted a reconsideration and reevaluation of the specific provision of the rules in the light of the objections of the foreign governments and the ultimate regulatory end sought to be achieved under them. As a result of this reconsideration and reevaluation, certain changes have been made which, while they remove certain areas of concern, do not in the opinion of the Commission, render the achievement of the regulatory purpose sought any the less feasible.

Section 537.2 formerly applicable to existing agreements already approved under section 15 has been amended so as to make its provisions applicable only to proposed new agreements filed for approval under section 15. Rather than require the wholesale modification of existing agreements, we will deal with existing agreements on an individual basis wherever review of a particular agreement demonstrates a need for modification.

Paragraphs (b), (c), (d), (e), and (f) of § 537.2 formerly prescribed that the basic agreement contain specific provisions requiring the maintenance of a record of the vote of the parties on matters under the agreement, that certain reports be filed, that certain records be maintained for a specified period, and that material filed with the Commission be certified. These paragraphs have been deleted and the requirements contained therein are now found in §§ 537.3 and 537.4 which are rules of general applicability. Thus the reports, records, etc., now are directly required by rule and it is no longer necessary that each agreement contain an express provision that the requirement will be met. This does away with the necessity of the filing, processing, and approval of modifications to basic agreements while still retaining the substantive requirements.

Other minor and conforming changes were made in the rules which did not affect their substantive requirements.

Therefore, pursuant to sections 15, 21, and 43 of the Shipping Act, 1916 (75 Stat. 763–764; 39 Stat. 736; 75 Stat. 766) Part 537 of Title 46 CFR is revised to read as follows:

Sec.
537.1 Statement of policy.
537.2 Proposed agreements.
537.3 Filing of minutes.
537.4 Retention of records.

AUTHORITY: The provisions of this Part 537 issued under secs. 15, 21, 43, Shipping Act, 1916 (75 Stat. 763–764; 39 Stat. 736; 75 Stat. 766).

§ 537.1 Statement of policy.

It is the responsibility of the Commission to insure that parties to agreements approved under section 15, Shipping Act, 1916 (hereinafter the "Act") are at all times complying with the requirements of the Act and that their operations are not detrimental to the commerce of the United States, contrary to the public interest or otherwise in violation of the Act. In order to discharge properly this responsibility, the Commission must be fully apprised of the manner in which operations are being and will be carried out and must require that meaningful reports on such activities be furnished the Commission. Failure to comply with the sections which follow may result in disapproval of agreements.

§ 537.2 Proposed agreements.

In effectuation of the policy set forth in § 537.1, all proposed conference agreements, agreements between or among conferences, and agreements whereby the parties are authorized to fix rates (except leases, licenses, assignments or other agreements of similar character for the use of marine terminal property or facilities) submitted to the Commission for approval after the effective date of this part shall contain a provision stating the manner in which the joint business of the parties may be carried out; i.e., full conference meeting, agents' meeting, principals' meeting, owners' meeting, through committees or subcom-

mittees, telephone or oral polls, or through any other procedure by which the business of the joint parties may be conducted. This provision shall also include quorum requirements and the types of vote necessary to take various actions; i.e., majority, two-thirds, three-fourths, majority plus one, unanimous, etc.

§ 537.3 Filing of minutes.

(a) Within 60 days of the effective date of this part, the parties to each approved conference agreement, agreement between or among conferences, or agreements whereby the parties are authorized to fix rates (except leases, licenses, assignments or other agreements or similar character for the use of marine terminal property or facilities) shall, through a designated official, file with the Federal Maritime Commission a report of all meetings describing all matters within the scope of the agreement which are discussed or taken up at any such meeting, and shall specify the action taken with respect to each such matter. For the purpose of this part, the term "meeting" shall include any meeting of parties to the agreement, including meetings of their agents, principals, owners, committees or subcommittees of the parties authorized to take final action in behalf of the parties. If the agreement authorizes final action by telephonic or personal polls of the membership, a report describing each matter so considered and the action taken with respect thereto shall be filed with the Commission. These reports need not disclose the identity of parties that propose actions, or the identity of parties that participated in the discussions of any particular matter.

(b) The reports subject to paragraph (a) of this section shall be filed with the Commission within 30 days after such meetings.

(c) The reports subject to paragraph (a) of this section shall be certified as to accuracy and completeness by the Conference Chairman, Secretary or other designated official.

§ 537.4 Retention of records.

(a) A record of the vote on each question voted on shall be retained by the parties for at least 2 years. These records may be retained by a single party to the agreement, or an administrative official of a conference or ratemaking agreement designated for that purpose.

(b) All reports or circulars, in whatever form, distributed to the parties, which relate to matters within the scope of the approved agreement, shall be retained by the parties for at least 2 years. This record may be retained by a single party to the agreement, or an administrative official of a conference or ratemaking agreement designated for that purpose.

Effective date. This revision of Part 537 shall become effective September 1, 1966. Since this revision relieves restrictions it is within the exception of section 4(c) of the Administrative Procedure Act as to effectve date requirements.

By the Commission.

[SEAL] THOMAS LISI, *Secretary.*

[F.R. Doc. 66-9350; Filed, Aug. 25, 1966; 8:49 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 66-733]

PART 91—INDUSTRIAL RADIO SERVICES

Petroleum Radio Service Emergency Operations

In the matter of approval of an interim basic petroleum and gas industry communications emergency plan for emergency operation pursuant to Executive Order 11092, and amendment of Part 91 of the Commission's rules.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 17th day of August 1966;

The Commission having under consideration a formal recommendation of the Executive Committee of the National Industry Advisory Committee (NIAC), which was submitted October 28, 1965, for an INTERIM Basic Petroleum and Gas Industry Communications Emergency Plan (PAGICEP) for operation during emergencies and;

It appearing, that Executive Order 11092 places upon the Commission various functions including the development of plans and procedures covering authorization, operation and use of Safety and Special Radio Services facilities and personnel in the national interest in an emergency; and

It further appearing, that the adoption of the proposed INTERIM Basic PAGICEP wil permit work to commence on development of detailed regional and local emergency plans which upon approval will become part of the PAGICEP; and

It further appearing, that this INTERIM Basic Plan will be further refined and revised as experience dictates, and will be reissued at a future date as a Final Basic Plan; and

It further appearing, that Part 91 of the Commission's rules should be amended to implement this INTERIM Basic Plan; and

It further appearing, that for the purposes of national defense, notice and public procedure would be contrary to the public interest; and, therefore, section 4 of the Administrative Procedure Act is inapplicable;

It is ordered, Pursuant to sections 4(i), 606 (c) and (d) of the Communications Act of 1934, as amended, and Executive Order 11092, That the INTERIM Basic Petroleum and Gas Industry Communications Plan is approved, and

It is further ordered, That effective August 26, 1966, Part 91 of the Commission's rules is amended as set forth below.

Released: August 19, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE, *Secretary.*

Subpart G of Part 91 is amended by adding Section 91.306 to read:

§ 91.306 Petroleum radio service emergency operations.

(a) *Scope and objective.* This section applies to all stations in the petroleum radio service governed by this subpart and is for the purpose of providing for operation of stations within the United States, during periods of a national emergency, or, any emergency condition constituting a threat to national security, or, to the safety of life and property, with the objective of fulfilling national and local security requirements, and, providing the maximum permissible flexibility of operations to carry out vital communications requirements of various segments of the petroleum industry and interested government agencies. Provisions of this section are to become automatically effective upon the occurrence of any of the following situations and the fulfillment of indicated licensee requirements:

Situation	*Notification procedure*
(1) National emergency condition.	None.
(2) On direction of Federal authority.	Notification to FCC Regional Liaison Officer.
(3) Area or local emergency.	Do.

(b) *Period of emergency operation.* (1) Under national emergency condition to run from date of emergency action notification to date of termination of emergency action condition.

(2) Under direction of appropriate Federal authority to be in accordance with Federal action.

(3) Under circumstance of area or local emergency to be from time of filing notification specifying estimated time to termination of that period but in no case to exceed 2 weeks without further notification.

(c) *Authorized operation.* Over and above the permissive provisions of all applicable rules and notwithstanding any provisions of this chapter, or, license restrictions, to the contrary, stations in the petroleum radio service are authorized to operate in accordance with the provisions of this paragraph under the emergency conditions and for the periods of time specified above:

(1) To share facilities with, or interconnect to, any other communications facilities necessary to accomplish the petroleum industry's communications requirements where such sharing and/or interconnection is mutually acceptable.

(2) To use mobile frequencies to provide point-to-point services and to effect tie-ins between established fixed services.

(3) To use any type of modulation, including multiplex, so long as the occupied bandwidth does not exceed that normally authorized on the frequency involved, and to use any operating power not exceeding the maximum specified under Part 91 of the Rules, subject to mutual resolution of any resulting interference.

(4) To periodically test any facility established solely for emergency use under this section.

(d) *National Defense Emergency Authorization (NDEA).* (1) This section of the rules constitutes the National Defense Emergency Authorization (NDEA) to any radio system licensed in the petroleum radio service which meets the following criteria:

(i) The communication facility must be capable of being interconnected with those of other licensees in this service.

(ii) The petroleum or gas industry licensee must be willing to cooperate with other petroleum or gas industry licensees in providing the emergency communication facilities.

(2) In any individual situation where the Commission may question the capability of a system to meet the above criteria the licensee will be required to demonstrate such compliance.

(Sec. 1, 4, 606, 48 Stat., as amended, 1066, 1104; 47 U.S.C. 151, 154, 606, and E.O. 11092 of February 26, 1963)

[F.R. Doc. 66-9221; Filed Aug. 25, 1966; 8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Brigantine National Wildlife Refuge, N.J.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds, for individual wildlife refuge areas.

NEW JERSEY

BRIGANTINE NATIONAL WILDLIFE REFUGE

Public hunting of rails and gallinules on the Brigantine National Wildlife Refuge, N.J., is permitted from September 1, 1966, through November 9, 1966, inclusive, on Units I and II designated by signs as open to hunting. This open area, comprising 4,480 acres, is delineated on maps available at refuge headquarters, Oceanville, N.J., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of rails and gallinules.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 9, 1966.

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

AUGUST 16, 1966.

[F.R. Doc. 66-9308; Filed, Aug. 25, 1966; 8:47 a.m.]

PART 32—HUNTING

National Elk Refuge, Wyo.

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

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

WYOMING

NATIONAL ELK REFUGE

Public hunting of elk on the National Elk Refuge, Wyo., is permitted only on the area designated by signs as open to hunting. This open area, comprising 17,607 acres, is delineated on maps available at refuge headquarters, Jackson, Wyo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of elk subject to the following special conditions:

(1) The elk hunting season on the refuge extends from October 1 through November 5, 1966, inclusive.

(2) A special permit is required in addition to a valid 1966 State Elk Hunting license. A limit of 40 special permits per week will be issued. Each permit will be limited to one elk of either sex. The special permits shall be issued to applicants by drawing at refuge headquarters at 12:30 p.m., on Friday, September 30, 1966, and at 12:30 p.m. each Friday thereafter through October 28, 1966.

(3) Access to the refuge shall be only through the main gate in Jackson and through the gate on U.S. Highway 26, 89, and 187 which gives access to the North Gap hayshed.

(4) No firearms shall be discharged within one-half mile of any building.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 5, 1966.

DON E. REDFEARN,
Refuge Manager, National Elk Refuge, Jackson, Wyo.

AUGUST 10, 1966.

[F.R. Doc. 66-9295; Filed, Aug. 25, 1966; 8:45 a.m.]

PART 32—HUNTING

Pathfinder National Wildlife Refuge, Wyo.

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

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

WYOMING

PATHFINDER NATIONAL WILDLIFE REFUGE

Public hunting of antelope on the Pathfinder National Wildlife Refuge, Wyo., is permitted on the entire refuge from September 15 through September 25, 1966, inclusive, in State Area No. 16; and from September 25 through October 10, 1966, inclusive, in State Area No. 13. This open area, comprising 16,807 acres, is composed of four separate units and is delineated on maps available at refuge headquarters, Laramie, Wyo., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of antelope.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 10, 1966.

LEMOYNE B. MARLATT,
Refuge Manager, Pathfinder National Wildlife Refuge, Laramie, Wyo.

AUGUST 18, 1966.

[F.R. Doc. 66-9296; Filed, Aug. 25, 1966; 8:46 a.m.]

PART 32—HUNTING

Pathfinder National Wildlife Refuge, Wyo.

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

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

WYOMING

PATHFINDER NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Pathfinder National Wildlife Refuge, Wyo., is permitted on the entire refuge from October 1 through October 15, 1966, inclusive, in State Area No. 6; and from October 15 through October 19, 1966, in-

clusive, in State Area No. 12. This open area, comprising 16,807 acres, is composed of four separate units and is delineated on maps available at refuge headquarters, Laramie, Wyo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 19, 1966.

LEMOYNE B. MARLATT,
Refuge Manager, Pathfinder National Wildlife Refuge, Laramie, Wyo.

AUGUST 18, 1966.

[F.R. Doc. 66-9297; Filed, Aug. 25, 1966; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[43 CFR Part 418]

NEVADA AND CALIFORNIA

Notice of Proposed Rule Making

Newlands Reclamation Project, Nevada; Truckee River Storage Project, Nevada; and Washoe Reclamation Project, Nevada-California (Truckee and Carson River Basins, California-Nevada); Pyramid Lake Indian Reservation, Nevada; Stillwater Area, Nevada.

Notice is given that the rules and regulations set forth below (new Part 418 to title 43, Code of Federal Regulations) are proposed for adoption by the Secretary of the Interior.

Although the publication and effectiveness of these rules and regulations are not subject to the provisions of the Administrative Procedure Act, the Secretary nevertheless invites comments as a matter of departmental policy when the subject matter may affect private parties; therefore, interested persons, organizations, and governmental units may submit in duplicate their written comments upon the proposed rules and regulations, not later than September 30, 1966, to the Secretary of the Interior, Washington, D.C. 20240. All comments received will be available for public examination at the Office of the Commissioner of the Bureau of Reclamation, Washington, D.C.

§ 418.1 Statement of considerations leading to the proposed adoption of general operating criteria and principles relating to the captioned stream systems.

(a) Under authority of the Act of Congress approved June 17, 1902 (32 Stat. 388), commonly known as the Reclamation Act, and acts amendatory thereof or supplementary thereto, including the Washoe Project Act of August 1, 1956 (70 Stat. 775), as amended by the act of August 21, 1958 (72 Stat. 705), and the Fish and Wildlife Coordination Act of March 10, 1934, as amended (16 U.S.C., secs. 661–664), the Secretary of the Interior is charged with responsibility for the management of the water supplies available to the Newlands Project, Nevada, to the Truckee River Storage Project, Nevada, and to the Washoe Project, California-Nevada. He is also required to provide for the construction, operation and maintenance of the authorized facilities and to provide for the proper management and administration of such facilities as well as of project lands and services.

(b) The United States under the Constitution is trustee for the Indians and in that status it is obligated to protect and preserve the rights of the Pyramid Lake Tribe of Indians in the Truckee River and in Pyramid Lake by various Acts of Congress. This trust responsibility is vested in the Secretary of the Interior. It is also in the national interest that the fishery resource of Pyramid Lake be restored and that the water inflow to the lake be such as to allow realization of the great recreational potential thereof.

(c) The Secretary is also charged by law with the protection and conservation of migratory birds, and with maintaining the integrity of the refuge system developed pursuant to the Migratory Bird Treaty Act (16 U.S.C. 703–711), and the Migratory Bird Conservation Act (16 U.S.C. 715–715r). The Stillwater Area in the lower Carson River Basin is within a major division of the Pacific Flyway and is part of the refuge system.

(d) The area of the Truckee and the Carson River Basins is one of short water supply and is continuously subject to increasing competitive demands. To effectuate the acts of Congress and treaties with Great Britain and Mexico for the conservation of migratory birds affecting these river basins, to meet the reasonable water use demands under water rights either decreed or to be decreed or otherwise vested, and to obtain the best combination of uses of the waters of the basins in the public interest requires modification of existing patterns of water use. Extended negotiations have been undertaken with the Truckee-Carson Irrigation District for the purpose of reaching agreement regarding interpretation of the 1926 repayment contract. These negotiations will be continued.

(e) Meanwhile, recurring flood conditions along the Truckee River and its tributaries have created a situation which makes it imperative to proceed in the Stampede Division of the Washoe Project by construction of Stampede Dam on the Little Truckee River.

(f) The rules and regulations in this part are formulated and issued by reason of the foregoing considerations and they have been developed within the framework of agreements, decrees, understandings and obligations of the United States or to which the United States is a party. The rules and regulations in this part will be revised as experience indicates the need or to conform to any agreement reached between the United States and the Truckee-Carson Irrigation District amending the existing contract with that District.

§ 418.2 Definitions.

As used in this part of the term:

(a) "District" means the Truckee-Carson Irrigation District, organized under Nevada law with its office at Fallon, Nev.

(b) "Orr Ditch Decree" means decree entered in action entitled United States v. Orr Water Ditch Co., et al., in the United States District Court, Nevada, Equity No. A–3.

(c) "Carson River Decree" means orders, interim and final, entered in case entitled "United States v. Alpine Land Co." in United States District Court, Nevada (Equity No. D–183).

(d) "Contract" means that contract between United States and Truckee-Carson Irrigation District dated December 18, 1926, as amended.

(e) "Irrigation works" means the works of the United States constructed for the primary purpose of irrigating the lands of the Newlands Project within the boundaries of the District, and including Derby Dam, Lake Tahoe Dam, the Truckee canal, Lahontan Dam and Reservoir, Carson Diversion Dam, T canal, V canal, and all other canals, turnouts, pumping plants and works necessary to irrigate and drain District lands, the operation of which was transferred to the District pursuant to Article 6 of the contract.

§ 418.3 Procedures for operation, management and control of the Truckee and Carson Rivers in regard to exercise of water rights of the United States.

In order to make the most efficient use of the available water:

(a) On or before October 1, 1967, the Regional Director of the Bureau of Reclamation as chairman, the Area Director of the Bureau of Indian Affairs, the Regional Director of the Bureau of Sport Fisheries and Wildlife and the designee of the Geological Survey shall recommend operating criteria and procedures consistent with the guidelines set forth herein for the approval of the Secretary for the coordinated operation and control of the Truckee and Carson Rivers in regard to the exercise of water rights of the United States, so as to (1) comply with all of the terms and provisions of the Orr Ditch Decree and the Carson River Decree; and (2) maximize the use of the flows of the Carson River in satisfaction of Truckee-Carson Irrigation District's water entitlement and minimize the diversion of flows of the Truckee River for District use in order to make available to Pyramid Lake as much water as possible. Any change in subsequent years of the adopted operating criteria and procedures shall be formulated and approved in the same manner as set forth above.

(b) The departmental representatives designated in paragraph (a) of this section shall select a committee of water contractors and users and other directly affected interests, including the Pyramid Lake Tribe and those using water for fishing, hunting, and recreation, in both

river basins. The departmental representatives shall consult with this advisory committee in the formulation of the operating criteria and procedures.

§ 418.4 District's operation of the irrigation works.

(a) The District's operation of the irrigation works, including the diversion of water, shall be in compliance with all of the terms and provisions of the Orr Ditch Decree and of the Carson River Decree, the rules and regulations in this part, and the operating criteria and procedures adopted by the Secretary.

(b) It is determined that a water supply of not more than 406,000 acre-feet from both Truckee and Carson Rivers will be available for diversion in any year to irrigate District irrigable lands.

(c) It is further determined in regard to the operation and control of the Truckee and Carson Rivers during the water year beginning October 1, 1966, that 406,000 acre-feet, if available, may be diverted for the District.

(d) The District's water supply noted in paragraphs (b) and (c) of this section shall be measured at the gaging station below Lahontan Dam and at diversion points along the Truckee Canal. Measurements shall be made by the District through facilities and by methods satisfactory to the Secretary of the Interior or his representatives and shall be compiled on a water-year basis extending from October 1 to September 30.

(e) All water passing the gaging station below Lahontan Dam shall be charged against the District's yearly supply of not more than four hundred and six thousand (406,000) acre-feet, excepting uncontrollable spillage from Lahontan Reservoir, and further excepting precautionary drawdown of the Reservoir to create space for storing flood waters from the Carson River basin, provided, such drawdown is neither stored downstream in District facilities nor used by the District for irrigation.

(f) The United States may temporarily store part of the District's supply in upstream facilities provided that water so stored which is within the District's entitlement shall be credited to the District and shall be released to the District at its request. At any one time the sum of the active storage in Lahontan Reservoir and the total related creditable storage upstream shall not exceed the present active storage capacity of Lahontan Reservoir, which is here defined as two hundred and ninety thousand (290,000) acre-feet.

(g) Deliveries of water from the Truckee Canal into Lahontan Reservoir (when water is available and the District is entitled to it) shall be permitted only so long as (1) the total storage credited to Lahontan Reservoir in that reservoir and in upstream facilities, at any one time, is not more than two hundred and ninety thousand (290,000) acre-feet; or (2) storage creditable to Lahontan Reservoir in upstream facilities on the Truckee River is being transferred, in whole or in part, into the Lahontan Reservoir.

(h) Hydropower generation at Lahontan and V canal power plants shall be incidental only to releases or diversions of water for beneficial consumptive uses, except that power may be generated from water that would otherwise constitute uncontrollable spill or precautionary drawdown.

§ 418.5 Termination of District's custody of certain lands.

To provide for administration, public use, and disposition of revenues on an equal basis with other units of the National Wildlife Refuge system, the preponderant portion of the Stillwater Area (existing Stillwater Wildlife Management Area and Stillwater National Wildlife Refuge along with certain associated areas) will be withdrawn to be administered by the Bureau of Sport Fisheries and Wildlife in cooperation with the Nevada Fish and Game Commission, and the custody of the District with respect to these lands will be terminated. The documents to accomplish this purpose will be duly published and are now intended to become effective October 1, 1967.

§ 418.6 Disposition of return irrigation and waste water.

Return irrigation and waste water from the Truckee and Carson Divisions of the Newlands Project shall be distributed as follows:

(a) That accruing from that portion of the Grimes subdistrict situate south of the Upper Diagonal Drain, from all of the Island subdistrict, from that portion of the St. Clair subdistrict situate south of the "V-Line" canal, and from that portion of the Sheckler subdistrict situate south of the "V-Line" Canal, shall be used at the District's discretion to irrigate pasture lands in Carson Lake Pasture and to maintain water levels in Carson Lake to benefit the Nation's waterfowl resource. The extent of each of these subdistricts is shown on drawing D–520–10, revised June 1961, on file for examination in the office of the Commissioner, Bureau of Reclamation, Interior Building, Washington, D.C.; at the office of the Regional Director, Bureau of Reclamation, 2929 Fulton Avenue, Sacramento, Calif.; and at the Lahontan Basin Projects office, Carson City, Nev.

(b) That accruing from the remaining lands of the District shall be used at the discretion of the Secretary of the Interior or his authorized representative, in cooperation with the Nevada Fish and Game Commission, to maintain water levels in impoundments of the existing Stillwater Area, or as it may be modified by the action referred to in § 418.5, to benefit the Nation's waterfowl resource, and to provide grazing for domestic livestock.

(c) It is anticipated that, whenever water furnished to the District totals 406,000 acre-feet, the quantity of 57,700 acre-feet will accrue from lands of the District described in paragraph (a) of this section, and the quantity of 102,400 acre-feet will accrue from lands of the District described in paragraph (b) of this section. Of that quantity which will accrue from lands of the District described in paragraph (b) of this section 91,400 acre-feet shall be used in the Stillwater Area. The residual 11,000 acre-feet may be used at the discretion of the Secretary of the Interior either for management of waterfowl habitat as a supplement to the 5,465 acre-foot water right of the Canvasback Gun Club, provided that the Club shall manage said waterfowl habitat in a manner acceptable to the Secretary, or as a supplement to the water used in the Stillwater Area as set forth in paragraph (b) of this section.

(d) Uncontrollable spillage and water resulting from precautionary drawdowns of Lahontan Reservoir (as noted in § 418.4(e)) in the Carson River below Lahontan Dam shall be divided on an equitable basis between the Carson Pasture and the Stillwater Area.

(e) The rules and regulations in this part contemplate that, of all waste and return irrigation water accruing from the Newlands Project, about 36 percent would be available to Carson Pasture and about 64 percent to the Stillwater Area, part of which may be made available to the Canvasback Gun Club at the discretion of the Secretary. Should such division not be realized, or should it be shown that some other division is more appropriate, the rules and regulations in this part may be modified as of their anniversary date, after successive intervals of 5 years each.

STEWART L. UDALL,
Secretary of the Interior.

AUGUST 19, 1966.

[F.R. Doc. 66-9298; Filed, Aug. 25, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 921]

FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Establishment of Reserve

Consideration is being given to the following proposed amendment to § 921.203 *Reserve fund.* On September 13, 1961 (26 F.R. 8661), the Secretary established a reserve fund in accordance with § 921.42 of the marketing agreement and order. The proposed amendment would up-date § 921.203 and make explicit the authority of the committee to use funds in the reserve for any or all expenses authorized pursuant to § 921.40.

As amended, § 921.203 would read as follows:

§ 921.203 Reserve fund.

(a) The establishment of a reserve fund of an amount which shall not exceed approximately one fiscal year's operational expenses is appropriate and necessary to the maintenance and functioning of the Washington Fresh Peach Marketing Committee. The committee is authorized to expend any funds in such

reserve for expenses authorized pursuant to § 921.40.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: August 23, 1966.

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

[F.R. Doc. 66-9325; Filed, Aug. 25, 1966; 8:48 a.m.]

[7 CFR Part 1079]

[Docket No. AO 295-A11]

MILK IN DES MOINES, IOWA, MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Des Moines, Iowa, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by the third day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Des Moines, Iowa, on August 3, 1966, pursuant to notice thereof which was issued July 25, 1966 (31 F.R. 10131).

The material issues on the record of the hearing relate to:

1. Revoking the provisions relating to the base-excess payment plan.

2. Reducing the quantity of route sales in the marketing area which qualify a distributing plant as a pool plant.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Base-excess plan.* The "base and excess" plan provided by this order for distributing returns for milk among producers no longer tends to effectuate the purposes of the Agricultural Marketing Agreement Act and should be discontinued.

The base and excess plan was incorporated in the order on May 1, 1960, to supplement the seasonally variable Class I prices in providing incentive to producers to reduce the fluctuations in the amount of milk supplied to the market throughout the year. The base and excess plan permits each producer to establish a base according to his deliveries to pool plants in September, October, and November of each year. In each subsequent month of March through June separate uniform prices are computed for "base" milk and "excess" milk. The uniform price for excess milk is the Class II price. The base price is the average value of remaining Class II milk and the Class I milk. In the months in which base-excess payments do not apply, producers receive the marketwide uniform price for all milk delivered.

Producer associations representing about 95 percent of the producers on the market supported the proposal that the base and excess plan be removed from the order. There was no opposition to its removal.

The base-excess plan encourages individual producers to adjust their annual milk marketings by increasing deliveries in base-forming months and restricting deliveries in base-paying months, insofar as possible, to their earned base. Thus, in order to maximize his annual returns, a producer must plan any increase in his scale of production to become effective following the base-paying period and before the base-forming period starts. Also, new producers who start deliveries during the base-paying period are assigned a "base" of 50 percent of deliveries in March and April and 40 percent of deliveries in May and June. Thus, particularly in the base-paying period, the base-excess plan tends to discourage the entry of new producers to the market and increased production by producers already on the market.

Many producers encounter difficulties in planning their milk production to fit the seasonal plan which the base plan promotes. Also, the cooperatives' representatives testified that they find it difficult to interest new producers in supplying the Des Moines market because they would thereby be paid on the base plan. Nearby markets, which represent alternative sales outlets for Iowa producers, do not use base plans.

The elimination of the base plan will permit one of the cooperatives to shift its member milk from one Federal order market to another without the problems associated with losing the individual producer's base. This cooperative supplies milk to handlers regulated by the North Central Iowa order and by the Cedar Rapids-Iowa City order. At times, such milk is moved from one market to another as the need arises to supply fluid sales at handlers' plants. Neither the North Central Iowa nor the Cedar Rapids-Iowa City orders has a base plan.

The decline in milk production in Iowa has made it necessary to obtain new milk supplies for the Des Moines market. Milk production has been declining in Iowa since March 1965 with the year-to-year decrease becoming progressively larger during last fall and winter. In May 1966, milk production in Iowa was down 7 percent from May 1965 and 14 percent from May 1964. New supplies are available mostly in the northeastern area of the State where there is considerable competition from other markets.

Removal of the base-excess plan from this order will be in the public interest in that it will tend to assure the maintenance of an adequate supply of milk for consumers. Discontinuance of the base plan will encourage additional producers to begin delivering milk to the Des Moines market. It will also facilitate the movement of available milk in the Des Moines market and in other Iowa markets from one area to another as it is needed for fluid sales.

Discontinuing the base and excess plan for distributing returns from milk among producers will not change handlers' payments for milk according to its use classification, nor will it modify total payments to all producers on the market.

2. *Pool distributing plant.* The provision which describes the performance for a pool distributing plant should establish an in-area sales requirement based on either volume of sales or percentage of receipts disposed of on routes in the marketing area.

The present order provides that a distributing plant shall be a pool plant during any month in which 15 percent of its Grade A milk receipts is disposed of as Class I milk on routes in the marketing area if total disposition of Class I milk is 35 percent or more of Grade A receipts.

It was proposed at the hearing that a distributing plant which meets the 35 percent total Class I disposition requirement be a pool plant in any month in which Class I route sales in the marketing area from the plant equal or exceed an average of 7,000 pounds daily. Such a provision is used in several orders to identify a pool distributing plant. The 7,000 pounds average daily Class I sales represents about 1 percent of the average daily sales in the Des Moines marketing area. Thus, a distributing plant with sales of that magnitude would be a pool plant even though such sales represented less than 15 percent of its receipts of Grade A milk.

The proponent of the revised provision is a handler operating a distributing plant with Class I route sales outside the marketing area equal to 80 percent or more of its Grade A receipts. Thus,

if its out-of-area sales are further increased, the plant may no longer qualify as a pool plant. In-area sales from the plant are of sufficient size that it would qualify on the basis of the 7,000 pounds-per-day standard.

The proponent handler and the cooperative which supplies his producer milk both desire that the plant shall continue to be regulated as a pool plant. Another cooperative which supplies most other regulated handlers in the market also supported the proposal to assure continued regulation of this plant as a pool plant. There was no opposition to its retaining pool plant status.

The proposal as supported at the hearing was a modification of the proposal appearing in the hearing notice. The hearing notice proposal would have reduced the percentage of Grade A receipts disposed of on routes in the marketing area which qualifies a plant as a pool plant from 15 to 10 percent. Such a change would have affected a handler who now does not qualify as a pool plant. This handler opposed the proposal as it appeared in the hearing notice but supported the modified proposal. Since this handler's total Class I sales are relatively small, he would not be affected by the 7,000-pound daily sales standard for pool plants. His competition is mainly with a plant which is not regulated by any Federal order and he wishes to retain his status as a partially regulated handler. The cooperatives' representatives testified that there is no need to fully regulate this handler with relatively small sales in the Des Moines marketing area.

The addition of a 7,000-pound daily volume minimum of in-area sales which establishes a distributing plant as a pool plant will assure full regulation of any plant with a volume of Class I route sales in the marketing area equivalent to about 1 percent of the total Class I sales of all handlers in the marketing area. Any distributing plant with such volume of sales in the marketing area should be a pool plant if it also meets the requirements regarding total Class I disposition.

By adopting this additional standard for pool plant identification, plants with substantial sales in the marketing area will become pool plants and thereby subject to the minimum price provisions which assure orderly marketing of milk in the area.

Rulings on proposed findings and conclusions. A brief and proposed findings and conclusions was filed on behalf of an interested party. This brief, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the Des Moines, Iowa, marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. Section 1079.12(a) is revised to read as follows:

§ 1079.12 Pool plant.

* * * * *

(a) A distributing plant from which a volume of Class I milk equal to not less than 35 percent of the Grade A milk received at such plant from dairy farmers and from other plants is disposed of during the month on routes (including routes operated by vendors) or through plant stores to retail or wholesale outlets (except pool plants) and not less than 15 percent of such receipts or an average of not less than 7,000 pounds per day, whichever is less, is so disposed of to such outlets in the marketing area: *Provided,* That if a portion of a plant is physically apart from the Grade A portion of such plant, is operated separately and is not approved by any health authorities for the receiving, processing, or packaging of any fluid milk product for Grade A disposition, it shall not be considered as part of a pool plant pursuant to this section.

* * * * *

§§ 1079.22, 1079.23, 1079.65, 1079.66, 1079.67, 1079.73 [Revoked]

2. Sections 1079.22, 1079.23, 1079.65, 1079.66, 1079.67, and 1079.73 are revoked.

3. In § 1079.27, paragraph (j)(2) is reversed and paragraph (j)(3) is revoked as follows:

§ 1079.27 Duties.

* * * * *

(j) * * *

(2) The 10th day after the end of each month the uniform price pursuant to § 1079.72, and the butterfat differential pursuant to § 1079.81;

(3) [Revoked].

* * * * *

§§ 1079.30, 1079.31 [Amended]

4. In § 1079.30(a) the words "and the aggregate quantities of base and excess milk" and in § 1079.31(b)(1)(ii) the words "including for the months of March through June the total pounds of base and excess milk", are revoked.

5. Section 1079.60 is revised to read as follows:

§ 1079.60 Producer-handler.

Sections 1079.40 to 1079.46, 1079.50 to 1079.52, 1079.70 to 1079.72, and 1079.80 to 1079.88 shall not apply to a producer-handler.

6. In § 1079.72 the section heading and paragraph (b) are revised as follows:

§ 1079.72 Computation of uniform price.

* * * * *

(b) Subtract not less than 4 cents nor more than 5 cents from the price computed pursuant to paragraph (a) of this section. The result shall be the uniform price for milk received from producers.

7. In § 1079.80 paragraphs (a)(2) and (c)(2) are revised as follows:

§ 1079.80 Time and method of payment.

(a) * * *

(2) On or before the 15th day after the end of each month, for producer milk received during such month, an amount computed at not less than the uniform price pursuant to § 1079.72 adjusted pursuant to §§ 1079.81, 1079.82, and 1079.87, and less the payment made pursuant to subparagraph (1) of this paragraph.

* * * * *

(c) * * *

(2) The daily and total pounds and the average butterfat content of producer milk;

* * * * *

§§ 1079.81, 1079.82 [Amended]

8. In §§ 1079.81 and 1079.82 (a) and (b) the word "prices" is changed to "price" and the reference "and § 1079.73" is revoked.

§§ 1079.82, 1079.84 [Amended]

9. In § 1079.82(c) and § 1079.84(b)(2) the term "weighted average" is changed to "uniform".

Signed at Washington, D.C., on August 23, 1966.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 66-9326; Filed, Aug. 25, 1966; 8:49 a.m.]

[7 CFR Part 1096]

[Docket No. AO 257-A13]

MILK IN NORTHERN LOUISIANA MARKETING AREA

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

Pursant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Shreveporter, 3880 Greenwood Road, Shreveport, La., beginning at 10 a.m., local time, on September 15, 1966, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Northern Louisana marketing area.

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

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

Proposed by the North Louisiana Pure Milk Producers Association, Inc.:

Proposal No. 1. Amend § 1096.41(a) to read as follows:

§ 1096.41 Classes of utilization.

* * * * *

(a) *Class I milk.* Class I milk shall be all skim milk and butterfat:

(1) Disposed of in the form of a fluid milk product, except as provided in paragraph (b) (2) and (4) of this section;

(2) Contained in inventory of packaged fluid milk products on hand at the end of the month; and

(3) Not specifically accounted for as Class II milk.

* * * * *

Proposal No. 2. Amend § 1096.41(b) (3) to read as follows:

§ 1096.41 Classes of utilization.

* * * * *

(b) * * *

(3) Contained in inventory of bulk fluid milk products on hand at the end of the month;

* * * * *

Proposal No. 3. Make the necessary changes in the allocation provisions and the computation of the net pool obligations to accomplish the classification of inventories as herein proposed.

Proposed by Sanitary Dairy Products, Inc.:

Proposal No. 4. (a) Amend § 1096.44 (d) (3) by renumbering subdivisions (iii) and (iv) as (iv) and (v), respectively, and adding the following new subdivision (iii) immediately after subdivision (ii):

§ 1096.44 Transfers.

* * * * *

(d) * * *

(3) * * *

(iii) Remaining quantities of skim milk and butterfat transferred to the nonpool plant shall be assigned next to the skim milk and butterfat in transfers of milk, skim milk and cream from the nonpool plant to a pool plant(s), classified as if it were a direct transfer pursuant to paragraph (a) of this section from one pool plant to another pool plant with Class II utilization indicated: *Provided*, That if the classification limitations provided in paragraph (a) of this section result in any skim milk or butterfat being reclassified as Class I from pool plants of two or more handlers, such classification shall be shared prorata between such handlers unless, at or before the time of reporting, signed statements by operators of such plants indicate agreement on a different sharing of such Class I classification.

* * * * *

(b) Change the reference, "(i) and (ii)" in § 1096.44(d)(3)(iv) to "(i), (ii), and (iii)".

Proposed by the North Louisiana Pure Milk Producers Association, Inc.:

Proposal No. 5. Amend § 1096.51(b) to read as follows:

§ 1096.51 Class prices.

* * * * *

(b) *Class II milk price.* The Class II milk price shall be computed by adding together the plus values of subparagraphs (1) and (2) of this paragraph, subtracting five times the butterfat differential computed pursuant to § 1096.52 (b), rounding to the nearest one-tenth cent.

* * * * *

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

§ 1096.63 State institutions.

A State owned and operated institution or establishment which processes or packages milk distributed solely on its premises or those of other State institutions or establishments shall be exempt from all provisions of this part. Milk received at a pool plant from such institutions shall be treated on the same basis as though received from a producer-handler. Fluid milk products disposed of by a handler to such institutions shall be classified on the same basis as though disposed of to a producer-handler except that producer milk may be diverted by a pool handler as Class I milk to such institutions.

Proposal No. 7. Revoke all provisions covering the base and excess plan under the order.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 8. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Cleo C. Taylor, Post Office Box 4066, Shreveport, La., 71104, or from the Hearing Clerk, Room 112-A, Administration Building U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on August 23, 1966.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 66-9327; Filed, Aug. 25, 1966; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 21, 45, 91]

[Docket No. 7461; Notice No. 66-24A]

SPECIAL AIRWORTHINESS CERTIFICATES

Extension of Comment Period

The Federal Aviation Agency proposed in Notice 66-24, Special Airworthiness Certificates, published in the FEDERAL REGISTER on July 2, 1966 (31 F.R. 9131), to provide for the issuance of special airworthiness certificates and to establish specific airworthiness requirements for amateur-built aircraft.

Several persons have requested an extension of the time for comment on the proposed rule. I find that these petitioners have shown a substantive interest in the proposed rule. Because of the complexity and scope of the proposed rule, I find that there is good cause for an extension and that an extension is consistent with the public interest.

Therefore, pursuant to the authority delegated to me by the Administrator (14 CFR 11.45), the time within which comments on Notice 66-24 will be received is extended to November 30, 1966.

Issued in Washington, D.C., on August 22, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-9320; Filed, Aug. 25, 1966; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-EA-50]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Bradford, Pa., control zone (31 F.R. 2074) and 700-foot floor transition area (31 F.R. 2164).

A new VOR/DME instrument approach procedure to Bradford-McKean County Airport will be authorized in the next few weeks. To provide airspace protection for this procedure we will require alteration of the Bradford, Pa., control zone and 700-foot floor transition area.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Bradford, Pa., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to add in the description of the Bradford, Pa. control zone following the phrase, "to 7 miles SE of the VOR;", the phrase, "within 2 miles each side of the Bradford VOR 316° radial extending from the 5-mile radius zone to 7 miles NW of the VOR;".

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to add in the description of the Bradford, Pa. 700-foot floor transition area following the phrase, "to 8 miles SE of the VOR;", the phrase, "within 2 miles each side of the Bradford VOR 316° radial extending from the 7-mile radius area to 15 miles NW of the VOR;".

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on August 10, 1966.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 66-9292; Filed, Aug. 25, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-CE-124]

FEDERAL AIRWAY

Proposed Alteration

The Federal Aviation Agency is considering designating a segment of V-430 from the Minot, N. Dak.; VOR, to be relocated to a site at latitude 48°15'37" N., longitude 101°17'12" W., to the Devils Lake, N. Dak., VOR via the intersection of Minot 097° True (084° M) and Devils Lake 273° True (262° M). The airway would be reduced in width to 3 nautical miles from the centerline on the north side from the Minot VOR to 35 miles east. The floor of the airway would be designated at 1,200 feet above the surface.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

The proposed airway would provide controlled airspace within which to provide air traffic service to scheduled air carrier operations between Minot and Devils Lake. The dogleg and reduced width would permit simultaneous approaches to Minot International Airport and Minot AFB. The Minot VOR will be relocated prior to December 8, 1966.

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

Issued in Washington, D.C., on August 22, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-9323; Filed, Aug. 25, 1966; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-65]

FEDERAL AIRWAYS

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would alter V-129 and V-63 in the vicinity of Dubuque, Iowa.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Building, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency proposes to relocate the Dubuque VOR in December of 1966, to a site at latitude 42°24'06" N., longitude 90°42'33" W. Concurrently with this action, it is proposed to realign V-129 from Cordova, Ill., direct to Dubuque, direct to Waukon, Iowa, and realign V-63 from the INT of Polo, Ill., 268° and Janesville, Wis., 238° True radials to Janesville. Realignment of V-129 would reduce the route mileage between Cordova and Dubuque. The realignment of V-63 would provide a common intersection of V-129, V-172, and V-63. V-100 and V-158, presently designated via the Dubuque VOR would automatically be realigned via this facility at its new location.

These amendments are 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 August 22, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-9324; Filed, Aug. 25, 1966; 8:48 a.m.]

[14 CFR Part 73]

[Airspace Docket No. 66-SO-21]

RESTRICTED AREAS

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 73 of the Federal Aviation Regulations which would modify the designated altitudes and the times of designation of Restricted Areas R-7101 Culebra, P.R., and R-7104 Vieques, P.R.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency has been requested by the Department of the Navy

to change the designated altitudes and the times of use of Restricted Areas R–7101 and R–7104. The altitudes of both areas are now surface to Flight Level 500. The Navy has advised that operations above 5,000 feet are conducted only at altitudes where visual flight rule conditions exist. Also, the Navy states that R–7101 is enclosed within Warning Area W–428A and the two areas are used simultaneously for almost all operations. Therefore, R–7101 should be continuously active 0600–2300 as is W–428A.

If the changes proposed herein are adopted, nonrule making action will be taken to have the altitudes and times of use of Warning Area W–428A coincide with R–7101 and have W–428B coincide with R–7104. This will reduce the altitudes of both warning areas and the time of use of W–428B.

In view of the foregoing, it is proposed that R–7101 Culebra Island, P.R., be amended as follows:

Designated altitudes. Surface to FL 500. Above 5,000 feet, user operations to be conducted only at altitudes where VFR conditions exist.

Time of designation. Continuous 0600–2300 local time. Other times by NOTAM issued 24 hours in advance.

It is proposed that R–7104 Vieques Island, P.R., be amended as follows:

Designated altitudes. Surface to FL 500. Above 5,000 feet, user operations to be conducted only at altitudes where VFR conditions exist.

Time of designation. By NOTAM issued 24 hours in advance.

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 August 19, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–9321; Filed, Aug. 25, 1966; 8:48 a.m.]

[14 CFR Part 73]

[Airspace Docket No. 65–WA–54]

RESTRICTED AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 73 of the Federal Aviation Regulations that would modify an existing Restricted Area R–3006, Townsend, Ga., at the request of the Department of the Navy.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga. 30320. 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 amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

In the request for the modification of R–3006, the Navy stated that the activity conducted on this target has expanded from a practice loft target and sandblower termination target to an all-purpose target. Activity now includes loft, pop-up and dive bombing, low altitude level bombing, rocket delivery and strafing operations. The faster aircraft and new ordnance used require an increase in the size of the target and run-in protection areas. The run-in area from the southwest is no longer required. The modified restricted area, if adopted, will be used 0600 to 1800 e.s.t. Monday through Friday, vice sunrise to sunset, Monday through Friday.

This proposed area is traversed by State Highway No. 99 and a railroad. The small community of Townsend, Ga., is contained within the area. There is also scattered housing in the area. In view of this situation, the users will be required to comply with the minimum safe altitudes specified in § 91.79 of the Federal Aviation Regulations while operating within the restricted area. The Navy has agreed to this requirement.

In addition, there is a small private airport near Townsend, Ga., that is completely encompassed by R–3006 as now proposed. The airport operator has advised the Navy he has no objection to the expansion of the restricted area so long as he can continue operations. The Navy has agreed that operations may continue with the restriction that all flights depart and arrive Townsend Airport to and from the East and remain at or below 1,000 feet MSL while flying within R–3006.

If the proposal described herein is adopted, Restricted Area R–3006 would be modified as follows:

Boundaries. The area within a 5 nautical mile radius centered at latitude 31°32′50″ N., longitude 81°35′20″ W., and within 3 nautical miles each side of the 305° bearing from the center of the circular area, extending 4 nautical miles northwest of the circular area.

Designated altitudes. The area within the 5 nautical mile radius, surface to 14,000 feet MSL; the area within the extension, surface to 9,000 feet MSL from the circle to a line 2 nautical miles northwest, and from the surface to 6,000 feet MSL from a line 2 nautical miles northwest of the circle to a line 4 nautical miles northwest of the circle.

Time of designation. 0600 to 1800 e.s.t., Monday through Friday.

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

Issued in Washington, D.C., on August 22, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–9322; Filed, Aug. 25, 1966; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Chapter I]

[Ex Parte MC 71]

MOTOR CARRIER RATES

Criteria To Be Used in Determining Compensatory Nature in Proceedings Involving Owner-Operators

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 28th day of July A.D. 1966.

In view of the Court's decisions in The Eastern Central Motor Carriers Association, Inc., et al., v. United States and Interstate Commerce Commission, No. 1234–64, U.S.D.C. District of Columbia (Apr. 7, 1965 and Jan. 11, 1966), concerning the Commission's use of certain criteria in I. & S. Docket No. M–17133, Drugs and Related Articles, New Jersey to Chicago, 322 ICC 734 and 326 ICC 6, in determining the compensatory nature of motor carrier rates in proceedings involving so-called owner-operators and in view of the special problems of regulated carriers in developing total transportation costs for such operations, it is deemed advisable to institute an investigation to determine whether new criteria should be formulated for use in such proceedings:

It is ordered, That a proceeding be, and it is hereby, instituted under Part II of the Interstate Commerce Act, particularly sections 204(a)(6) and 216 (g) and (i) (49 U.S.C. 304(6) and 316 (g) and (i)), and section 4 of the Administrative Procedure Act (5 U.S.C. 1003) for the purpose of determining whether new cost criteria should be formulated to be used in determining the lawfulness of rates published by motor common and contract carriers of property operating in interstate and foreign commerce where the underlying service is performed by owner-operators.

It is further ordered, That all motor common and contract carriers of property operating in interstate or foreign commerce, subject to the Interstate Commerce Act, be, and they are hereby, made respondents in this proceeding.

It is further ordered, That all respondents herein or any other interested parties be, and they are hereby, invited to submit to this Commission, on or before November 7, 1966, written representa-

tions [1] consisting of an original and 20 copies, as to the appropriate criteria to be used in determining the lawfulness of rates published by motor common and contract carriers where the underlying transportation is performed by owner-operators. Such representations should contain, in addition to any factual presentation, detailed arguments in support of any recommended action.

[1] In lieu of verification under oath, any statement of facts contained in the representations may be made subject to the following declaration: "I solemnly declare that I have examined the foregoing document and that to the best of my knowledge and belief the representations of fact contained therein are true." (Signature)

And it is further ordered, That a copy of this order be served on each respondent; that a copy of this order be served on the public utility commissions or boards, or similar regulatory bodies, of each State; that a copy be posted in the Office of the Secretary of this Commission for public inspection; and that a copy be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-9329; Filed, Aug. 25, 1966; 8:49 a.m.]

Notices

DEPARTMENT OF AGRICULTURE

Forest Service

MOUNT JEFFERSON WILDERNESS

Notice of Hearing Regarding Proposed Establishment

Notice is hereby given in accordance with the provisions of the Wilderness Act of September 3, 1964 (P.L. 88–577; 78 Stat. 890, 892; 16 U.S.C. 1131, 1132), that a public hearing will be held beginning at 9 a.m. on October 26, 1966, in basement rooms 6 and 7 of the State Capitol Building, Salem, Oreg., on a proposal for a recommendation to be made by the Secretary of Agriculture to the President of the United States that a recommendation be submitted to Congress for the establishment of the Mount Jefferson Wilderness, comprising about 95,450 acres within and contiguous to the Mount Jefferson Primitive Area. The proposed Mount Jefferson Wilderness is located within the Willamette, Deschutes, and Mount Hood National Forests; Jefferson, Linn, and Marion Counties; State of Oregon.

A brochure containing a map and information about the proposed Wilderness may be obtained from the Forest Supervisor, Willamette National Forest, 210 East Eleventh Street, Eugene, Oreg. 97401; the Forest Supervisor, Deschutes National Forest, 745 Bond Street, Bend, Oreg. 97701; the Forest Supervisor, Mount Hood National Forest, 340 Northeast 122d Avenue, Portland, Oreg. 97216; or the Regional Forester, Multnomah Building, 319 Southwest Pine Street, Portland, Oreg. 97208.

Individuals and organizations are invited to express their views by appearing at the hearing or may submit written comments for inclusion in the official record to the Regional Forester, Multnomah Building, 319 Southwest Pine Street, Portland, Oreg. 97208, by November 25, 1966.

Comments and exhibits of all persons who expressed their views in response to the public notice of August 5, 1963, regarding the intention to establish the Mount Jefferson Wild Area, with the same boundaries as now proposed, together with any and all statements made at or received within 30 days following the hearing held in Salem, Oreg., on June 2, 1964, will be included in the new hearing record and will be considered as though made at the hearing herein announced.

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

[F.R. Doc. 66–9328; Filed, Aug. 25, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMERICAN OIL CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6B2045) has been filed by American Oil Co., 2500 New York Avenue, Whiting, Ind. 46394, proposing the issuance of a regulation to provide for the safe use of sorbitan monooleate as a rust preventive in mineral oil lubricants, at a level not to exceed 3.0 percent by weight of the mineral oil content, which lubricants may have incidental food contact through use on food-processing equipment.

Dated: August 19, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66–9306; Filed, Aug. 25, 1966; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17559]

COMPAGNIE NATIONALE AIR FRANCE

Notice of Hearing

Notice is hereby given, pursuant to provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on August 29, 1966, at 10 a.m., e.d.s.t., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned.

Dated at Washington, D.C., August 23, 1966.

[SEAL] THOMAS L. WRENN,
Associate Chief Examiner.

[F.R. Doc. 66–9311; Filed, Aug. 25, 1966; 8:47 a.m.]

[Docket No. 17624; Order E–24083]

FLYING TIGER LINE, INC.

Order Granting Exemptions During Strike Emergency

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of August 1966.

Flying Tiger Line Inc. (Tiger) has requested exemption authority similar to that previously granted to the supplemental air carriers to provide individually ticketed passenger air transportation, Order E–23928, July 9, 1966. Applicant states that from time to time it has available CL–44 aircraft which are capable of handling passengers. According to the carrier if granted the authority sought it can make a contribution to meeting the needs created by the current strike.

We shall grant Tiger the requested authority. Additionally, we deem it appropriate to grant Airlift International, Inc. (Airlift) our other operating domestic all-cargo carrier, the same authority. The same considerations which warranted the grant of authority to the supplemental air carrier in Order E–23928, apply as well to the instant situation. We did not grant comparable authority to the all-cargo carriers since these carriers had not advised the Board of their ability to provide additional service. By Orders E–24075, and E–24076, August 12, 1966, Tiger was granted authority to perform specific flights similar to those which it will be authorized to perform by this order.

In view of the foregoing it is found that enforcement of Title IV of the Act and the terms, conditions, and limitations of the certificates of Tiger and Airlift to the extent that such enforcement would preclude the carriers from providing the services described herein, subject to the conditions set forth below, would be an undue burden on the carriers by reason of the unusual circumstances affecting their operations and would not be in the public interest.

Accordingly, it is ordered:

1. That Tiger and Airlift be and they hereby are exempted from Title IV of the Act, the applicable provisions of the Board's regulations, and the terms, conditions, and limitations of their certificates to the extent necessary to permit them to:

(a) Provide individually ticketed passenger services, provided that the passengers involved hold tickets issued by a certificated combination route air carrier for authorized transportation over its route, at the fares currently in effect pursuant to the tariff of such route air carrier or competing carriers for the same type of service and under specific arrangements with such carriers;

(b) Utilize available space on commercial charters and flights for the Military Establishment for individually waybilled cargo services at the rates presently in effect under any tariff of any certificated route air carrier; and

(c) Wet-lease aircraft to certificated air carriers;

2. That this order shall be effective immediately and the authority granted herein shall terminate pursuant to the

provisions of Order E–24070, August 11, 1966.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 66–9312; Filed, Aug. 25, 1966; 8:47 a.m.]

[Docket No. 16236; Order E–24113]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 22d day of August 1966.

Agreement adopted by Joint Conferences 1–2, 3–1, and 1–2–3 of the International Air Transport Association relating to specific commodity rates; Docket 16236, Agreement CAB 18934, R–9 through R–17.

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 1–2, 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 an IATA letter dated August 1, 1966,[1] as set forth in the attachment hereto,[2] (1) names rates under new commodity descriptions, (2) names rates under existing commodity descriptions, (3) reduces an existing commodity rate, and (4) amends an existing commodity description. The new rates under new and existing commodity descriptions reflect reductions ranging from 20.0 to 80.2 percent and are consistent with the present level of specific commodity rates within the applicable areas.

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 18934, R–9 through R–17, be approved, provided that 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] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 66–9313; Filed, Aug. 25, 1966; 8:47 a.m.]

[1] Received in the Board Aug. 2, 1966.

[2] Attachment filed as part of original document.

[Docket No. 16236; Order E–24114]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 22d day of August 1966.

Agreement adopted by Traffic Conference 1 of the International Air Transport Association relating to specific commodity rates; Docket 16236, Agreement CAB 18683, R–34 through R–36.

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 August 1, 1966,[1] names additional rates under existing commodity descriptions, as set forth in the attachment hereto.[2] The new rates reflect reductions ranging from 15.5 to 48.1 percent and are consistent with the present level of specific commodity rates within the applicable area.

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, R–34 through R–36, be approved, provided that 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] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 66–9314; Filed, Aug. 25, 1966; 8:47 a.m.]

[Docket No. 16236; Order E–24115]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 22d day of August 1966.

Agreement adopted by Joint Conferences 1–2, 3–1, and 1–2–3 of the International Air Transport Association relating to specific commodity rates; Docket 16236, Agreement C.A.B. 18934, R–18 through R–23.

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 1–2, 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 an IATA letter dated August 12, 1966,[1] as set forth in the attachment hereto,[2] (1) names rates under new commodity descriptions, and (2) names rates under existing commodity descriptions. The new rates reflect reductions ranging from 17.3 to 84.4 percent and are consistent with the present level of specific commodity rates within the applicable areas.

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 18934, R–18 through R–23, be approved, provided that 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] MABEL MCCART, *Acting Secretary.*

[F.R. Doc. 66-9315; Filed, Aug. 25, 1966; 8:47 a.m.]

[Docket No. 16984]

LOS ANGELES/SAN FRANCISCO-VANCOUVER SERVICE CASE

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be held on October 5, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., August 23, 1966.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 66-9316; Filed, Aug. 25, 1966; 8:47 a.m.]

[Docket No. 17626; Order E-24085]

PAN AMERICAN WORLD AIRWAYS, INC.

Order Granting Exemption During Strike Emergency

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of August 1966.

Pan American World Airways, Inc. (Pan American) has applied for exemption authority to carry passengers, on a space available basis, from Anchorage to the Orient, on flights from California which make a nontraffic stop at Anchorage. The carrier states that it will charge the rates provided for in Northwest Airlines' tariffs. Northwest, a struck carrier, is the sole U.S. carrier certificated to provided Anchorage-Orient service.

We shall grant the requested authority. The same considerations which warranted the authority granted in Order E-23928, July 9, 1966, apply as well to the instant situation. At present there is no U.S.-flag service between Anchorage and the Orient. Grant of the temporary exemption should result in the provision of some service in the subject market.

In view of the foregoing, it is found that enforcement of Title IV of the Act and the terms, conditions and limitations of its certificate for Route 130 to the extent that such enforcement would preclude Pan American from carrying Anchorage-Orient civilian passangers on flights originating in California and destined for the Orient, would be an undue burden on the carrier by reason of the unusual circumstances affecting its operations and would not be in the public interest.

Accordingly, it is ordered:

1. That Pan American be and it hereby is exempted from Title IV of the Act and the terms, conditions and limitations of its certificate for Route 130 to the extent necessary to permit the carrier to carry Anchorage-Orient civilian passengers on flights originating in California and destined for the Orient, at the fares currently in effect for the same service in Northwest's tariffs;

2. That the authority granted herein shall be effective immediately and shall terminate pursuant to the provisions contained in Order E-24070, August 11, 1966.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART, *Acting Secretary.*

[F.R. Doc. 66-9317; Filed, Aug. 25, 1966; 8:48 a.m.]

[Docket No. 17625; Order E-24084]

SOUTHERN AIRWAYS, INC.

Order Granting Exemption During Strike Emergency

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of August 1966.

Southern Airways, Inc. (Southern), has applied for exemption authority to permit it to perform flights between Pensacola, Fla., on the one hand, and Atlanta and New Orleans, on the other. The carrier states that since Eastern and National are the only carriers certificated to serve Pensacola, the community is without scheduled air service. According to Southern, Pensacola's civilian economy as well as the defense installation in the community require air service. Southern currently operates several flights a day between Atlanta and New Orleans[1] and the carrier proposes to add Pensacola to certain of these flights.

We shall grant Southern the requested authority. The same considerations which warranted the grant of authority in Order E-23928, apply as well to the instant situation. Southern should be able in part at least to meet Pensacola's air service needs.

In view of the foregoing it is found that enforcement of Title IV of the Act, the applicable Board regulations and the terms, conditions, and limitations of Southern's certificate for route 98, to the extent that enforcement thereof would preclude Southern from providing service between Pensacola, Fla., on the one hand, and Atlanta and New Orleans, on the other, would be an undue burden on the carrier by reason of the unusual circumstances affecting its operations and would not be in the public interest.

Accordingly, it is ordered:

1. That Southern be and it hereby is exempted from Title IV of the Act, the applicable Board regulations and the terms, conditions and limitations of its certificate for route 98 to the extent necessary to permit the carrier to engage in air transportation between Pensacola, Fla., on the one hand, and Atlanta and New Orleans, on the other;

2. That service performed pursuant to this order shall not be subsidized and mail payments therefore—if any—shall be limited to the service mail rate to be paid entirely by the Postmaster General under section 406(c) of the Act;

3. That this order shall be effective immediately and the authority granted herein shall terminate pursuant to the provisions of Order E-24070, August 11, 1966.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART, *Acting Secretary.*

[F.R. Doc. 66-9318; Filed, Aug. 25, 1966; 8:48 a.m.]

[1] This service is operated pursuant to Order E-23928, July 9, 1966.

[Docket 17597]

CIVIL AIR TRANSPORT CO. LTD.

Notice of Postponement of Prehearing Conference

Notice is hereby given that the prehearing conference on the above-entitled application now assigned to be held on August 25, 1966, is postponed to September 8, 1966, at 10 a.m., e.d.s.t., Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Richard A. Walsh.

Dated at Washington, D.C., August 24, 1966.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F. R. Doc. 66-9369; Filed, Aug. 25, 1966; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 66-746]

STANDARD BROADCAST APPLICATION READY AND AVAILABLE FOR PROCESSING

AUGUST 19, 1966.

The following construction permit application, for a new standard broadcast station utilizing substantially the same facilities as deleted Station WCSL, Cherryville, N.C., was tended for filing on October 4, 1965:

NEW, Cherryville, N.C., Broadcasting Co., of the Carolinas, Inc., Req: 1590 kc, 500 w, Day, Class III.

The application was tendered in response to a Commission letter adopted and sent July 28, 1965, which (a) noted that the Commission had previously concluded, in granting the WCSL con-

struction permit, that the need for a first local service in Cherryville outweighed the interference to other stations which would result from that proposed operation; and, (b) in the light of that previous determination, stated that, upon deletion of the WCSL construction permit, the Commission would "be inclined to give favorable consideration to an application for a construction permit which specifies substantially the same facilities as those specified in the construction permit for WCSL * * *."

In view of this fact, and in response to the applicant's request, the Commission hereby waives § 73.37(a) of its rules insofar as necessary to permit acceptance for filing of the above-listed application, and all other applications seeking substantially the same facilities. Notice is hereby given that the application listed above is accepted for filing and that on September 27, 1966, the application will be considered ready and available for processing.

Pursuant to §§ 1.227(b)(1) and 1.591(b) of the rules, an application, in order to be considered with this application or with any other application on file by the close of business on September 26, 1966, which involves a conflict necessitating a hearing with this application, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) The close of business on September 26, 1966; or (b) the earlier effective cutoff date which this application or any other conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The attention of any party in interest desiring to file pleadings concerning any pending standard broadcast application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: August 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-9332; Filed, Aug. 25, 1966; 8:49 a.m.]

[Docket Nos. 16577, 16578; FCC 66M-1117]

CENTURY BROADCASTING CO., INC., AND RKO GENERAL, INC.

Order Continuing Hearing

In re applications of Century Broadcasting Co., Inc., Memphis, Tenn., Docket No. 16577, File No. BPH-4785; RKO General, Inc., Memphis, Tenn., Docket No. 16578, File No. BPH-4788; for construction permits.

The Examiner has been informally advised that negotiations are under way between the two applicants looking toward dismissal of one of the applications. Hearing in this case is imminent.

Accordingly, on the Examiner's own motion: *It is ordered,* This 22d day of August 1966, that the hearing now scheduled for September 1, 1966 is continued to a date to be determined at conference: *And it is further ordered,* That, in lieu of hearing, a conference will be held at 9 a.m. on September 1, 1966.

Released: August 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-9333; Filed, Aug. 25, 1966; 8:49 a.m.]

[Docket Nos. 16653, 16654; FCC 66M-1118]

LAFAYETTE BROADCASTING CO., INC., AND STATE LINE BROADCASTING CO., INC.

Order Continuing Hearing

In re applications of Lafayette Broadcasting Co., Inc., Lafayette, Tenn., Docket No. 16653, File No. BPH-5009; State Line Broadcasting Co., Inc., Scottsville, Ky., Docket No. 16654, File No. BPH-5119; for construction permits.

Hearing on the captioned applications is now scheduled for September 1, 1966. There is pending before the Commission's Review Board a joint request for approval of agreement for withdrawal of application of Lafayette Broadcasting Co., Inc., filed by the applicants, on June 29, 1966. Favorable action on the request will remove cause for hearing.

Accordingly, it is ordered, This 22d day of August 1966, on the Examiner's own motion, that the hearing is continued indefinitely.

Released: August 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-9334; Filed, Aug. 25, 1966; 8:49 a.m.]

[Docket No. 16311; FCC 66M-1115]

WILKES COUNTY RADIO

Order Scheduling Hearing

In re application of Paul Cashion and J. B. Wilson, Jr., doing business as Wilkes County Radio, Wilkesboro, N.C., Docket No. 16311, File No. BP-16556; for construction permit.

The Hearing Examiner having under consideration communication dated August 18, 1966, from counsel for the above-entitled proceeding requesting that the evidentiary hearing herein be scheduled for September 20, 1966;

It appearing, that good cause exists why said request should be granted and counsel for Wilkes County Radio states that counsel for the Wilkes Broadcasting Co. (WKBC) and the Commission's Broadcast Bureau concur in the request:

Accordingly, it is ordered, This 22d day of August 1966, that the request is granted and that the evidentiary hearing herein is scheduled for September 20, 1966, 10 a.m., in the Commission's offices, Washington, D.C.

Released: August 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-9335; Filed, Aug. 25, 1966; 8:49 a.m.]

[FCC 66-734]

PETROLEUM AND GAS INDUSTRY COMMUNICATIONS EMERGENCY PLAN (PAGICEP)

Approval of INTERIM Basic Plan

AUGUST 19, 1966.

The Commission today approved the Petroleum and Gas Industry Communications Emergency Plan (PAGICEP) as the Industry's INTERIM Basic Plan for operation during emergency conditions both national and local. It was prepared under provisions of Executive Order 11092, which assigned emergency preparedness functions to the Federal Communications Commission.

This INTERIM Basic Plan, which was concurred in by all interested Government departments and agencies, was prepared by a working group of the Industrial Communications Services Subcommittee of the Commission's National Industry Advisory Committee (NIAC).

Further refining and revising as experience dictates will be accomplished and at a future date a Final Basic Plan will be issued.

Work is now underway to develop the detailed regional and local emergency communications plans. These will become the operational portion of PAGICEP. In this regard it is incumbent on all petroleum and gas companies who wish to voluntarily participate in this Plan to furnish their emergency communications requirements to the Executive Secretary, NIAC, Federal Communications Commission, Washington, D.C. 20554, not later than October 1, 1966. These companies should also submit in the same manner a listing of their communications facilities which could be made available for use in an emergency as part of this Plan.

Distribution of the INTERIM Basic PAGICEP will be made to all petroleum and gas companies by the Industrial Communications Services Subcommittee of NIAC.

An Ad Hoc Working Group of the NIAC Industrial Radio Services Subcommittee is presently developing detailed requirements for emergency H.F. channels for submission to the NIAC Amateur Radio Service Subcommittee and the Commission for consideration pursuant to the provisions of the INTERIM Plan for the Amateur Radio Service announced by the Commission in Public Notice FCC 66-476 (Mimeo 83288) dated May 26, 1966, and Public

Notice G dated July 29, 1966 (Mimeo 87593).

Adopted: August 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-9222; Filed, Aug. 26, 1966; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-2602, etc.]

MARATHON OIL CO. ET AL.

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

AUGUST 18, 1966.

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

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 14, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

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

JOSEPH H. GUTRIDE,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-2602 C 8-8-66	Marathon Oil Co.,[1] 539 South Main St., Findlay, Ohio 45840.	Natural Gas Pipeline Co. of America, Rooke Field, Refugio County, Tex.	[1] 16.0	14.65
G-3245 E 8-1-66	Cumberland Gas Co. (successor to Cumberland Gas Corp.), Post Office Box 2386, Charleston, W. Va. 25328.	United Fuel Gas Co., Loudon District, Kanawha County, W. Va.	20.0	15.325
		Cabot Corp., Union District, Kanawha County, W. Va.	18.312	15.325
		United Fuel Gas Co., Scott, Carroll, Jefferson, and Sheridan Districts, Boone and Lincoln Counties, W. Va.	20.0	15.325
		Pennzoil Co., Carroll District, Lincoln County, W. Va.	14.0	15.325
G-7241 C 8-11-66	Aztec Oil & Gas Co., 2000 First National Bank Bldg., Dallas, Tex. 75202.	El Paso Natural Gas Co., Blanco-Mesa Verde Field, San Juan County, N. Mex.	13.0551	15.025
G-10143 C 8-9-66	Atlantic Richfield Co. (formerly The Atlantic Refining Co.), Post Office Box 2819, Dallas, Tex. 75221.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., West Delta Area, Offshore Plaquemines Parish, La.	20.0	15.025
G-16139 D 8-12-66	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	Transwestern Pipeline Co., Texas Hugoton Field, Hansford County, Tex.	Uneconomical	----------
G-16218 D 8-12-66	Gulf Oil Corp. (Operator), et al.	Transwestern Pipeline Co., acreage in Harper County, Okla.	Uneconomical	----------
G-16392 E 8-1-66	Roland S. Bond (successor to Bond Oil Corp., et al.), 2600 Republic Bank Bldg., Dallas, Tex. 75201.	Natural Gas Pipeline Co. of America, acreage in Wise County, Tex.	13.0	14.65
G-18371 C 8-11-66	Aztec Oil & Gas Co	El Paso Natural Gas Co., Basin Dakota Pool, San Juan County, N. Mex.	13.0536	15.025
G-18479 E 8-8-66	George R. Brown (successor to Herman Brown Estate, et al.), c/o J. L. Bianchi, attorney, 1201 San Jacinto Bldg., Houston, Tex. 77002.	Florida Gas Transmission Co., North Monte Christo Field, Hidalgo County, Tex.	[2] 16.0	14.65
G-20020 C 8-8-66	Atlantic Richfield Co. (formerly The Atlantic Refining Co.).	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Grand Isle Area, Offshore Lafourche Parish, La.	19.5	15.025
CI61-392 7-18-66 [3]	Forest Oil Corp., et al., 1300 National Bank of Commerce Bldg., San Antonio, Tex. 78205.	El Paso Natural Gas Co., Clear Lake (Mocane) Field, Beaver County, Okla.	[4] 21.0	14.65
CI61-605 C 7-13-66	Stubblefield Brothers, c/o Maston C. Courtney, attorney, Culton, Morgan, Britain & White, Post Office Box 189, Amarillo, Tex. 79105.	Transwestern Pipeline Co., acreage in Wheeler County, Tex.	17.0	14.65
CI62-1184 D 8-11-66	Sinclair Oil & Gas Co. (Operator), et al., Post Office Box 521, Tulsa, Okla. 74102 (partial abandonment).	Arkansas Louisiana Gas Co., Red Oak Field, Latimer County, Okla.	[5]	----------
CI63-479 C 8-10-66	Shell Oil Co., 50 West 50th St., New York, N.Y. 10020.	Cities Service Gas Co., Hobart Ranch Field, Hemphill County, Tex.	[6] 17.0	14.65
CI64-17 E 7-18-66	Juniper Oil & Gas Co. (successor to Morwell Co., Inc.), 509 17th St., Denver, Colo. 80202.	Kansas-Nebraska Natural Gas Co., Inc., acreage in Morgan County, Colo.	[7] 10.9939	15.025
CI64-23 C 8-5-66	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102.	Arkansas Louisiana Gas Co., Star Field, Blaine County, Okla.	16.8	14.65
CI64-1136 C 6-21-66 [8]	Landa Oil Co., 4300 North Central Expressway, Dallas, Tex. 75206.	United Gas Pipe Line Co., Orange Grove Field, Jim Wells County, Tex.	[9] 13.1664	414.65
CI64-1422 C 8-8-66	Ashland Oil & Refining Co., Post Office Box 1503, Houston, Tex. 77001.	Oklahoma Natural Gas Gathering Corp., acreage in Major County, Okla.	12.0	14.65
CI65-224 C 8-5-66	Aladdin Production Co., Inc. (Operator), et al., 1832 National Bank Commerce Bldg., New Orleans, La. 70112.	Transcontinental Gas Pipe Line Corp., Bayou Couba Field, St. Charles Parish, La.	20.3	15.025
CI65-701 C 8-8-66	Harper Oil Co. (Operator), et al., 904 Hightower Bldg., Oklahoma City, Okla. 73102.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[10] 17.0	14.65
CI65-956 E 8-1-66	Pan American Petroleum Corp. (successor to Maytex Gas Co., Operator).	Southern Natural Gas Co., Quitman Bayou Field, Adams County, Miss.	15.0	15.025
CI66-517 C 8-1-66	Suntex Oil & Gas Co., c/o Gordon L. Llewellyn, attorney at law, 908 Southland Center, Dallas, Tex. 75201.	Northern Natural Gas Co., Kiowa Creek North East Area, Lipscomb County, Tex.	17.0 17.0	14.65 14.65

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

See footnotes at end of table.

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

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI66-595 C 8-4-66	Sydney Spofforth, 339 West Jefferson St., Joliet Ill. 60435.	Equitable Gas Co., Salt Lick District, Braxton County, W. Va.	25.0	15.325
CI66-966 F 4-7-66 [11]	Lee Pearson (successor to Francis L. Harvey and Pan American Petroleum Corp.), c/o Burr & Cooley, attorneys, 152 Petroleum Center Bldg., Farmington, N. Mex. 87401.	El Paso Natural Gas Co., Aztec Fruitland Field, San Juan County, N. Mex.	12.0495	15.025
CI67-123 A 8-4-66	Monsanto Co. (Operator), et al., 1300 Main St., Houston, Tex. 77002.	El Paso Natural Gas Co., acreage in San Juan County, Utah.	17.7	15.025
CI67-124 A 8-3-66	Texas Oil & Gas Corp., 2520 Fidelity Union Tower, Dallas, Tex. 75221.	Cities Service Gas Co., acreage in Hemphill County, Tex.	17.0	14.65
CI67-125 A 7-25-66	Charley Cain, Post Office Box 301, Inez, Ky. 41224.	United Fuel Gas Co., acreage in Martin County, Ky.	[12] 23.0	15.325
CI67-126 A 8-1-66	John A. Hairford, Post Office Box 594, Hooker, Okla. 73945.	Kansas-Nebraska Natural Gas Co., Inc., Hugoton Kansas Gas Field, Finney County, Kans.	12.0	14.65
CI67-127 B 8-4-66	O. L. Williamson, R.F.D. No. 4, Parkersburg, W. Va. 26102.	Equitable Gas Co., acreage in Doddridge County, W. Va.	Depleted	----------
CI67-128 A 8-5-66	Colorado Oil & Gas Corp., Box 749, Denver, Colo. 80201.	Colorado Interstate Gas Co., Adams Ranch Field, Meade County, Kans.	[10] 16.0	14.65
CI67-129 A 7-29-66 as amended 8-1-66	Harry Allen Chapman, 510-12 National Bank of Tulsa Bldg., Tulsa, Okla. 74103.	Mountain Fuel Supply Co., Ace Unit Field, Moffat County, Colo.	13.0	14.65
CI67-131 B 8-3-66	Sheep Run Oil & Gas Co., Cairo, W. Va. 26337.	Penova Interests, acreage in Ritchie County, W. Va.	Uneconomical	----------
CI67-132 A 8-1-66	J. C. Trahan, Drilling Contractor, Inc. (Operator, et al., 2625 Line Ave., Shreveport, La. 71104.	Lone Star Gas Co., Pone Field, Rusk County, Tex.	16.56	14.65
CI67-134 A 8-4-66	Fred Kosanovic, M.D., 3238 Main St., Weirton, W. Va. 26062.	Carnegie Natural Gas Co., Murphy District, Ritchie County, W. Va.	20.0	15.325
CI67-135 A 8-1-66	E. C. Ware, et al., c/o John T. Diederich, attorney at law, 500 Price Bldg., Ashland, Ky. 41101.	United Fuel Gas Co., acreage in Knott County, Ky.	16.0	15.325
CI67-136 A 8-8-66	Jack D. Hodgden, Operator, 1108 Bass Bldg., Enid, Okla. 73701.	National Fuels Corp. and Oklahoma Natural Gas Gathering Corp., North Ringwood Field, Major County, Okla.	12.0	14.65
CI67-137 (CI61-1469) F 8-8-66	St. Helens Petroleum Corp., (successor to Ocean Drilling & Exploration Co. (Operator) et al.) 900 Wilshire Blvd., Los Angeles, Calif. 90017.	Transcontinental Gas Pipe Line Corp., Block 113 Unit, Ship Shoal Area, Offshore La.	[13] 20.625	15.025
CI67-138 A 8-8-66	Hassie Hunt Trust, 1401 Elm St., Dallas, Tex. 75202.	Transcontinental Gas Pipe Line Corp., Thibodaux Field, Lafourche Parish, La.	20.625	15.025
CI67-139 A 8-8-66	Quaker State Oil Refining Corp., Post Office Box 337, Bradford, Pa. 16701.	United Fuel Gas Co., Jefferson District, Lincoln County, W. Va.	25.0	15.325
CI67-140 A 8-9-66	Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221.	El Paso Natural Gas Co., Jicarilla Area, Rio Arriba County, N. Mex.	12.0	15.025
CI67-141 A 8-10-66	Larco Drilling Co., Post Office Box 2599, Jackson, Miss. 39207.	United Gas Pipe Line Co., Gitano Field, Jones County, Miss.	19.0	15.025
CI67-142 A 8-10-66	N.G. Clark, Post Office Box 427, Charleston, W. Va. 25314.	Equitable Gas Co., acreage in Lewis County, W. Va.	25.0	15.325
CI67-143 A 8-10-66	Joseph S. Gruss, 30 Broad St., New York, N.Y. 10001.	Consolidated Gas Supply Corp., acreage in Roane and Calhoun Counties, W. Va.	25.0	15.325
CI67-144 B 8-10-66	H. H. Howell (Operator), et al., Milam Bldg., San Antonio, Tex. 78205.	United Gas Pipe Line Co., Stewart Field, Jackson County, Tex.	Depleted	----------
CI67-145 (G-10354) F 8-8-66	Edwin Allday, et al. (successor to Atlantic Richfield, Co., et al.) 1706 First City National Bank Bldg., Houston, Tex. 77002.	Texas Eastern Transmission Corp., Gist Area, Newton County, Tex.	15.6	14.73
CI67-146 A 8-8-66	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	Transwestern Pipeline Co., Clementine (Upper Morrow) Field, Hansford County, Tex.	[10] 17.0	14.65
CI67-148 (CI61-1799) F 8-1-66	Wilson Exploration Co. (Operator) et al. (successor to Bel Oil Corp.), 1212 West El Paso, Fort Worth, Tex. 76102.	Tennessee Gas Pipeline Co., a division of Ten neco Inc., South Crowley Field, Acadia Parish, La.	15.5	15.025
CI67-151 A 8-2-66	A. F. Chisholm d.b.a., The Brandon Co., Post Office Box 2766, Laurel, Miss. 39440.	United Gas Pipe Line Co., Gwinville Field Area, Jefferson Davis County, Miss.	17.0	15.025
CI67-152 A 8-10-66	Sun Oil Co. (Mid-Continent Division), 1608 Walnut St., Philadelphia, Pa. 19103.	Panhandle Eastern Pipe Line Co., South Peek Field, Ellis County, Okla.	[14] 20.4	14.65
CI67-153 A 8-10-66	----do----------	Panhandle Eastern Pipe Line Co., Tangier and Gage Fields, Ellis and Woodward Counties, Okla.	[15] 18.70	14.65
CI67-154 (CI64-389) F 8-3-66	Smith & Mullins Oil Co. (successor to Adair & Jenkins et al.), Federal Bank Bldg., Shawnee, Okla. 74801.	Cities Service Gas Co., Southwest Prairie GemField, Lincoln County, Okla.	12.0	14.65
CI67-155 (CI64-388) F 8-3-66	Smith & Mullins Oil Co. (successor to Oklahoma Natural Gas Co.).	----do----------	12.0	14.65

[1] Applicant states its willingness to accept authorization for the additional acreage at a total initial rate of 16.0 cents per Mcf, although contract rate is 16.5 cents per Mcf plus 0.15840 cent tax reimbursement applicable to that portion of the first 9,000,000 cu. ft. of gas per day delivered under the contract of Jan. 1, 1960, allocable to sales from the additional acreage for which authorization is here sought.

[2] An increase in rate to 17.0 cents per Mcf was filed for and suspended in Docket No. RI62-511, but never made effective.

[3] Amendment to certificate filed to cover interest of additional coowner and additional interests or presently covered coowners, all of which interests are presently under temporary certificate issued in Docket No. CI64-604 to Petroleum International, Inc. (Operator) et al. Applicant states Petroleum International has filed a motion for withdrawal of its application and for vacation of the temporary authorization granted it in Docket No. CI64-604.

[4] Rate in effect subject to refund in Docket No. RI65-601.

[5] Reserves insufficient to justify Buyer constructing facilities necessary to connect to wells on acreage.

[6] Contract rate is 17.595 cents per Mcf; however, Applicant states its willingness to accept authorization at 17.0 cents per Mcf at 14.65 p.s.i.a.

[7] Contract rate is 12.0 cents per Mcf at 16.4 p.s.i.a.

[8] Adds production attained from J. B. Meyers Oil Properties, Docket No. CI66-1168.

[9] Includes 0.1664 cent per Mcf tax reimbursement.

[10] Subject to upward and downward B.t.u. adjustment.

[11] Application previously noticed May 11, 1966 in Docket Nos. G-6832, et al. at a total initial rate of 10.0 cents per Mcf. By letter filed May 23, 1966 Applicant amended its application to reflect a total initial rate of 12.0495 cents per Mcf at 15.025 p.s.i.a.

[12] Includes 2.0 cents transportation charge.

[13] Buyer will pay seller 19.0 cents per Mcf only, and will escrow 1.625 cents per Mcf pending final determination as to whether properties are in taxing jurisdiction of State of Louisiana. This is pursuant to Settlement Agreement in Docket No. G-13758 approved by Commission order issued Aug. 24, 1962.

[14] Subject to upward and downward B.t.u. adjustment. Includes 3.4 cents estimated upward adjustment.

[15] Subject to upward and downward B.t.u. adjustment. Includes 1.70 cents estimated upward adjustment.

[F.R. Doc. 66-9233; Filed, Aug. 25, 1966; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 66-49]

NORTH ATLANTIC MEDITERRANEAN FREIGHT CONFERENCE

Order of Investigation Regarding Household Goods Rates

The Department of State, a civilian agency of the U.S. Government, ships household goods to numerous destinations throughout the world. Of particular importance are household goods shipped by the Department of State from North Atlantic ports of the United States to ports in the Mediterranean Sea. These civilian household goods, as is generally the case of shipments of the U.S. Government, are required by statute or by executive policy to be carried aboard U.S.-flag vessels.

Military household goods are transported within the area of concern here pursuant to rates established by the Atlantic and Gulf American-Flag Berth Operators (AGAFBO). Outbound shipments of civilian household goods by the Department of State or other civilian government agencies move under the commercial tariff of the North Atlantic Mediterranean Freight Conference, which maintains a tariff rate on household goods (limited to governmental agencies) of $81.50 per 2,240 pounds/40 cubic feet to all Mediterranean base ports except Italian base ports to which the rate is $1.50 per cubic foot (equivalent to $60 per measurement ton of 40 cubic feet).

With respect to military household goods, AGAFBO assesses a rate between the ports within the scope of the North Atlantic Mediterranean Freight Conference of 90½ cents per cubic foot (or ($36.20 per 40 cubic feet). This rate, which applies on a berth term basis, is limited to military household goods. Consequently, the Department of State must move its household goods pursuant to the higher commercial tariff of the North Atlantic Mediterranean Freight Conference.

Inbound, the West Coast of Italy, Sicilian and Adriatic Ports/North Atlantic Range Conference (WINAC) which serves a portion of the reciprocal trade covered by the North Atlantic Mediterranean Freight Conference maintains rates on household goods of $63 per 1,000 kilos or cubic meter (2204.6 pounds or 35.3 cubic feet) (equivalent to $64 per 2,240 pounds and $71.36 per 40 cubic feet) for shipments up to five cubic meters per package and $46 per 1,000 kilos or cubic meter for shipments over 5 cubic meters per package (equivalent to $46.74 per 2,240 pounds or $52.10 per 40 cubic feet).

As noted, the shipments of household goods tendered by both the Department of State and military agencies are generally restricted to transportation aboard U.S.-flag vessels in accordance with cargo preference laws or executive policy. Nevertheless, the North Atlantic Mediterranean Freight Conference includes foreign-flag lines which are ineligible to carry Department of State household goods but which may nevertheless participate in rate making decisions thereon. The following members of the North Atlantic Mediterranean Freight Conference are U.S.-flag carriers: American Export Isbrandtsen Lines, Inc.; Prudential Lines; Isthmian Lines, Inc.; and States Marine Lines. Each is also a member of the Atlantic and Gulf American-Flag Berth Operators. American Export Isbrandtsen Lines, Inc., and Prudential Lines are members of WINAC as well.

It appears that, while military household goods may at times move in greater volume than household goods shipped by the Department of State, no justification is evident for the higher rates assessed under the North Atlantic Mediterranean Freight Conference tariff. Both the Department of State and the military agencies tender their household goods on an individual shipment basis, and shipments generally are not consolidated. Moreover, the ocean movement of Department of State household goods as compared with military household goods appears to be substantially similar insofar as commodity, value, nature of packing, method of shipment, type of service, and points of service are concerned. Only the rates are different.

On March 10, 1966, the Department of State outlined in a letter to the North Atlantic Mediterranean Freight Conference its request for rate relief and included a fully executed copy of the conference's form of application for rate adjustment. On March 15, 1966, the conference acknowledged the letter and application and indicated that the matter would be presented to the member lines as promptly as possible. No affirmative action has been taken by the conference since that time.

Section 16 First of the Shipping Act, 1916 (46 U.S.C. 815) provides:

> That it shall be unlawful for any common carrier by water, or other person subject to this Act, either alone or in conjunction with any other person, directly or indirectly:
>
> First. To make or give any undue or unreasonable preference or advantage to any particular person, locality, or description of traffic in any respect whatsoever, or to subject any particular person, locality, or description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

It appears that the assessment of a rate of $81.50 per 2,240 pounds/40 cubic feet to all Mediterranean base ports except Italy and a rate of $1.50 per cubic foot to all Italian base ports, on household goods of the Department of State, while a rate of $36.20 per 40 cubic feet is assessed on military household goods to those same ports, may be in violation of section 16 First.

Section 17 of the Shipping Act, 1916 (46 U.S.C. 816) provides:

> That no common carrier by water in foreign commerce shall demand, charge, or collect any rate, fare, or charge which is unjustly discriminatory between shippers * * *.

The assessment by the North Atlantic Mediterranean Freight Conference of the $81.50 per 2,240 pounds/40 cubic feet rate and the $1.50 per cubic foot rate on household goods shipped by the Department of State while AGAFBO assesses a lower rate on military household goods may violate section 17.

Section 15 of the Shipping Act, 1916 (46 U.S.C. 814) provides in part that:

> The Commission shall by order, after notice and hearing, disapprove, cancel or modify any agreement, or any modification or cancellation thereof, whether or not previously approved by it, that it finds to be unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or to operate to the detriment of the commerce of the United States, or to be contrary to the public interest, or to be in violation of this Act * * *.

The North Atlantic Mediterranean Freight Conference operates pursuant to an agreement approved by the Federal Maritime Commission under section 15 (46 U.S.C. 814). The maintenance of rates of $81.50 per 2,240 pounds/40 cubic feet and $1.50 per cubic foot applicable to the State Department's household goods may be contrary to the provisions of section 15. Furthermore, the authorization of the North Atlantic Mediterranean Freight Conference to fix rates for the transportation of household goods which are required to be shipped aboard U.S.-flag carriers may be contrary to the provisions of section 15, or the power of foreign-flag lines to vote on and participate in the fixing of rates on household goods required to be shipped aboard U.S.-flag vessels may be contrary to section 15.

Section 15 also provides that:

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

The conference's handling of the application for rate adjustment of the Department of State may also be contrary to section 15.

Section 18(b)(5) of the Shipping Act, 1916 (46 U.S.C. 817(b)) provides:

> The Commission shall disapprove any rate or charge filed by a common carrier by water in the foreign commerce of the United States or conference of carriers which, after hearing, it finds to be so unreasonably high or low as to be detrimental to the commerce of the United States.

The higher rate of the North Atlantic Mediterranean Freight Conference, particularly as compared with the rates of AGAFBO and WINAC, as well as other rates maintained from areas in the Mediterranean Sea to U.S. North Atlantic ports may be contrary to section 18(b)(5).

In consideration of the above, the Commission is of the opinion that an investigation should be instituted to determine:

(1) Whether the North Atlantic Mediterranean Conference, or any of the members thereof, have violated section

16 First by assessing higher rates against household goods of the Department of State than the rate assessed against military household goods;

(2) Whether the North Atlantic Mediterranean Freight Conference, or any of the members thereof, have violated section 17 by demanding, charging, or collecting rates for the transportation of Department of State household goods which are unjustly discriminatory between shippers;

(3) Whether the members of the North Atlantic Mediterranean Freight Conference, through the maintenance of their rates on Department of State household goods have effected the operation of their organic agreement in a manner which is contrary to section 15;

(4) Whether the agreement of the North Atlantic Mediterranean Freight Conference should be disapproved, canceled, or modified, with respect to the authorization of the conference to fix rates on Department of State household goods or the right of foreign-flag members to participate in the fixing of rates on Department of State household goods, as provided in section 15;

(5) Whether failure by the conference to reach a decision on the request of the Department of State for a reduction in the rate applicable to the movement of its household goods constitutes failure or refusal to adopt and maintain reasonable procedures for promptly and fairly hearing and considering shippers' requests and complaints as required by section 15;

(6) Whether the rates of the North Atlantic Mediterranean Freight Conference on Department of State household goods should be disapproved under section 18(b)(5) as so unreasonably high as to be detrimental to the commerce of the United States.

Therefore, it is ordered, That the Commission pursuant to sections 15 and 22 of the Shipping Act, 1916 (46 U.S.C. 814 and 821) hereby institutes an investigation to determine the aforementioned issues under sections 15, 16 First, 17, and 18b(5);

It is further ordered, That the North Atlantic Mediterranean Freight Conference, and its member lines, as set forth in Appendix A, are hereby made respondents in this proceeding;

It is further ordered, That this proceeding be assigned for public hearing before an examiner of the Commission's Office of Hearing Examiners and that the hearing be held at a date and place to be determined and announced by the presiding examiner;

It is further ordered, That notice of this order be published in the FEDERAL REGISTER; and

It is further ordered, That any person, other than respondents, who desires to become a party to this proceeding and to participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before September 6, 1966, with copy to respondents;

And it is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

APPENDIX A

North Atlantic Mediterranean Freight Conference, 17 Battery Place, New York, N.Y. 10004.
American Export Isbrandtsen Lines, Inc., 26 Broadway, New York, N.Y. 10004.
Blue Sea Line, Funch, Edye & Co., Inc., General Agents, 25 Broadway, New York, N.Y. 10005.
Concordia Line, Boise-Griffin Steamship Co., Inc., agents, 90 Broad Street, New York, N.Y. 10004.
Constellation Line, Constellation Navigation, Inc., 85 Broad Street, New York, N.Y. 10004.
Fabre Line (Compagnie Fabre, Societe Generale de Transports Maritimes), Black Diamond Steamship Co., General Agents, 2 Broadway, New York, N.Y. 10004.
Compagnie Generale Transatlantique, French Line, 17 Battery Place, New York, N.Y. 10004.
Fresco Line (Stockholms Rederiaktiebolag Svea), F. W. Hartmann & Co., Inc., 21 West Street, New York, N.Y. 10006.
Hansa Lines, Deutsche Dampfschiffahrts-Gesellschaft, F. W. Hartmann & Co., Inc., 21 West Street, New York, N.Y. 10006.
Hellenic Lines, Ltd., 39 Broadway, New York, N.Y. 10006.
Hoegh Line, Kerr Steamship Co., 29 Broadway, New York, N.Y. 10006.
Isthmian Lines, Inc., States Marine-Isthmian Agency, Inc., 90 Broad Street, New York, N.Y. 10004.
Italian Line (Italia Societa per Azioni di Navigazione), 1 Whitehall Street, New York, N.Y. 10004.
Perusahaan Negara (P.N.) "Djakarta" Lloyd, Kerr Steamship Co., Inc., 29 Broadway, New York, N.Y. 10004.
National Hellenic American Line, S.A., Cosmopolitan Shipping Co., Inc., Agents, 42 Broadway, New York, N.Y. 10004.
Orient Mid-East Lines, Eagle Ocean Transport, Inc., Agents, 29 Broadway, New York, N.Y. 10006.
Prudential Lines, Inc., 1 Whitehall Street, New York, N.Y. 10004.
States Marine Lines, Inc., 90 Broad Street, New York, N.Y. 10004.
Dampskibsselskabet Torm A/S, Peralta Shipping Corp., Agents, 85 Broad Street, New York, N.Y. 10004.
Zim Israel Navigation Co., Ltd., Mediterranean Agencies, Inc., Agents, 42 Broadway, New York, N.Y. 10004.

[F.R. Doc. 66-9336; Filed, Aug. 25, 1966; 8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 585]

NEBRASKA

Declaration of Disaster Area

Whereas, it has been reported that during the month of August 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Platte, Boone, and Nance Counties in the State of Nebraska;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Assistant Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property, situated in the aforesaid counties and areas adjacent thereto, suffered damage or destruction resulting from floods and accompanying conditions occurring on or about August 12, 1966.

OFFICE

Small Business Administration Regional Office, 215 North 17th Street, Omaha, Nebr. 68102.

2. A temporary office will be located in or near Columbus, Nebr., address to be announced locally.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to February 28, 1967.

Dated: August 16, 1966.

WILLIAM P. TURPIN,
Assistant Administrator for Administration.

[F.R. Doc. 66-9299; Filed, Aug. 25, 1966; 8:46 a.m.]

[Declaration of Disaster Area 586]

TEXAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of August 1966, because of the effects of certain disasters, damage resulted to residences and business property located in Jefferson County in the State of Texas;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such condition, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Assistant Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property, situated in the aforesaid county and areas adjacent thereto, suffered damage or destruction resulting from floods and accompanying conditions occurring on or about August 11, 1966.

OFFICE

Small Business Administration Regional Office, 201 Fannin Street, Houston, Tex. 77002.

2. A temporary office will be located in the City Hall, Port Arthur, Tex.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to February 28, 1967.

Dated: August 17, 1966.

WILLIAM P. TURPIN,
Assistant Administrator for Administration.

[F.R. Doc. 66-9300; Filed, Aug. 25, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 241]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

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 protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 99272 (Sub-No. 3 TA), filed August 19, 1966. Applicant: CUMBERLAND MOTOR FREIGHT, INC., 332 Hood Avenue, Lebanon, Ky. 44033. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, explosives, household goods, commodities in bulk, commodities requiring special equipment, other than refrigeration, and those injurious or contaminating to other lading), serving the site of the Laurel Project, U.S. Corps of Engineers, in Laurel County, Ky., near Bald Rock, Ky., as an off-route point in connection with applicant routes between Louisville and Harlan, Ky., and between Lexington and London, Ky., for 180 days. Supporting shipper: Mr. A. L. Crowell, Project Manager, Fenix & Scisson, Inc., Post Office Box 642, Somerset, Ky. Send protest to: Wayne L. Merilatt, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 107496 (Sub-No. 496 TA), filed August 19, 1966. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third Street, Post Office Box 855, Des Moines, Iowa 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Portland pozzolan cement*, in bulk and in bags, from Kansas City, Kans., to points in Iowa, Missouri, and Nebraska, for 180 days. Supporting shipper: Independent Cement Co., division—Fly Ash Concrete Co., Inc., Kansas City, Mo. 64145. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 108207 (Sub-No. 207 TA), filed August 19, 1966. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry shellac*, from Chicago, Ill., to Longview, Tex. (Note: Requires refrigeration during transit), for 180 days. Supporting shipper: Resistol Rough Hat Corp., Post Office Box 7066, Longview, Tex. 75604. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 108207 (Sub-No. 206 TA), filed August 19, 1966. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Biological products, including animal vaccines and blood serums*, from Temple, Tex., to points in Arkansas, California, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, and Tennessee, for 150 days. Supporting shipper: Bandy Laboratories, Inc., Post Office Box 727, Temple, Tex. 76502. Send protest to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 127577 (Sub-No. 1 TA), filed August 19, 1966. Applicant: D. DONNELLY LIMITED, 191 Murray Street, Montreal, Quebec, Canada. Applicant's representative: W. Norman Charles, 80 Bay Street, Glens Falls, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock salt*, in bulk, in dump vehicles, from Ports of entry on the international boundary line between the United States and Canada located in Vermont, to points in Caledonia, Chittenden, Essex, Franklin, Grand Isle, Lamoille, Orleans, and Washington Counties, Vt., with no transportation for compensation on return except as otherwise authorized, for 150 days. Supporting shipper: Morton Salt Co., 110 North Wacker Drive, Chicago, Ill. 60606. Attention: R. W. Brinckman, traffic manager. Send protests to: Wilmot E. James, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 518 Federal Building, Albany, N.Y. 12207.

No. MC 128532 TA, filed August 19, 1966. Applicant: ORVILLE LAMBE, doing business as LAMBE'S TRUCKING, Post Office Box 414, Claresholm, Alberta, Canada. Applicant's representative: J. F. Meglen, Behner Building, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile home supplies*, from Grand Island, Nebr., to the port of entry on the international boundary between the United States and Canada, at or near Sweetgrass, Mont., on traffic destined to Claresholm, Alberta, Canada, for 180 days. Supporting shipper: Watson Industries (Alberta) Ltd., Post Office Box 970, Claresholm, Alberta, Canada. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, U.S. Post Office Building, Billings, Mont. 59101.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-9330; Filed, Aug. 25, 1966; 8:49 a.m.]

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