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* Temporarily out of print
THE PRESIDENT

PROCLAMATION
National UNICEF Day

AGENCY FOR INTERNATIONAL DEVELOPMENT

Rules and Regulations
Rules and procedures applicable to commodity transactions financed by A.I.D.; miscellaneous amendments

AGRICULTURE DEPARTMENT
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CIVIL AERONAUTICS BOARD

Rules and Regulations
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(Codification Guide)

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

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Title 3—THE PRESIDENT

Proclamation 3817

NATIONAL UNICEF DAY

By the President of the United States of America

A Proclamation

The United Nations Children's Fund (UNICEF) was established by the United Nations in 1946.

UNICEF is dedicated to the welfare of children throughout the world—to eliminating the disease, hunger, and ignorance that afflicts them and their mothers.

UNICEF is one of the most successful international efforts the world has ever known.

The American people have actively and generously supported the work of UNICEF through their private efforts, and through the financial contributions of their Government. American children make their own very significant contribution through their annual Halloween collections for UNICEF.

Yet, despite past efforts, three out of four of all the world's children continue to suffer in the shadow of poverty, hunger, and disease. There is an enormous job still to be done—for the world's future depends on the wholesome, healthy development of today's children.

I hope that the American people, and the peoples of all countries, will continue to support UNICEF to the limits of their ability, both through their private efforts and through their governments.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, in honor of this great humanitarian enterprise, do hereby proclaim October 31, 1967, and October 31 in each subsequent year, as National UNICEF Day. I call upon all Americans, and particularly upon officials of the Federal and State governments and upon local officials and citizen groups, to engage in appropriate observance of this day in support of UNICEF.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of October, in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and ninety-second.

[FR Doc. 67-12312; Filed, Oct. 27, 1967; 5:06 p.m.]
Title 7—AGRICULTURE

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

PART 967—CELERY GROWN IN FLORIDA

Expenses and Rate of Assessment

Notice of rule making regarding the proposed expenses and rate of assessment, to be effective under Marketing Agreement No. 149 and Order No. 967 (7 CFR Part 967), regulating the handling of celery grown in Florida was published in the Federal Register on October 10, 1967 (32 F.R. 14063). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 501 et seq.). The notice afforded interested persons an opportunity to submit written data, views, or arguments pertaining thereto not later than 15 days following publication in the Federal Register. None was filed.

After consideration of all relevant matters, including the proposals set forth in the aforesaid notice which were recommended by the Florida Celery Committee, established pursuant to said marketing agreement and this part, it is hereby found and determined that:

§ 967.203 Expenses and rate of assessment.

(a) The expenses that are reasonable and likely to be incurred during the fiscal year August 1, 1967, through July 31, 1968, by the Florida Celery Committee for its maintenance and functioning and for such purposes as the Secretary may determine to be appropriate, will amount to $38,500.

(b) The rate of assessment to be paid by each handler in accordance with the marketing agreement and this part shall be one half of one cent ($0.0005) per crate of celery handled by him as the first handler thereof during said fiscal year.

(c) As provided in § 967.42, unexpended income in excess of expenses for the fiscal year ending July 31, 1968, may be carried over as an operating reserve.

(d) Terms used in this section have the same meaning as when used in the marketing agreement and this part.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the Federal Register (32 U.S.C. 533) in that: (1) The relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal year shall be applicable to all assessable celery from the beginning of such fiscal year, and (2) the current fiscal year began on August 1, 1967, and the rate of assessment herein fixed will automatically apply to all assessable celery beginning with such date.

(§ 967.19, 48 Stat. 11, as amended; 7 U.S.C. 601-674)

Dated: October 26, 1967.

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

[F.R. Doc. 67-12553; Filed, Oct. 30, 1967; 8:47 a.m.]

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Finding and Approval Relative to Retention and Disposition of Reserve Tonnage Raisins Carried Over From 1966–67 Crop Year

The finding and approval hereinafter set forth are pursuant to § 989.67 of the marketing agreement, as amended, and Order No. 983, as amended (7 CFR Part 989; 32 F.R. 12157, 12555, 12710), regulating the handling of raisins produced from grapes grown in California. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the “act.”

Section 989.67(a) provides, in part, that any reserve tonnage raisins of a crop year held unsold by the Raisin Administrative Committee on November 1 of the subsequent crop year shall be physically disposed of promptly in any available outlet not competitive with normal market channels for free sale, and such carried over raisins may be disposed of in any outlet recomended by the Committee and approved by the Secretary.

The official estimate of the 1967 production of natural (sun-dried) Thompson Seedless raisins was recently been revised from 155,000 tons to 164,000 tons. However, industry sources indicate that the quantity of standard raisins of this varietal type will approximate 155,000 tons rather than 164,000 tons due to crop damage and because the actual weight of deliveries to date from individual producers to packers, is considerably less than earlier expectations. A production approximating 155,000 tons is regarded as a crop failure because it is only 65 percent of the 1966-67 average annual production of this varietal type and is substantially less than the estimated 1967-68 commercial domestic and export requirements for such raisins for human consumption.

On the basis of the drible free tonnage for such raisins of 142,500 tons established (32 F.R. 14271) for sale in Western Hemisphere markets. The foregoing industry estimate of the 1967 production of standard raisins of approximately 155,000 tons, only about 12,500 tons of standard 1967 crop raisins would be available as reserve tonnage for export sale to countries outside of the Western Hemisphere during the 1967-68 crop year. However, export sales of natural Thompson Seedless raisins to eight countries have averaged about 52,000 tons annually for the past 3 crop years and, if the raisins are made available, could approximate or exceed this rate of sales. A total of 54,851 tons of 1966-67 unsold reserve tonnage raisins, excluding 21,688 tons reserved by the Committee for handling to fill their sales contracts with the U.S. Department of Agriculture, was carried over into the 1967-68 crop year on September 1, 1967. Addition of the 54,851 tons of raisins to a 1967-68 reserve tonnage of 12,500 tons gives 67,351 tons which would allow for a carryout of 52,000 tons of raisins for export sale to countries outside of the Western Hemisphere during 1967-68 and provide a carryout approximating 15,000 tons. A carryout of about 15,000 tons of reserve tonnage raisins on August 31, 1968, would permit uninterrupted export movement of raisins to these countries during the first 6 weeks of the 1968-69 crop year until substantial quantities of new crop raisins are produced and become available for shipment. The 54,851 tons of raisins unsold as of September 1, 1967, had been reduced to 36,827 tons as of October 9, 1967, by export sale to countries outside the Western Hemisphere and is likely to be further reduced by November 1, 1967.

Retention of the remaining unsold 1966-67 reserve tonnage raisins for disposition in the outlets specified in § 989.67(b) will permit estimated 1967-68 export requirements for raisins to be met and allow for a carryout for export in early 1968-69. Such action will permit continued orderly marketing of raisins in export, the principal outlet for reserve tonnage raisins. Increased returns to raisin producers will result because the alternative to export would be to dispose of such raisins for distillation or livestock feed at lower net returns.

Accordingly, pursuant to § 989.67(a), and based on the unanimous recommendations of the Raisin Administrative Committee and other information, it is
hereby found that: (a) The 1967 production of
natural Thompson Seedless raisins
is such as to be a crop failure; (b) retention of the reserve tonnage of
Thompson Seedless raisins of the 1966–67 pool which are held unpledged by the Com-
mittee on November 1, 1967, for disposition as reserve tonnage in export and
other eligible outlets is warranted; and
(c) such disposition of the reserve tonnage raisins will be consistent with the
declared policy of the act. Accordingly, disposition of such reserve tonnage in the
outlets specified in § 989.67(b) in ac-
cordance with the applicable provisions
of this part, is approved.

It is hereby further found that it is
impractical, unnecessary, and contrary to the public interest to give public notice
and engage in public rule making proce-
dure, and that good cause exists for not postponing the effective time of this ac-
tion until 30 days after publication in the
FEDERAL REGISTER (5 U.S.C. 553) in that:
(1) This action unanimously recom-
manded by the Raisin Administrative
Committee, must become effective before
November 1, 1967, or otherwise the Com-
mittee is required by program provisions to dispose of the 1967 reserve tonnage raisins held uncommitted on November 1, 1967, for such uses as distillation or live-
stock feed at low net returns to producers
even though the opportunity exists for selling such tonnage for export at higher net returns to producers; (2) having this action become effective promptly will permit a continuing availability and an
orderly movement of raisins in export; and
(3) this action constitutes a relaxation
of restrictions on the disposal of reserve tonnage raisins.

(Secs. 1–19, 48 Stat. 51, as amended; 7 U.S.C.
601–674)

Dated October 25, 1967, to become ef-
tective upon publication in the FEDER-
AL REGISTER.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 67–12768; Filed, Oct. 30, 1967;
8:46 a.m.]

Title 12—Banks and Banking

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS

OF THE FEDERAL RESERVE SYSTEM

[Reg. X]

PART 222—BANK HOLDING

COMPANIES

§ 222.122 Bank holding company own-
erership of mortgage companies.

(a) The Board of Governors recently
considered whether a bank holding may
acquire, either directly or through a sub-
sidiary, the stock of a so-called "mort-
gage company" that would be operated
on behalf of a bank in the holding company

assemble credit information, make prop-
erty inspections and appraisals, and secure
title information. The company would
also participate in the preparation
of applications for mortgage loans, which
would be reviewed and commen-
tations with respect to action there-
on, to the bank, which alone would de-
cide whether to make any or all of the
loans requested. The company would in
addition, purchase mortgage loans from the bank and would
seek to have such investors contract with
the bank for the servicing of such loans.

(b) Under section 4 of the Bank Hold-
ing Company Act (12 U.S.C. 1843), a
bank holding company is generally pro-
hibited from acquiring "direct or indirect
ownership" of stock of nonbanking cor-
porations. The two exceptions prin-
cipally involved in the question presented
are with respect to (1) stock that is eli-
gible for investment by a national bank
(section 4(c)(5) of the Act) and (2) shares of a company "furnishing services
to or performing services for such bank
holding company or its banking sub-
sidiaries" (section 4(c)(1)(C) of the
Act).

(c) The Board has previously indi-
cated its view that a national bank is
forbidden by the so-called "stock-pur-
chase prohibition" of paragraph "Sev-
enth" of section 4 of the Act, to acquire
any shares of stock of any corporation
except (1) to the extent permitted by specific provisions of
Federal law or (2) to the extent permitted within
the concept of "such incidental powers as
shall be necessary to carry on the business of banking" referred to in the
first sentence of said paragraph "Sev-
enth". There is no specific statutory
 provision authorizing a national bank
to purchase stock in a mortgage com-
pany, and in the Board's view such pur-
chase may not properly be regarded as
authorized under the "incidental pow-
ers" clause. (See 1966 Federal Reserve
Bulletin 1151; 12 CFR 208.119.) Accord-
ingly, a bank holding company may not
acquire stock in a mortgage company on
the basis of the section 4(c)(5) exemption.

(d) However, the Board does not be-
lieve that such conclusion prejudices
the question whether such a company may
be considered as within the scope of the
serving exemption.3

(e) On this basis, the Board concluded
that, insofar as the Bank Holding
Company Act is concerned, a bank holding
company may acquire, either directly or
through a subsidiary, the stock of a mort-
gage company whose functions include
such activities as extending credit for
its own account, arranging interim
financing, entering into mortgage service
contracts on a fee basis, or otherwise per-
forming functions other than solely on
behalf of a bank.


Dated at Washington, D.C., this 20th
day of October 1967.

By order of the Board of Governors.

[SEAL]
MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67–12768; Filed, Oct. 30, 1967;
8:45 a.m.]

3Insofar as the 1958 Interpretation referred
above suggested that the branch banking
laws are an appropriate general test for de-
termining the scope of the serving exclu-
sion, such interpretation is hereby modified.
Under the branch banking laws, a mortgage
company whose functions are restricted as
indicated in the question presented would
not constitute a branch within the meaning of
section 5153 of the Revised Statutes (12
U.S.C. 31). (See 1957 Federal Reserve Bul-
letin at page 1334; 12 CFR 208.123.) In view
of the different purposes to be served by
such law and by section 4 of the Bank Hold-
ing Company Act, the Board has concluded
that basing determinations under the latter
solely on the basis of determinations under
the former is inappropriate.
### PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

#### Miscellaneous Amendments

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

### Notes

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

#### ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearing, headings, courses, and radii are magnetic. Elevations and altitudes are in feet MSL. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an airport code is established in accordance with a different procedure for each airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area as not forth below.

<table>
<thead>
<tr>
<th>Transition</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dayton Int.</td>
<td>CQN RBn.</td>
<td>Direct</td>
<td>2300</td>
<td>T-dn-</td>
</tr>
<tr>
<td>Chasport VORTAC</td>
<td>CQN RBn.</td>
<td>Direct</td>
<td>3000</td>
<td>C-dn-</td>
</tr>
<tr>
<td>Glenside</td>
<td>CQN RBn.</td>
<td>Direct</td>
<td>3200</td>
<td>A-dn-</td>
</tr>
<tr>
<td>Whitwell Int.</td>
<td>CQN RBn.</td>
<td>Direct</td>
<td>3200</td>
<td>A-dn-</td>
</tr>
<tr>
<td>Bridgeport Int.</td>
<td>CQN RBn.</td>
<td>Direct</td>
<td>3200</td>
<td>A-dn-</td>
</tr>
<tr>
<td>Coos Bay NDB</td>
<td>CQN RBn.</td>
<td>Direct</td>
<td>3200</td>
<td>A-dn-</td>
</tr>
<tr>
<td>Cranfill Int.</td>
<td>CQN RBn.</td>
<td>Direct</td>
<td>3000</td>
<td>A-dn-</td>
</tr>
<tr>
<td>Railroad Int.</td>
<td>CQN RBn.</td>
<td>Direct</td>
<td>3200</td>
<td>A-dn-</td>
</tr>
<tr>
<td>River St. Int.</td>
<td>CQN RBn.</td>
<td>Direct</td>
<td>3200</td>
<td>A-dn-</td>
</tr>
</tbody>
</table>

#### MIA

<table>
<thead>
<tr>
<th>Transition</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td>Danvers Int.</td>
<td>OLU NDB</td>
<td>Direct</td>
<td>3000</td>
<td>T-dn-</td>
</tr>
<tr>
<td>Woodruff</td>
<td>OLU NDB</td>
<td>Direct</td>
<td>2000</td>
<td>C-dn-</td>
</tr>
<tr>
<td>Groton</td>
<td>OLU NDB</td>
<td>Direct</td>
<td>500-2</td>
<td>A-dn-</td>
</tr>
</tbody>
</table>

#### Additional Notes

- **Dayton Int.:**
  - Procedure turn W side of crs, 220' Outbound, 146° Inbound, 220' within 10 miles of CQN RBn.
  - Minimum altitude inbound over CQN RBn, 2200' over OM, 1000' over M1,100'. If OM not received, descent below 1000' not authorized.
  - Distance to runway: CQN, 7.5 miles. From the city, 19 miles.
  - If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.5 miles after passing CQN RBn, climb to 3000' on crs of 106° within 15 miles.

- **Danvers Int.:**
  - Procedure turn W side of crs, 220' Outbound, 146° Inbound, 220' within 10 miles of OLU NDB.
  - Minimum altitude inbound over OLU NDB, 2200' over OM, 1000' over M1, 100'. If OM not received, descent below 1000' not authorized.
  - Distance to runway: CQN, 7.5 miles. From the city, 19 miles.
  - If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.5 miles after passing OLU NDB, make left turn, climbing to 3000' on 25° bearing, turn left and return to NDB.

#### Ceiling and Visibility Minimums

- **Dayton Int.:**
  - T-dn-: 200-1, 200-1, 200-1
  - C-dn-: 500-2, 700-2, 700-2
  - A-dn-: 300-2, 100-3, 100-3

- **Danvers Int.:**
  - T-dn-: 200-1, 200-1, 200-1
  - A-dn-: 300-2, 100-3, 100-3

- **Procedure turn:**
  - E side of crs, 106° Outbound, 160° Inbound, 220' within 10 miles of OLU NDB.
  - Minimum altitude over Parkway Int. on final approach crs, 200'.
  - Facility on airport.
  - If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 miles of MIA RBn, make a right-climbing turn to 220'.
  - Minimum altitude for MIA RBn, hold if MIA RBn 220' Inbound, 1 minute right turn.

#### Federal Register

**FEDERAL REGISTER, VOL. 32, NO. 211—TUESDAY, OCTOBER 31, 1967**

No. 211—2
2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

**VOR STANDARD INSTRUMENT APPROACH PROCEDURE**

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

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

<table>
<thead>
<tr>
<th>Transition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td>From</td>
<td>To</td>
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<tr>
<td>------------</td>
<td>--------------------------------</td>
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<td></td>
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</tbody>
</table>

**Radar available.**

Procedure turn W side of crs, 60° Outbd, 230° Inbd, 220° within 10 miles.

Minimum altitude over facility on final approach crs, 1000 feet.

Crs and distance, facility to airport, 220°-6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 15 miles after passing EFIC Rbn, make a left-climbing turn to 200° direct to EDFIC Rbn, 230° Inbd, 1-minute, right turns. **Note:** (1) Final approach from a holding pattern not authorized. Procedure turn required. (2) State-owned facility must be monitored during approach. (3) Night operations Runway 5 left.

CAUTION: High terrain W of airport.

Flight altimeter setting not available from airport.

Minimum altitude over facility on final approach not less than minimums authorized for each airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made along specified routes. Minimum altitudes shall conform with those established for en route operation in the particular area as set forth below.

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Minimum altitude (feet)</th>
<th>Condition 2-engines or less</th>
<th>More than 2-engines, more than 65 knots</th>
</tr>
</thead>
<tbody>
<tr>
<td>MOP VOR</td>
<td>Rosebush Int (final)</td>
<td>Direct</td>
<td>2400</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>65 knots or less</td>
<td>More than 65 knots</td>
</tr>
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<td></td>
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<td>65 knots or less</td>
<td>More than 65 knots</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>65 knots or less</td>
<td>More than 65 knots</td>
</tr>
</tbody>
</table>

**Radar available.**

Procedure turn W side of crs, 60° Outbd, 341° Inbd, 220° within 10 miles.

Minimum altitude over facility on final approach crs, 1140°; 100° EDFIC Rbn/Radar Fix identified. Facility crs and distance, Redmond Int/Radar Fix to airport, 241°-4.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing Redmond Int, make left-climbing turn to 200°, and hold 5 on 210° Chevalier VOR, 1-minute right turns, 360° Inbd. **CAUTION:** Altitude minimums not authorized for air carriers only, provided such air carriers have approval of their arrangement for weather service at this airport. Weather service not available to the general public.

Use Fort Campbell altimeter setting.

MBA within 26 miles of facility: 800°-200°.

City, Cheyenne; State, Wyo.; Airport name, Cheyenne Municipal; Elevation, 600°; Fac. Class., 56; Ident., CKV; Procedure No. VOR-1, Amdt. 3; Eff. date, 16 Aug. 67; Sup. Amdt. No. VOR-1, Amdt. 1; Dated, 20 Aug. 67.

**FEDERAL REGISTER, VOL. 32, NO. 211—TUESDAY, OCTOBER 31, 1967**
### RULES AND REGULATIONS

**VOR Standard Instrument Approach Procedure—Continued**

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2-engine or less</td>
<td>More than 2-engine or less</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>G1 knots or less</td>
<td>More than G1 knots</td>
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</tbody>
</table>

|        |         |                      |                         |                 |                                 |
|        |         |                      |                         |                 |                                 |

**Detroit, Mich.**

- **City, Detroit; State, Mich.; Airport name, Detroit Metropolitan-Wayne County; Elev., 227**; Freq. Cls., T-VOR; Ident., YIP; Procedure No. VOR Runway 20, Amdt. 3; Eff. date, 15 Nov. 67

- Radar available.
- Procedure turn E side of cnr, 168° Outbd, 345° Inbd, 220° within 10 miles.
- Minimum altitude over facility on final approach cnr, 450°.
- Facility on airport.
- If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of CVV VOR, make left-climbing turn to 2000'.

**Note:** Use 5-mi Campbell altimeter setting.

**Creston VOR**

- **City, Columbus; State, Neb.; Airport name, Columbus Municipal; Elev., 1424**; Freq. Cls., T-VOR; Ident., OLU; Procedure No. VOR Runway 14, Amdt. 6; Eff. date, 10 Nov. 67; Sup. Amdt. No. 2 to VOR-14, Amdt. 2; Dated, 17 Sept. 69

- Procedure turn W side of cnr, 131° Outbd, 311° Inbd, 200° within 10 miles.
- Minimum altitude over facility on final approach cnr, 5190° (2160° when control zone not effective).
- Чн' и над 60°-10°-250°, 800-2 800-2 800-2

**Bellwood Int.**

- **OLU VOR**

- Procedure turn E side of cnr, 131° Outbd, 311° Inbd, 200° within 10 miles.
- Minimum altitude over facility on final approach cnr, 5190° (2160° when control zone not effective).
- Facility on airport. Breakoff point to Runway 23, 220°-4.5 mile.
- If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of OLUT VOR, make left turn and return to VOR.

**Note:** Use Lincoln, Neb., altimeter setting when control zone not effective.

**Creston VOR**

- **City, Columbus; State, Neb.; Airport name, Columbus Municipal; Elev., 1424**; Freq. Cls., T-VOR; Ident., OLU; Procedure No. VOR Runway 14, Amdt. 6; Eff. date, 10 Nov. 67; Sup. Amdt. No. 2 to VOR-14, Amdt. 2; Dated, 17 Sept. 69

- Procedure turn W side of cnr, 131° Outbd, 311° Inbd, 200° within 10 miles.
- Minimum altitude over facility on final approach cnr, 5190° (2160° when control zone not effective).
- Facility on airport. Breakoff point to Runway 23, 220°-4.5 mile.
- If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of OLUT VOR, make left turn and return to VOR.

**Note:** Use Lincoln, Neb., altimeter setting when control zone not effective.

**Creston VOR**

- **City, Columbus; State, Neb.; Airport name, Columbus Municipal; Elev., 1424**; Freq. Cls., T-VOR; Ident., OLU; Procedure No. VOR Runway 14, Amdt. 6; Eff. date, 10 Nov. 67; Sup. Amdt. No. 2 to VOR-14, Amdt. 2; Dated, 17 Sept. 69

- Procedure turn E side of cnr, 131° Outbd, 311° Inbd, 200° within 10 miles.
- Minimum altitude over facility on final approach cnr, 5190° (2160° when control zone not effective).
- Facility on airport. Breakoff point to Runway 23, 220°-4.5 mile.
- If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of OLUT VOR, make left turn and return to VOR.

**Note:** Use Lincoln, Neb., altimeter setting when control zone not effective.
### RULES AND REGULATIONS

#### VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td>Le Sallo Int.</td>
<td>Taylor Int (final)</td>
<td>Direct</td>
<td>2000</td>
<td>T-dn.</td>
<td>300-1, 200-1, 200-14</td>
</tr>
<tr>
<td>Carolina VOR</td>
<td>Taylor Int (final)</td>
<td>Direct</td>
<td>2200</td>
<td>S-dn-2</td>
<td>600-1, 600-1, 600-14</td>
</tr>
<tr>
<td>YIP VOR</td>
<td></td>
<td></td>
<td></td>
<td>A-dn.</td>
<td>800-1, 800-1, 800-14</td>
</tr>
</tbody>
</table>

#### Radar available.

- Procedure turn N side of crn, 100° Outbound, 260° Inbound, 200° within 10 miles of Taylor Int.
- Minimum altitude over Taylor Int on final approach crn, 2000'.
- Crs and distance, Taylor Int to airport, 260°—3 miles.

#### Miami Radar available.

- Procedure turn N side of crn, 273° Outbound, 098° Inbound, 1500' within 10 miles.
- Minimum altitude over Wagon Wheel Int, 600'.
- Crs and distance, Wagon Wheel Int to VOR, 600'—2.5 miles; Breakoff point to Runway 9, 091°—1.5 miles.

#### Miami Radar available.

- Procedure turn N side of crn, 320° Outbound, 128° Inbound, 1500' within 10 miles.
- Minimum altitude over final approach crn, 600'.
- Crs and distance, breakoff point to Runway 11, 352°—1.5 miles.

#### Miami Radar available.

- Procedure turn N side of crn, 096° Outbound, 268° Inbound, 1900' within 10 miles.
- Facility on approach.

#### Miami Radar available.

- Procedure turn N side of crn, 098° Outbound, 268° Inbound, 1900' within 10 miles.
- Facility on approach.

#### Miami Radar available.

- Procedure turn N side of crn, 099° Outbound, 260° Inbound, 1900' within 10 miles.
- Facility on approach.

#### Miami Radar available.

- Procedure turn N side of crn, 099° Outbound, 260° Inbound, 1900' within 10 miles.
- Facility on approach.

#### Miami Radar available.

- Procedure turn N side of crn, 099° Outbound, 260° Inbound, 1900' within 10 miles.
- Facility on approach.
## RULES AND REGULATIONS

### VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

<table>
<thead>
<tr>
<th>Transition</th>
<th>From—</th>
<th>To—</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Ceiling and visibility minimums</th>
<th>Condition</th>
<th>2 engines or less</th>
<th>More than 2 engines, more than 65 knots</th>
</tr>
</thead>
<tbody>
<tr>
<td>A point 10 miles from FNE Rbk.</td>
<td>PFE VOR (final)</td>
<td>VOR radial vectors</td>
<td>500</td>
<td>150</td>
<td>300-1</td>
<td>300-1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Old Stag Int.</td>
<td>PFE VOR (final)</td>
<td>Direct</td>
<td>500</td>
<td>150</td>
<td>300-1</td>
<td>300-1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Procedure turn E or N side of cr. 006° Outbound, 220° Inbound, 200° within 10 miles of PFE Rbk.**

Direction of procedure turn to be; ordered with approach clearance.

Minimum altitudes over facility on final approach crs. 006° (220° if point 10 miles from FNE Rbk. identified).

Facility on airport.

Crs and distance, breakoff point to approach end of Runway 21, 211°—1 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles of PFE VOR, make a right-climbing turn to 200° at 10 000 within 10 miles, then return to VOR. Hold NE, land the right turn, inbound crs. 220°.

**Notes:**
- Radar vectors authorized in accordance with Philadelphia approach control radar pattern.
- Radar vectors are authorized in accordance with Washington approach control radar pattern.
- Radar vectors are authorized in accordance with Philadelphia approach control radar pattern.

**City, Philadelphia:**
- State, Pa.; Airport name, North Philadelphia; Elev., 125'; Fac. Chrs., T-BVOR; Ident., PFE; Procedure No. VOR Runway 24, Ammd. 10; Eff. date 18 Nov. 67; Sup. Ammd. No. VOR Runway 24, Ammd. 5; Dated, 23 Sept. 67.

<table>
<thead>
<tr>
<th>Transition</th>
<th>From—</th>
<th>To—</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Ceiling and visibility minimums</th>
<th>Condition</th>
<th>2 engines or less</th>
<th>More than 2 engines, more than 65 knots</th>
</tr>
</thead>
<tbody>
<tr>
<td>R 60°, SVM VOR clockwise</td>
<td>SVM R 120°</td>
<td>Via 7-mils DME Arc</td>
<td>270</td>
<td>100</td>
<td>200-1</td>
<td>200-1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R 200°, SVM VOR counterclockwise</td>
<td>SVM R 120°</td>
<td>Via 7-mils DME Arc</td>
<td>270</td>
<td>100</td>
<td>200-1</td>
<td>200-1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Radar available.**

Procedure turn W side of crs. 109° Outbound, 019° Inbound, 259° within 10 miles.

Minimum altitudes over facility on final approach crs. 200°.

Crs and distance, facility to airport, 060°—250'.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.5 miles of SVM VOR, make a right-climbing turn to 200° and return to SVM VOR.

**Notes:**
1. Use Willow Run altimeter setting.
2. Runway lights on request.
3. Control: 'Trees' 60° MSF, 300° from airport end of Runway 23.

**City, Wichita, Kan.; Airport name, Spencer Field; Elev., 915'; Fac. Chrs., L-BVORTAC; Ident., SVM; Procedure No. VOR Runway 36, Ammd. 1; Eff. date, 15 Nov. 67.**

3. **By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in 197.18 to read:**

**VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE**

Readings, headings, courses, and radial vectors are magnetic. Elevations and altitudes are in feet MSL. Distances are in statute miles. Vectors are in 10° increments.

Maximum altitude over Wichita Municipal Airport is 500 feet. VOR/DME procedure altitude is 1000 feet.

Radar available.

Procedure turn N side of crs. 006° Outbound, 260° Inbound, 200° within 10 miles of Beech DME Fix.

Minimum altitudes over Wichita Municipal Airport on final approach crs. 200°. VOR and distance, Beech DME Fix to airport, 274—340 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.5 miles after passing Beech DME Fix or at 11.4 miles DME Fix, make a right-climbing turn to 200°, heading 005° to intercept IVC VOR R 060°, proceed to Old Stag Int.

**Notes:**
1. Airport attended Monday through Friday, daylight hours only.
2. Lights Runways 15 and 33 only, Available on request.
3. Use Wichita, Kan., altimeter setting.
4. DME receiver or radar required.

**City, Wichita, Kan.; Airport name, Beech Factory; Elev., 1357'; Fac. Chrs., H-BVORTAC; Ident., ICT; Procedure No. VOR/DME-1, Ammd. 2; Eff. date, 13 Nov. 67; Sup. Ammd. No. VOR 1, Ammd. 3; Dated, 27 Mar. 13.**

**FEDERAL REGISTER, VOL. 32, NO. 211—TUESDAY, OCTOBER 31, 1967**
RULES AND REGULATIONS

4. By amending the following Instrument landing system procedures prescribed in § 97.10 to read:


<table>
<thead>
<tr>
<th>Transition</th>
<th>From—</th>
<th>To—</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2-engines or less</td>
<td>More than 2-engines, more than 65 knots</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>65 knots or less</td>
<td>More than 65 knots</td>
</tr>
<tr>
<td>Dayton Int.</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>T-dn*</td>
<td>200-1</td>
<td>200-1</td>
</tr>
<tr>
<td>Lackhown Int.</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>S-dn **</td>
<td>200-1</td>
<td>200-1</td>
</tr>
<tr>
<td>Chattanooga VORTAO</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>A-dn*</td>
<td>600-2</td>
<td>700-2</td>
</tr>
<tr>
<td>Dunlap Int.</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>A-dn*</td>
<td>600-2</td>
<td>700-2</td>
</tr>
<tr>
<td>Chattanooga Int.</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>A-dn*</td>
<td>600-2</td>
<td>700-2</td>
</tr>
<tr>
<td>Whitwell Int.</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>A-dn*</td>
<td>600-2</td>
<td>700-2</td>
</tr>
<tr>
<td>Bridgeport Int.</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>A-dn*</td>
<td>600-2</td>
<td>700-2</td>
</tr>
<tr>
<td>Cleveland Int.</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>A-dn*</td>
<td>600-2</td>
<td>700-2</td>
</tr>
<tr>
<td>Hixson Int.</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>A-dn*</td>
<td>600-2</td>
<td>700-2</td>
</tr>
<tr>
<td>Hixson Int.</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>A-dn*</td>
<td>600-2</td>
<td>700-2</td>
</tr>
<tr>
<td>Covington Int.</td>
<td>CQN RBn</td>
<td>Direct</td>
<td>3000</td>
<td>A-dn*</td>
<td>600-2</td>
<td>700-2</td>
</tr>
</tbody>
</table>

Radar required. Procedure turn not authorized. Final approach ends at 6-mile radar fix.

Minimum altitude over 6-mile radar fix for final approach ends at 2500'. Aircraft will be released for final approach over 6-mile radar fix.

CRs and distance, 6-mile radar fix to airport, 305°—6 miles.

No glide slope. No markers.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6 miles after passing radar fix, climb to 2000' on NW end of Runway 20.

**Reduction in visibility not authorized.

City, San Antonio; State, Tex.; Airport name, San Antonio International; Elev., 826'; Fac. Class., ILS; Ident., I-ANT; Procedure No. LOC/ILS Runway 30L, Amdt. 01; Eff. date, 15 Nov. 67.

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FEDERAL REGISTER, VOL. 32, NO. 211—TUESDAY, OCTOBER 31, 1967
5. By amending the following radar procedures prescribed in § 97.19 to read:

**Radar Standard Instrument Approach Procedure**

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

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for each airport authorized by the Administrator of the Federal Aviation Agency. Initial approach shall be made at or above specified minimum altitudes. Minimum altitudes shall be established for en route operation in the particular area or set forth below. Position fix or identification points must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot’s discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise or prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 6 seconds during a procedure approach, or for more than 12 seconds during a precision approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

### Transition and Ceiling and Visibility Minimums

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td>6°</td>
<td>6°</td>
<td>0-3</td>
<td>300</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>3 miles NW and 6 miles NE of Runway 4-West centerline extended</td>
<td>6°</td>
<td>0-3</td>
<td>300</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>14°</td>
<td>14°</td>
<td>7-15</td>
<td>500</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>14°-15</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>14°-15</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
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<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
<tr>
<td>0°</td>
<td>0°</td>
<td>17-20</td>
<td>800</td>
<td>2-engine or less</td>
<td></td>
</tr>
</tbody>
</table>

All sector azimuths and altitudes are clockwise from heading locators on airport.

If visual contact is established upon descent to authorized landing minimums or if landing not accomplished: Runway 22—Climb to 600' en route and 21° en route from LOM within 20 miles. Runway 4—Climb to 3000' on 94° en route from BON RBN within 15 miles. Course: Airport changes in terrain elevation adjacent to procedure area. Do not file terrains, aircraft with limited climb capability departing en route via ENTRK CBEA should request clearance to climb to a level of 1100' from Bones RBN or 21° en route from LOM to 600' before continuing climb on en route.

**Title 5—ADMINISTRATIVE PERSONNEL**

**Chapter 1—Civil Service Commission**

**PART 213—EXCEPTED SERVICE**

President's Council on Youth Opportunity

A new § 213.3375 is added to show that the position of Executive Director, President's Council on Youth Opportunity, is excepted under Schedule C. Effective on publication in the Federal Register, § 213.3375 is added as set out below.

§ 213.3375 President's Council on Youth Opportunity.

(a) Executive Director.

(b) Executive Assistant to the Commissioners.

**Title 16—COMMERCIAL PRACTICES**

**Chapter 1—Federal Trade Commission**

[Docket No. 8572; [part 13—PROHIBITED TRADE PRACTICES**

Diamond Alkali Co.

**Subpart—Acquiring corporate stock or assets:**

§ 13.5 Acquiring corporate stock or assets.


Order requiring a Cleveland, Ohio manufacturer of industrial chemical products to divest itself within one year of a Youngstown, Ohio, manufacturer of Portland cement to a purchaser approved by the Commission.

The order of divestiture, including further order requiring report of compliance therewith, is as follows:

*It is ordered, That respondent, Diamond Alkali Co., within one year from the date this order becomes final, shall divest, to a purchaser or purchasers approved by the Federal Trade Commission, as a going concern, all stock, assets, properties, rights and privileges, tangible and intangible, acquired as a result of the acquisition of The Bessemer Lime and Cement Co., together with all additions thereto and replacements thereof.

*It is further ordered, That pending divestiture, Diamond Alkali Co. may make any changes in any of the aforesaid stock and/or assets which would impair their present capacity for the manufacture and sale of cement, or their market value.*

*It is further ordered, That, in the aforesaid divestiture, none of the stock and/or assets be sold or transferred, directly or indirectly, to any person who is at the time of divestiture an officer, director, employee, or agent of, or under the control or direction of Diamond Alkali Co., or any of its subsidiaries or affiliates, or to any person who owns or controls, directly or indirectly, more...
and are effective throughout December 24, 1967.

KERNIT D. DYSZYTER,
Refuge Manager, De Soto Na-
tional Wildlife Refuge, Mis-
Sota, 1.owa.


[PR. Doc. 67-1982; Filed, Oct. 30, 1967; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Foods and Drug Administration, Department of Health, Educa-
tion, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in the Feed and Drinking Water for
Animals or for the Treatment of Food-Producing Animals

BUQUINOLATE, ARSANILIC ACID, 3-NITRO-4-
HYDROXYPHENYLARSONIC ACID, SODIUM

The Commissioner of Food and Drugs, 
having evaluated the data submitted in a 
petition filed by the Norwich Phar-
maceutical Co., Post Office Box 191, Norwich, N.Y. 13815, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use in chicken feed of buquinolate in combination with arsen-
ic acid or 3-nitro-4-hydroxyphenyl-
arsonic acid. Since the nonproprietary name buquinolate has had considerable usage, § 121.291 is amended by deleting the parenthetical chemical name from the section heading. The Commissioner has also concluded that the food additive regulations should be amended with re-

1. Section 121.207 Zoalene is amended in the tables in paragraph (a) by adding to the text under "Limitations" for items 1, 2, 3, 2.3, 2.4, 3.3, and 3.4 the words "as sole source of organic arsenic."
2. Section 121.210 *Amprolium* is amended in table 1 in paragraph (a) by adding to the text under "Limitations" for items 1.1, 2.8, 2.9, 3.2, 3.3, 4.3, 4.4, and 4.3n the words "as sole source of organic arsenic."
3. Section 121.223 *Arsanilic acid* is amended in the table in paragraph (a) in the following respects:
   a. By adding to the text under "Limitations" for items 1, 2.1, 1.5, 1.6, 1.7, 1.8, 2.1, 2.2, and 2.3 the words "as sole source of organic arsenic."
   b. By adding a new item 1.8 as follows:

<table>
<thead>
<tr>
<th>Principal Ingredient</th>
<th>Grams per ton Combined with</th>
<th>Grams per ton Limitations</th>
<th>Indications for use</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.7 Arsamine acid...</td>
<td><strong>...</strong></td>
<td><strong>...</strong></td>
<td><strong>...</strong></td>
</tr>
<tr>
<td>1.8 Arsamine acid...</td>
<td>(0.01%)</td>
<td>(0.00025%)</td>
<td><strong>...</strong></td>
</tr>
<tr>
<td>Buquinolate...</td>
<td>(0.00025%)</td>
<td></td>
<td><strong>...</strong></td>
</tr>
<tr>
<td>Sodium arsinite...</td>
<td></td>
<td></td>
<td><strong>...</strong></td>
</tr>
<tr>
<td>For broiler chickens; withdraw 6 days before slaughter do not feed to laying hens: as sole source of organic arsenic.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>As an aid in the treatment of coccidiosis caused by E. tenella, E. maxima, E. necatrix, and E. acervulina growth promotion and feed efficiency, improving pigmentation.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Principal Ingredient</th>
<th>Grams per ton Combined with</th>
<th>Grams per ton Limitations</th>
<th>Indications for use</th>
</tr>
</thead>
</table>
| 1.9 3-Nitro-4-
   hydroxyphenyl-
   arsionic acid... | **...**                     | **...**                   | **...**             |
| 1.10 3-Nitro-4-
   hydroxyphenyl-
   arsionic acid... | 22.7-65 (0.00027%)          | 75 (0.00025%)            | **...**             |
| Buquinolate...       | (0.00025%)                  |                           | **...**             |
| For broiler chickens; withdraw 6 days before slaughter do not feed to laying hens: as sole source of organic arsenic. |
| As an aid in the treatment of coccidiosis caused by E. tenella, E. maxima, E. necatrix, and E. acervulina growth promotion and feed efficiency, improving pigmentation. |

§ 121.292 [Amended]
7. Section 121.292 *Erithromycin thio- cyanate* is amended in the table in paragraph (d) by adding to the text under “Limitations” for items 1.2, 2.2, and 4.2 the words “...as sole source of organic arsenic.”

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the Federal Register file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issue for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the Federal Register.

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

Title 22—FOREIGN RELATIONS

Chapter II—Agency for International Development, Department of State

[A.I.D. Reg. 1]

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

Miscellaneous Amendments

Title 22, Chapter II, Part 201 (AID Reg. 1), is amended as follows:
§ 201.01 [Amended]
a. In § 201.01 paragraph (c) is deleted.
§ 201.11 [Amended]
b. In § 201.11 paragraph (j) (3) is deleted.
§ 201.34 [Deleted]
c. Section 201.34 is deleted.
§ 201.52 [Amended]
d. Section 201.52 is amended as follows:
1. Paragraph (a) (2) (i) (f) is revised to read as follows:
   (f) The delivery terms (e.g., f.o.b., f.a.s., c.i.f., and c.n.f.)
2. Paragraph (a) (10) is deleted.
e. Section 201.71 (e) is revised to read as follows:
§ 201.71 Terms of letters of credit.

(c) Letters of credit and payment instructions for U.S.-source commodities. Unless instructed by A.I.D. to the contrary, with respect to any proposed sale of U.S.-source commodities the bank shall not open, confirm, or advise any letter of credit and shall not issue or make payment under any payment instruction to a beneficiary or payee with a payment address (as provided by the importer or by the Approved Applicant to the opening or paying bank or by the opening bank to the confirming or advising bank) outside the United States.

§ 201.72 [Amended]

1. Paragraph (b) is amended by deleting in the first sentence after the words “Certificate Concerning Commodities,” the words “Certificate Concerning U.S.-source Commodities.”

2. Paragraph (c) is amended by deleting after the words “Certificate Concerning Commodities,” the words “Certificate Concerning U.S.-source Commodities.”

§ 201.73 [Amended]
g. Section 201.73 is amended as follows:
1. Paragraph (a) is amended by deleting after the words “Certificate Concerning Commodities,” in the first sentence the words “Certificate Concerning U.S.-Source Commodities.”

2. Subparagraph (1) of paragraph (b) is amended by deleting after the words “Certificate Concerning Commodities,” the words “Certificate Concerning U.S.-Source Commodities.”

h. Appendix E at the end of Part 201 is deleted.

Effective date. The foregoing amendments shall enter into effect on November 1, 1967.


RUTHERFORD M. POLEZ,
Deputy Administrator.

[P.R. Dec. 67-12012; Filed, Oct. 30, 1967; 8:54 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Parole Board Directive No. 5]

PART 2—PAROLE, RELEASE, SUPERVISION, AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

Some: Issuance of Warrants and Dispositional Interviews

Under and by virtue of the authority vested in the U.S. Board of Parole and Youth Correction Division thereof by Title 18 of the United States Code, particularly Chapter 311, and Part 4 and Subpart T of Part 6 of Chapter I of Title 28 of the Code of Federal Regulations, § 2.37 of Part 2 of Title 28 of the Code of Federal Regulations (Parole Board Directive No. 4, 31 F.R. 4204) is hereby amended to read as follows:

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§ 121.292 [Amended]
7. Section 121.292 *Erithromycin thio-cyanate* is amended in the table in paragraph (d) by adding to the text under “Limitations” for items 1.2, 2.2, and 4.2 the words “...as sole source of organic arsenic.”

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the Federal Register file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issue for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the Federal Register.

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

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-12749; Filed, Oct. 30, 1967; 8:45 a.m.]
§ 237 Same: Issuance of warrant and dispositional interview.

(a) A warrant for the apprehension of any such person shall be issued only by the Board or a Member thereof, and only within the maximum term or terms for which the prisoner was sentenced.

(b) A warrant for the apprehension of any mandatory releasee shall be issued only by the Board or a Member thereof, and only within the maximum term or terms for which the prisoner was sentenced, less 180 days.

(c) In those instances where the prisoner is serving in an institution on a new sentence, the warrant may be placed there as a detainer. The prisoner shall be advised that he may communicate with the Board relative to disposition of the warrant. Where the facts merit, the Board shall direct a Member or a designated examiner to conduct a dispositional interview at the institution where the prisoner is confined. At such dispositional interview, the prisoner may be represented by counsel of his own choice and may call witnesses in his own behalf, provided that he bears their expenses. He shall be given full notice of the dispositional interview and its procedure.

Following the interview, the Board may take any action relative to the warrant appropriate under the statutes and the regulations of the Board. The dispositional interview may be construed as a revocation hearing in those cases where the Board does not withdraw its warrant but determines that the violator term shall begin to run concurrently with the new sentence then being served.

In all cases, including those where a dispositional interview is not conducted, the Board shall conduct reviews relative to disposition of the warrant. For its consideration, it shall request periodic reports from institution officials as required.

The amendment made by this directive shall be effective as of the date of its publication in the Federal Register.

Dated: October 26, 1967.

WALTER DUNBAR,
Chairman, U.S. Board of Parole.

ZIEGEL W. NEFF,
Chairman, Youth Correction, Division, U.S. Board of Parole.

[FR Doc. 67-12811; Filed, Oct. 30, 1967; 8:48 a.m.]

Title 32—NATIONAL DEFENSE
Chapter I—Office of the Secretary of Defense
SUBCHAPTER M—MISCELLANEOUS
PART 245—PLAN FOR THE SECURITY CONTROL OF AIR TRAFFIC AND AIR NAVIGATION AIDS (SHORT TITLE: SCATANA)

The following policy has been approved by the Secretary of Defense, the Administrator, Federal Aviation Agency, and the Defense Commissioner, Federal Communications Commission:

Sec. 245.1 Foreword.

245.2 Explanation of terms.

245.3 The plan.

245.4 SCATANA testing procedures.

245.5 SCATANA test—action log.

245.6 Movement of tactical air traffic.

245.7 Movement of non-Federal civil air navigation aids.

245.8 Procedures for movement of air traffic.

245.9 Wartime air traffic priority list for movement of aircraft.

245.10 Automation.


§ 245.1 Foreword.

(a) This part is promulgated in furtherance of the Federal Aviation Act of 1958, the Communications Act of 1934, and Executive Order 10132 and supersedes; (1) The Department of Defense/Department of Commerce and Conterminous NAFO/FAA/SCATANA Administration "Plans for the Security Control of Air Traffic and Electromagnetic Radiations During an Air Defense Emergency." November 17, 1957, September 11, 1957, and February 11, 1958, respectively; and (2) Federal Aviation Agency/ Joint Chiefs of Staff (FAA/JCS) Priority List dated January 12, 1958.

(b) This part defines the responsibilities of the Administrator, Federal Aviation Agency, and the appropriate military authorities for the security control of civil and military air traffic and Federal air navigation aids and defines the responsibility of the Federal Communications Commission for the security control of non-Federal civil air navigation aids.

(c) For the purposes of clarity, the language of this part refers to the Commander-in-Chief, North American Air Defense Command (CINCNORAD) and his Region Commanders as appropriate military authority within the NORAD area of responsibility. Air Defense Emergency can only be declared by CINCNORAD/CINCONAD or higher authority.

(d) Appropriate military authority outside the NORAD area of responsibility refers to Commanders of Unified and Specified Commands established by the Secretary of Defense for their respective areas of responsibility. These Commanders and higher authority can declare Defense Emergency in their respective areas or responsibility.

(e) The restrictions of this part may be imposed in two situations that concern national security. In the first, Defense Emergency/ Air Defense Emergency has been declared or is imminent. Execution of the plan will normally be subsequent to declaration of Defense Emergency/ Air Defense Emergency. However, a NORAD Region Commander may impose any or all of the restrictions contained in the plan prior to a declaration of Defense Emergency/ Air Defense Emergency or during an area, or an adjacent region, is under attack.

(f) In the second situation, emergency conditions that threaten national security but do not warrant the declaration of Defense Emergency/ Air Defense Emergency may require CINCNORAD to request restriction to the movement of air traffic in certain areas. Under this situation Emergency SCATANA Rules may be imposed in affected areas. Normally, this action will be coordinated with the Administrator, FAA prior to implementation.

(g) Prior to or subsequent to the declaration of a Defense Emergency or an Air Defense Emergency, there may be a requirement to disperse civil and military aircraft for their protection. The FAA responsibility for this is contained in current Executive orders. Appropriate military documents contain responsibility for the military services. If such dispersal plans are implemented when any part of this plan has been placed in effect, operations will be in accordance with the requirements of that portion of the SCATANA plan which is in effect. If any part of the SCATANA plan is ordered while dispersal is in progress, dispersal operations will be revised as required to comply with SCATANA.

(h) This part applies to all U.S. areas over which the FAA has air traffic control jurisdiction. For those areas outside CINCNORAD's area of responsibility within which the FAA exercises air traffic control jurisdiction, those responsibilities, authorities and actions assigned in this plan to CINCNORAD and his Region Commanders apply to the Commander, or his designated representative, of the Unified-Specified Command exercising operational control over the area.

(i) The basic plan upon which this part is based is unclassified. NORAD and appropriate Unified-Specified Commands will prepare annexes, as required, to support this plan for their areas of responsibility. Distribution of classified annexes will be in accordance with current security directives on a "need-to-know" basis.

§ 245.2 Explanation of terms.

(a) For the purpose of this plan and supporting documents, the following definitions apply:

(1) Air Defense Emergency. An emergency condition, declared or confirmed by either CINCNORAD or CINCONAD, or higher authority, which exists when attack upon the continental United States, Alaska, Canada, or U.S. installations in Greenland by hostile aircraft or missiles is considered probable, is imminent, or is taking place.

(2) Air Defense Identification Zone. Airspace of defined dimensions within which the ready identification, location, and control of aircraft, which exist when attack upon the continental United States, Alaska, Canada, or U.S. installations in Greenland by hostile aircraft or missiles is considered probable, is imminent, or is taking place.

(3) Appropriate Military Authorities. Within the NORAD area of responsibility— CINCNORAD and NORAD Region Commanders. Outside the area of responsibility—the Commander-In-Chief, or his designated representative, of Unified or Specified Commands for U.S. areas located within their area of responsibility.

(4) Defense Area. Any airspace of the United States (other than that designated as an ADIZ) in which the control
of aircraft is required for national security. 
(5) Defense Emergency. An emergency condition which exists when a major attack is made upon U.S. forces overseas, or on allied forces in any theater and is confirmed either by the Commander of a Command established by the Secretary of Defense or higher authority. 
(6) Dispersal. The deployment of aircraft to predesignated dispersal airfields for the purpose of enhancing their survivability. 
(7) Diversion. The intentional change of a flight from its intended destination for operational or tactical reasons. 
(8) Emergency SACAT Rules. Emergency rules for the security control of air traffic. Such rules require all aircraft to file IFR or DVFR flight plans and comply with special security instructions which may be necessary to identify, locate, and insure immediate control of all air traffic. Emergency SACAT may include diverting the rerouting and restricting of air traffic and, subsequent to declaration of a Defense Emergency/Air Defense Emergency, may include the diverting, prohibiting or grounding of civil or military air traffic. 
(9) Federal Air Navigation Aids. VOR, VORTAC, TACAN, DECCA, SHORAN, and LORAN stations owned and operated by an agency of the Federal Government such as the FAA, Military Services and U.S. Coast Guard. 
(10) Five-Minute Control Time. The maximum time allowed to start and/or discontinue transmission from an air navigation aid. 
(11) FAA Region. A geographical subdivision of the area for which FAA is responsible. 
(12) Full SACATANA. The term used to indicate FAA and appropriate aeronautical facilities that the NORAD Region Commander is grounding and/or diverting air traffic consistent with his authority under this plan and is directing the control of air navigation aids. 
(13) Non-Federal Air Navigation Aids. VOR, VORTAC, TACAN, DECCA, SHORAN, and LORAN Stations licensed by the FCC. 
(14) Nontactical Air Traffic. Civil or military flights other than tactical air traffic. 
(16) NORAD Region. A geographical subdivision of the area for which NORAD is responsible. 
(17) Rerouting. The intended deviation of a flight from its original course without changing its destination. 
(18) Security Control of Air Traffic (SACAT). Rules and procedures to effect, when necessary, the ready identification, location and control of civil and military air traffic in the interest of national security. 
(20) Security Control Authorization. Military authorization for an aircraft to proceed in accordance with specified conditions when Emergency SACAT is in effect. 
(21) Tactical Air Traffic. Military flights actually engaged in operational missions against the enemy, flights engaged in immediate deployment for a combat mission, and preplanned combat and logistical support flights contained in specified SACATANA. 
(22) United States. The several States, the District of Columbia, and the several territories and possessions of the United States (including areas of air, land, or water administered by the United States under international agreement), including the territorial waters and the overlying airspace thereof. 
§ 245.3 The plan. 
(a) Purpose. (1) To establish responsibilities, procedures, and general instructions for the security control of civil and military air traffic and air navigation aids during a Defense Emergency/Air Defense Emergency which will provide most effective utilization of airspace by aircraft of military and civil agencies; and 
(2) To establish responsibilities, procedures and general instructions for the security control of civil and military air traffic which will provide most effective utilization of airspace in the affected area(s) when there is a serious threat to hemispheric and national security. 
(b) Authority. (1) Joint Chiefs of Staff directives which outline NORAD responsibilities for the development of plans and polices in concert with the FAA for the establishment of a system for identification and security control of air traffic. 
(2) Federal Aviation Act of 1958. 
(3) Communications Act of 1934, as amended, and Executive Order 10132. 
(c) Scope: This plan prescribes the joint action to be taken by appropriate military authorities, FAA and the FCC in the interest of national security. 
(1) To effect security control of civil and military aircraft entering, departing or moving within the U.S. areas and coastal approaches thereof; and 
(2) To effect control of accurate air navigation systems defined as follows: VOR, VORTAC, TACAN, DECCA, SHORAN, and LORAN. 
(d) General provisions. (1) In carrying out the air defense mission, NORAD Region Commanders will, based on the requirements of the existing military situation, and in consonance with this plan, be authorized to institute and control of air traffic and air navigation aids in their areas of responsibility. 
(2) Under Emergency SACAT Rules, the NORAD Region Commander may require a security control authorization for civil and military aircraft prior to takeoff. Such security control authorization is different from informing, with notice, receipt of an operational or air traffic control clearance; however, receipt of an air traffic control clearance constitutes issuance of a Security Control authorization. 
(3) Minimum interference to normal air traffic will be effected consistent with the requirements for operation of the air defense system. 
(a) NORAD Region Commanders, in collaboration with the FAA Regional Directors, will supplement this plan, as required, with agreements to permit maximum allowable operations of essential civil defense and disaster relief flights, agricultural and forest fire flights, border patrol flight operations, and other essential civil air operations to the end that maximum utilization of these flights consistent with air defense requirements, will be made. 
(e) Responsibilities. (1) The Commander-in-Chief, NORAD, will: 
(i) Establish the military requirements for the Security Control of Air Traffic and Air Navigation Aids. 
(ii) Coordinate with the Administrator, FAA, and the Defense Commissioner, FCC, as appropriate regarding the establishment of procedures for implementation. 
(2) The Administrator, FAA, will: 
(i) Promulgate the necessary Federal Aviation Regulations, including special regulations, to implement this plan. 
(ii) Coordinate with appropriate military authorities prior to the establishment of procedures for this plan. 
(iii) Maintain liaison with the appropriate NORAD Region Commanders through appropriate FAA offices. 
(iv) Administer this plan in accordance with requirements established by the Commander-in-Chief, North American Air Defense Command. 
(v) Collaborate with the FCC in establishing procedures for control of non-Federal Air Navigation Aids as defined in this plan. 
(3) Federal Communications Commission will: 
(i) Engage in rule making or other actions as appropriate in support of this plan. 
(ii) Collaborate with the FAA in establishing procedures for control of non-Federal Air Navigation Aids as defined in this plan. 
(4) The NORAD Region Commanders will: 
(i) Direct the control of VOR, VORTAC, TACAN, DECCA, SHORAN and LORAN. 
(j) SHORAN Air Navigation Aids in their areas, as required. 
(2) Issue security control instructions to appropriate FAA Region/ARTCC as necessary to insure performance of the air defense mission. 
(3) Maintain liaison with appropriate FAA Regional Directors, and FCC Field Liaison Officers.
Directors with regard to participation of Region Commanders. Lined in this plan in accordance with ties and civil pilots. Plan within their areas of responsibility and instructions concerning this NORAD to this plan. Officer in making supplemental agreements to this plan.

Regional Director and coordination with the FCC Region Commanders and manders in making supplemental agreements to this plan.

FCC licensed aeronautical navigational aids in this plan.

FAA Regional Directors will: (i) Maintain liaison with the NORAD Region Commanders and FAA Regional Directors with regard to participation of FCC licensed aeronautical navigational aids in this plan. (ii) Disseminate the information and instructions concerning this plan to FCC licensed navigational aids affected by this plan. (iii) Assist the NORAD Region Commanders in making such supplemental agreements to this plan as may be required. (iv) Assist the NORAD Region Commanders in making supplemental agreements to this plan as may be required.

The NORAD Region Commanders will specify the requirements established by the NORAD Region Commanders. (a) Impose the restrictions on air traffic required for aircraft dispersal, diversions, or recovery. (b) When the tactical situation permits, the dispersal of aircraft within the NORAD Region may be authorized. If time permits and coordination can be effected by the Region Commanders, dispersal of aircraft across Region boundaries is authorized.

Terminate Full SCATANA: This will relax the restrictions to air traffic and control of air navigation aids imposed under Full SCATANA. This action will normally be taken when an attack phase is considered over and resumption of operations is authorized under the Emergency SCAT restrictions Imposed by the Region Commander. For those air navigation aids requiring more than 5 minutes control time, approval for resumption of operation must be provided before they can be returned to operation.

FAA Air Route Traffic Control Centers will:

(a) When directed to apply Emergency SCAT Rules:

(i) Notify all VFR traffic that Emergency SCAT is in effect and to land at the nearest suitable airport and file a flight plan.

(ii) Disseminate the appropriate portions of the instructions and restrictions received from the NORAD Region to air traffic, civil and military air traffic control facilities, Flight Service Stations, and other appropriate aeronautical facilities.

(iii) Impose those restrictions specified by the NORAD Region Commander. (b) When "Full SCATANA" is ordered:

(i) Direct the landing, grounding, diversion, or dispersal of military and civil air traffic and the control of air navigation aids as specified by the NORAD Region Commander. Landing, diversion or dispersal will be to airports outside of metropolitan areas or suspected target complexes whenever possible and will be accomplished as follows:

(a) VFR flights—by specific security control instructions to each aircraft, or leader of a formation flight, over air/ground radio.

(b) VFR flights by radio broadcast of security control instructions over air/ground radio.

(c) As directed by the NORAD Region Commander, direct the control of VOR, VORTAC, TACAN, DECOA, SHORAN, and LORAN as follows:

(i) Shut down the appropriate aids in accordance with the time(s) specified in NORAD Region/FCC Region supplemental agreements which shall permit time to land/disperse airborne aircraft. Supplemental agreements shall provide for the extension of such time(s) when air traffic situation dictates.

(ii) Aids which require more than 5 minutes control time or are not designated as military necessity aids shall be shut down as soon as possible except as provided in classified annexes referred to in § 245.1(d). Such aids will remain off the air until the restoration of operation is approved by the appropriate NORAD Region Commander.

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RULES: AND REGULATIONS

(iv) Conduct tests of this plan in coordination with the FAA and FCC. (v) Collaborate with the FAA Regional Director and FCC Field Liaison Officer in making supplemental agreements to this plan.

(vi) The FAA Regional Directors will:

(a) Impose FAA ARTCCs to the operation of accurate Air Navigation aids as specified by the NORAD Region Commander. Landing, diversions or dispersal will be to airports outside of metropolitan areas or suspected target complexes whenever possible and will be accomplished as follows:

(i) VFR flights—by specific security control instructions to each aircraft, or leader of a formation flight, over air/ground radio.

(ii) VFR flights by radio broadcast of security control instructions over air/ground radio.

(c) As directed by the NORAD Region Commander, direct the control of VOR, VORTAC, TACAN, DECOA, SHORAN, and LORAN as follows:

(i) Shut down the appropriate aids in accordance with the time(s) specified in NORAD Region/FCC Region supplemental agreements which shall permit time to land/disperse airborne aircraft. Supplemental agreements shall provide for the extension of such time(s) when air traffic situation dictates.

(ii) Aids which require more than 5 minutes control time or are not designated as military necessity aids shall be shut down as soon as possible except as provided in classified annexes referred to in § 245.1(d). Such aids will remain off the air until the restoration of operation is approved by the appropriate NORAD Region Commander.

FEDERAL REGISTER, VOL. 32, NO. 211—TUESDAY, OCTOBER 31, 1967

RULES: AND REGULATIONS
(ii) Direct the control of military necessity navigation aids as outlined in annexes hereto. (See § 245.1(1).) When directed to “Terminate Full SCATANA”: Authorize resumption of air traffic in accordance with Emergency SCAT Rules as directed by the NORAD Region Commander. Direct the resumption of operation of air navigation aids; however, approval for resumption by the NORAD Region Commander is required prior to resuming operation of those aids requiring more than 15 minutes to control.

(iii) Civil and military air traffic control facilities, Flight Service Stations and other appropriate aeronautical facilities shall:

(a) Maintain the current SCATANA Action Form for that facility at appropriate operating positions.

(b) When Full SCATANA is ordered or terminated, or Emergency SCAT Rules are applied, take the actions indicated on the facility’s SCATANA Action Form.

(c) Maintain current information on the status of restriction imposed on air traffic.

(d) Approve or disapprove filed flight plans in accordance with current instructions received from the ARTCC.

(e) Forward flight plans and approval requests to the ARTCC as required.

(f) Disseminate instructions and restrictions to air traffic as directed by the ARTCC.

(4) Aircraft operators are expected to comply with security control instructions as follows:

(i) IFR flights—comply with instructions received from the appropriate aeronautical facility.

(ii) VFR flights—land at nearest suitable airport when so directed.

(iii) Aircraft on the ground—file a flight plan with an appropriate FAA facility and receive approval prior to departure.

(h) Testing procedures. (1) To ensure that implementing actions can be taken expeditiously, SCATANA tests will be conducted as follows:

(1) SCATANA tests will be conducted in connection with NORAD Headquarters or NORAD Region exercises whenever practicable or may be initiated at other times by a NORAD Region. SCATANA tests shall not be conducted more than 12 times in any one NORAD Region, and the interval between tests shall not exceed 60 days. Where NORAD Region boundaries result in excessive test participation by aeronautical facilities, the ARTCC is authorized to simulate dis- sertation of test messages. When such simulation is effected, it should be alternated in different areas.

(2) All Federal facilities responsible for SCATANA actions will participate in SCATANA tests, except where such participation will involve the safety of aircraft. Non-Federal civil aeronautical facilities will be requested to participate.

(2) Participation and reporting will be as prescribed in the SCATANA Actions Form.

(4) NORAD Region Combat Centers will record SCATANA test actions using the format in § 245.5.

(5) An analytical report of each test will be prepared by the FAA NORAD Region Air Defense Liaison Officer and a copy of this report will be submitted to the appropriate NORAD Region Commander.

(b) During SCATANA tests, all actions shall be simulated.

(1) Aircraft shall not be grounded or diverted.

(2) Air navigation aids shall not be shut down.

(3) Test messages shall not be transmitted over air/ground/air radio frequencies.

(4) Radio communications shall not be interrupted.

§ 245.5 SCATANA Test—Action Log

<table>
<thead>
<tr>
<th>Test actions to ARTCC</th>
<th>ARTCC</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Initiate SCATANA Test&quot; Special Instructions</td>
<td>Z Z Z Z Z Z Z Z Z Z</td>
</tr>
<tr>
<td>&quot;Terminate SCATANA Test&quot; Test Instructions</td>
<td>Z Z Z Z Z Z Z Z Z Z</td>
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<tr>
<td>This is</td>
<td>Z Z Z Z Z Z Z Z Z Z</td>
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<tr>
<td>Simulate restoring</td>
<td>Z Z Z Z Z Z Z Z Z Z</td>
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<tr>
<td>(Specific navigation aids)</td>
<td>Z Z Z Z Z Z Z Z Z Z</td>
</tr>
<tr>
<td>Test actions to DC</td>
<td>Z Z Z Z Z Z Z Z Z Z</td>
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</table>

ARTCCs Reporting areas marked clear of all known restricted air traffic

<table>
<thead>
<tr>
<th>ARTCC</th>
<th>Time</th>
<th>Remarks</th>
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<tbody>
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§ 245.6 Movement of tactical air traffic

(a) Purpose. To establish the coordination procedures necessary to fulfill air defense and air traffic control requirements for the movement of tactical air traffic.

(b) General instructions. (1) Coordination. CINCNORAD has been delegated the authority to resolve priority conflicts in the movement of tactical air traffic during an Air Defense Emergency to prevent saturation of the air defense system. To minimize restrictions to movement of tactical air traffic, it is imperative that each responsible military commander coordinate, during development, the air traffic movement section of his Emergency War Plans (including dispersal and evacuation) with the appropriate NORAD Region Commander(s). For those tactical operations which involve more than one NORAD Region, coordination will be effected with each region in which operations will be...
§ 245.7 Tactical air movements plan.

(a) Home base.

(b) Type aircraft.

(c) Routes and altitudes.

(d) Separation minimum.

(e) Flight plan and ARTC clearance requirements.

(f) Navigation aid requirements.

(g) Priority number.

(h) Control time if known (related to the day and hour that the plan will be executed—Beginning-End Time).

§ 245.8 Procedures for Movement of Air Traffic.

(a) General. (1) The Wartime Air Traffic Priority List for Movement of Aircraft will be the primary instrument used by NORAD Region Commanders to control the volume of air traffic operating within their areas of responsibility. To preclude the immediate grounding of high priority tactical air traffic airborne, the NORAD Region Commanders will establish certain guidelines for movement.

(b) Delay. (1) Tactical air traffic assigned a Wartime Air Traffic Priority List number of 1 or 2 will not be delayed, diverted, rerouted, or landed by NORAD Region Commanders. However, NORAD Region Commanders may recommend that this traffic be rerouted to avoid battle or battle threatened areas.

(c) Aircraft assigned a Wartime Air Traffic Priority List number other than 1 or 2 may be delayed, diverted, rerouted, or landed by NORAD Region Commanders to prevent degradation of the air defense system.

(d) Aircraft being “recovered” shall be expedited to home or alternate base, and search and rescue aircraft expected on their missions; but such aircraft may be diverted to avoid battle areas or take off may be delayed to prevent saturation of airspace.

§ 245.9 Wartime air traffic priority list for movement of aircraft.

(a) Purpose. To establish a priority system for the movement of aircraft during general war conditions, and to establish policy and guidance for the practical application thereof in assuring optimum use of airspace to accomplish national objectives.

(b) Policy. (1) The priority listings established herein are designed to facilitate the handling of airspace user requirements for movement of aircraft during general war. The applicable priority shall be solely dependent on the nature of the airspace user requirements.

(c) During periods other than general war, aircraft movements are handled as follows:

(d) Involvement in limited war or execution of contingency plans to include JCS directed actions, immediately makes successful completion of such action a primary national objective. Therefore, aircraft movements in support of these actions shall be afforded expeditious handling by the Air Traffic Control (ATC) as specified in coordinated agreement with the degree or urgency stated by the JCS to the FAA. When directing the execution of a contingency/limited war plan, or other JCS directed operation which is in pursuit of national objectives, the JCS shall so advise the Federal Aviation Agency (or appropriate Canadian authority if Canadian airspace is involved), requesting that aircraft operating in accordance with such plans be given preferential handling over all air traffic except active air defense missions and launch of the strategic alert force. Should contingency, limited warfare, or other JCS directed plans be executed concurrently by more than one operational commander, the JCS shall state to the Federal Aviation Agency (or appropriate Canadian authority when Canadian airspace is involved), and the military commanders concerned, the relative urgency of each operation and any special conflict that may arise therefrom.

(e) Assignment of reserved airspace to accommodate military air operations which, because of their objectives, cannot be conducted in accordance with routine ATC procedures will be based upon an order of precedence for the purpose of resolving mission conflicts in planning altitude reservations. This order of precedence is published in appropriate Joint Service regulations and FAA documents.

(f) There are certain other military operations vital to national defense. These operations are limited to offensive air defense interceptor missions, active anti-air and submarine warfare missions and launch of the SAC alert force. These operations are to be given priority over all other military and civil aircraft. Federal Aviation Agency handling by ATC for the particular operation as specified in coordinated agreements or authorizations.

(c) General. (1) Priorities for air traffic clearance and movement established herein are for the purpose of resolving mission conflicts in planning altitude reservations. These priorities are established for the purpose of minimizing altitude restrictions and traffic jams, by extending the use of controlled airspace to the minimum required for the purpose of resolving mission conflicts.
with civil priorities assigned to civil air carrier aircraft under the War Air Service Program (WASP) priorities system, or to general aviation civil aircraft under the State and Regional Defense Airlift (SARDA) plan. WASP and SARDA priorities are designed to provide controlled utilization of civil airlift capability and capacity, and they have secondary significance when the Wartime Air Traffic Priority List for the Movement of Aircraft is in effect.

(2) When the wartime air traffic priority system is in effect, the priorities shall apply to all aircraft. The originator of a request for aircraft movement shall be responsible for determining and verifying the appropriate priority in accordance with the listing contained herein. The individual filing the flight plan will be responsible for including the priority number as determined by the originator of the request.

(d) Wartime air traffic priority list for movement of aircraft. (1) This priority list will be effective only when directed by the Joint Chiefs of Staff in a situation of imminent or actual general war conditions, or in the event of a declaration of an Emergency or War Plans.

(c) Airborne Command elements which provide backup to Command and Control Systems for the Combat Forces.

(d) The President of the United States and Prime Minister of Canada and respective cabinet members essential to national security.

(ii) Priority three. Forces being deployed for or in direct and immediate support of combat operations against the enemy.

(iii) Priority four. Dispersal of tactical military aircraft and civil aircraft assigned to the War Air Service Program (WASP), including the Civil Reserve Air Fleet (CRAF), for their protection.

(v) Priority five. (a) The air transport of military commanders, their representatives, and key civilian personnel which is of the utmost importance to national security, or which will have an immediate effect on combat operations of the Armed Forces.

(b) Flight operations in connection with the activities of Federal, State, or local government agencies where immediate effect is essential to the defense effort or alleviation of the effects of disaster.

(c) Flight operations whose immediate flight involves the saving of human life in other than disaster areas, including air/sea rescue, hurricane reconnaissance, air evacuation, and the transporting of medical personnel, equipment, and supplies.

(d) International flights originating overseas that have reached the point of no return.

(e) Flight operations essential to the maintenance of facilities for the transmission of light, heat, power, and communications.

(f) Flight operations involving the movement of aircraft, personnel, equipment, and supplies for military forces not actively engaged in combat operations against the enemy. This includes air carrier transportation of persons, mail, and cargo essential to the defense effort.

(g) Flight operations in support of the defense effort.

(h) Flight operations in connection with the maintenance or production of foodstuffs, critical fibers, and essential wood products.

(i) Flight operations in connection with the activities of Federal, State, or local government agencies not essential to the defense effort.

(j) Operational training flights, the primary objective of which is the training of pilots and crews engaged in a formal course of instruction including flight operations in connection with civil flight training.

(k) Reserve flying training operations wherein the objective is the training of reservists not on extended active duty.

(l) Flight operations in support of the maintenance of the national economy.

(m) Priority five. All other flight operations not specifically listed above.

§ 245.10 Authentication.

(a) General. Authentication between NORAD Region Combat Centers or Alternate Command Post and ARTC Centers is required upon issuance of "Full SCATANA is Ordered," "Terminate Full SCATANA," and "Apply Emergency SCN Rules" and may be requested if other information or instructions received or transmitted so warrant.

(b) Authentication system. NORAD Region Combat Centers (or ALCOOP) and ARTC Centers will use the authentication procedures contained in TRANET Authentication System—Worldwide-KAA 23-TSEC. (See § 245.1(d).)

(c) SCATANA test. SCATANA test messages will be authenticated in the same manner prescribed for SCATANA actions.

Maurice W. Rees, Director, Correspondence and Directives Division, OASD (Administration).

[FR Doc. 67-12723; Filed, Oct. 30, 1967; 8:45 a.m.]

PART 247—STANDARD RATES FOR UNOFFICIAL TELEPHONE SERVICE AT DOD ACTIVITIES

The Assistant Secretary of Defense (Comptroller) approved the following Part 247 on September 21, 1967:

Sec. 247.1 Purpose.  247.2 Applicability and scope.  247.3 Class of defense telephone service.  247.4 Schedule of rates.  247.5 Procedures.

PART 247—STANDARD RATES FOR UNOFFICIAL TELEPHONE SERVICE AT DOD ACTIVITIES

The provisions of this Part 247 are as follows:

(1) Class A (Official). Telephones which are authorized for the transaction of official business of the Government on DoD installations and require access to commercial telephone company central office and toll trunks for the proper conduct of official business.

(2) Class B (Unofficial). Telephones which are installed within, or in the immediate vicinity of DoD activities and are connected to DoD switchboards for unofficial use are further designated as follows:

1. Filed as part of original. Single copies may be obtained from Publication Section, OASD (A), Room 15019, Pentagon, 22301. Ext. 52167.
(i) B-1 telephones installed in Government-owned or leased quarters assigned for family or personal use in lieu of basic allowance for quarters and located within, or in the immediate vicinity of a DoD activity.

(ii) B-2 telephones installed for the use of public schools, the American Red Cross and other quasi-Government agencies such as the Service Motion Picture Services. Service exchanges, Federal Credit Unions, and NCO and Officers' Messes located on a DoD installation.

(iii) B-3 telephones installed for commercial contractors, concessionaires and other business firms operating within, or in the immediate vicinity of a DoD activity.

(iv) B-4 telephones installed in private or rental housing located within, or in the immediate vicinity of a DoD activity.

(v) When either party line service or restricted service that does not have access to central office and toll trunks is provided, such service may appear as a subdesignation of the above listed classes of unofficial telephone service.

(3) Class C (Official-Restricted). Telephones which are authorized for the transaction of official business of the Government on a DoD installation without access to telephone company central office or toll trunks.

(4) Class D (Official-Special). Telephones installed on a DoD installation for official business of the Government and restricted to special classes of service such as fire alarm, guard alarm, and crash alarm.

§ 247.4 Schedule of rates.

(a) The following schedule of joint flat monthly rates for the provision of unofficial telephone service by DoD activities is hereby established:

(1) Class B-1—$5.75; Class B-2—$10.00; Class B-3—$13.00; and Class B-4—$5.75.

(2) Two-party line service—75 percent of the monthly charge for the basic service.

(3) Four-party line service—50 percent of the monthly charge for the basic service.

(4) Restricted service (not having access to central office or toll trunks)—75 percent of the monthly charge for the basic service.

(5) Party line restricted service, where provided—75 percent of the charge computed under subparagraphs (2) and (3) of this paragraph.

(b) The additional charge for a PBX bridged extension shall be the same as the commercial charge to the Government, or $1.55, whichever is the greater. This rate applies for all classes of unofficial service.

(c) Recurring and nonrecurring charges for special and miscellaneous equipment provided a purchaser, for which flat rates have not been established, will be charged to the purchaser at the prevailing local commercial rate for similar service.

(d) The flat monthly rates for unofficial telephone service are applicable whether the communication company furnished flat or measured service. The flat rates herein established will entitle the purchaser to make local calls for which the basic rate is one message unit.

(e) Where Government-owned quarters are occupied by employees of contractors operating Government-owned plants, and unofficial telephone service is provided from a DoD switchboard, Class B-1 service will be provided in accordance with rates prescribed herein.

§ 247.5 Procedures.

(a) Charges for unofficial telephone service. (1) The Department of Defense considers as official only such telephone service as properly pertains to Government business. Telephone service provided by a DoD activity, and used for personal or unofficial purposes whether the facilities are Government-owned or leased, under a written contract or implied agreement with a commercial communication company, shall be charged for in accordance with the rate schedules established in this Instruction.

(2) Responsibility for payment of all charges incident to unofficial use of telephone service provided from a DoD switchboard shall be assumed by the purchaser. Charges for extensions, special or miscellaneous equipment and installation costs thereof, and toll call and telephone charges when incurred, are to be added to the basic monthly rate. Taxes will be assessed as applicable.

(3) Advance payment or a deposit may be required at the option of each DoD component.

(4) All flat rate charges will be billed to purchasers on the first regular monthly bill following occurrence of the charge. The responsibility for billing, the provision of internal controls and the accounting for unofficial telephone service furnished to purchasers is placed on the Secretary or Director of the respective DoD component.

(5) When a purchaser has received service for only a fractional part of the billing period, the monthly charge will be prorated. Tables of fractional charges and credits may be used to determine the amount of the prorated charge.

(b) Wherry housing. Provision of telephone service to Wherry housing located within, or in the immediate vicinity of a DoD activity will be in accordance with the procedures of subsection IIA of DoD Directive 4640.3 and at the rates established herein.

(c) Public schools. Where unofficial telephone service is provided to public schools on DoD installations, the permittee or lessee will reimburse the Government in accordance with the rates herein established.

(d) Rental or private housing. In the case of rental or private housing, the charges will be in accordance with the rates herein established.

(e) Public quarters. Unofficial telephone service furnished to the occupants of public housing will be charged for in accordance with the rates herein established.

MAURICE W. ROGHE,
Director, Correspondence and Directives Division, OASD (Administration).

(F.R. Doc. 67-12779; Filed, Oct. 30, 1967; 8:48 a.m.)

Title 39—Postal Service

Chapter I—Post Office Department

PART 131—FIRST CLASS

Postal and Post Cards

The material in §§ 131.1 through 131.2(a) (3) (ii) (a) is revised and republished to give additional information on the rates of postal cards and to clarify the limitations on the use of these cards. Accordingly, the material now reads:

§ 131.1 Rates.

Kind of mail

<table>
<thead>
<tr>
<th>Rate</th>
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<tbody>
<tr>
<td>All first-class mail except postal and post cards and drop letters.</td>
</tr>
<tr>
<td>Drop letters</td>
</tr>
<tr>
<td>Single postal cards sold by the post office (see 141.2(b) (1) of this chapter).</td>
</tr>
<tr>
<td>Double postal cards sold by the post office (see 141.2(b) (2) of this chapter).</td>
</tr>
<tr>
<td>Single post cards (see 131.2(b) (3))</td>
</tr>
<tr>
<td>Double post cards (see 131.2(b) (2) reply portion of double post card does not have to bear postage when originally mailed).</td>
</tr>
<tr>
<td>Business reply mail (see 131.2(e) )</td>
</tr>
<tr>
<td>Other than cards</td>
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<tr>
<td>Weight over 2 ounces</td>
</tr>
<tr>
<td>Airmail</td>
</tr>
</tbody>
</table>
§ 131.2 Classification.

(a) Description. (1) First-class mail includes:
(i) Letters.
(ii) Postal and post cards.
(iii) Airmail weighing not to exceed 8 ounces whether sealed or unsealed.
(iv) All matter wholly or partly in writing, entirely addressed to the postmaster at a second-, third-, or fourth-class mail.
See subparagraph (2) of this paragraph.
(v) Matter sealed or closed against inspection, under § 132.6(e), 134.8(a), and 135.7 of this chapter for mailing of sealed publications at second-class rates of postage and sealed parcels at the third- or fourth-class rates of postage.

(b) Written matter includes:
(i) Handwritten or typewritten matter (including identical copies prepared by automatic typewriter) and manifold or carbon copies of such matter.
(ii) Imitation or reproductions of handwritten or typewritten matter, unless mailed at a point designated by the postmaster in a minimum quantity of 20 identical copies.
(iii) Manuscript or typewritten copy. See §§ 135.3(a)(4)(vi) and 135.3(a)(5).
(iv) g) for certain manuscripts.
(v) Autograph albums containing writing.
(vi) Notebooks or blank books containing written or typewritten entries or stenographic or shorthand notes.
(vii) Blank printed forms filled out in writing or printing, such as hooks, invoices, contracts, or other writing such as notices, certificates, receipts, and checks either canceled or unchangeable.
(viii) Printed price lists containing written figures changing individual items.
(ix) Bills or statements of account produced by any photographic or mechanical process, unless presented in a minimum quantity of 20 identical copies. See § 134.2(a) (2) of this chapter.
(x) Printed cards or coupons that, when attached to the reverse of a postal card, may be detached and each part of double postal cards must be used for reply purposes only. It must be used to convey a message to the original addressee of the double card, to cover up the message on the original portion, or to send statements of account.

(b) Postal and post cards—(1) Postal cards. A postal card is a card supplied by the Department with a postage stamp printed or impressed on it, for the transmission of messages. Many postal cards which conform to the specifications stated in subparagraphs (2) (i) and (ii) of this paragraph must comply with the following rules:
(i) Double cards must be folded before mailing. The first half must be detached when the reply half is mailed for return.
(ii) The reply portion of a double card must be used for reply purposes only. It must not be used to convey a message to the original addressee of the double card, to cover up the message on the original portion, or to send statements of account.

1. Plain stickers or seals or a single wire stitch may be used to fasten the edges, provided they are so fixed that the inner folds of the cards can be readily examined.
2. Enclosures are prohibited.
3. Additions, attachments and other alterations to single and double postal and post cards. The users of both single and double postal and post cards which conform to the specifications stated in subparagraphs (2)(i) and (ii) of this paragraph must comply with the following limitations:
(i) Theface of the card may be divided by a vertical line, the left half to be used for the address only.
(ii) The message on a single card, or on the first portion of a double card, may occupy the space to the left of the vertical line and the entire back of the card.
(iii) Labels may be affixed by adhesive for the purpose of showing the address of the addressee. Cards bearing other attachments are nonmailable as postal cards or post cards.
(iv) Numbers used for accounting purposes may be shown on a shaded background below the address. Holes which do not eliminate a number or letters may be punched in either the address or message portion of the card. A vertical tearing guide may divide the face of the card. However, mailing of cards having one or more of these four characteristics must meet all of the following conditions:
(a) The mailing must consist of not less than 200 cards which are identical as to size and weight.
(b) The addresses on the cards must include ZIP Code numbers.

(c) Postage must be in paid in cash by permit imprints (see Part 144 of this chapter) by meter stamps (see Part 143 of this chapter); or by precanceled stamps (see Part 142 of this chapter).

1. The addressee shall be sent the cards in the manner prescribed by § 134.4(a)(11).
(v) It recommended that all cards having a thickness less than 0.0085 of an inch meet all of the conditions in subparagraph (a) of this paragraph, and that no card which does not conform to the specifications stated in subparagraphs (1) and (2) of this paragraph shall be nonmailable. Permits issued at or after the effective date of this paragraph will not apply as postage on the mailing of the subject material which is in the form of a single or double card and which does not conform to the specifications stated in subparagraphs (1) and (2) of this paragraph. 

(6) Cards other than postal and post cards. Matter which is in the form of a single or double card but which does not conform to the specifications for a single or double post card stated in subparagraphs (1) and (2) of this paragraph is not a single or double post card within the meaning of title 39, United States Code, sections 4251(c) and 4253 (a) (5), and may not be mailed as the first-class postage rate for post cards. Nonconforming mailable matter in the form of single or double cards is not subject to the rules and restrictions provided in subparagraph (3) and subparagraph (4) of this paragraph; it is subject when mailed to postage at the first-class letter rate or at the applicable third-class rate according to its classification as first- or third-class matter; and it must not bear the words "Post Card" or "Double Post Card". Single or double cards conforming to the specifications stated in subparagraphs (1) and (2) of this paragraph are entirely in print, and which do not bear the words "Post Card" or "Double Post Card", if otherwise mailable, may at the option of the sender be mailed at the applicable third-class postage rate instead of the first-class postage rate for post cards. See §131.2(b) (1) subject to the postage charge under subparagraph (2) (i) (B) of this paragraph.

(5) The permit number. Each post office will keep the permit number. Permits issued at or after the effective date of this paragraph will not apply as postage on the mailing of the subject material which is in the form of a single or double card and which does not conform to the specifications stated in subparagraphs (1) and (2) of this paragraph. 

(7) Business reply mail—(1) Purpose. Specially printed business reply cards, envelopes, cartons, and labels may be distributed for use by mailers in sending mail to the distributor without prepayment of postage.

(2) Permit. (1) A permit to distribute business reply cards, envelopes, cartons, and labels is required. An application on Form 3614, "Application to Distribute Business Reply Cards, Envelopes, and Labels", must be submitted at the post office where the mail will be returned. There is no charge for the permit. If matter bearing the business reply imprint is distributed from a central office to be returned to branches or dealers in other cities, one permit obtained from the post office where the central office is located may be used to cover all the business reply mail.

(II) On receipt of the application, the postmaster will complete the permit portion of the form and deliver it to the applicant. The application portion of the form will be filed in the post office by the permit number. Permits issued at each post office will be numbered consecutively starting with No. 1 for the first permit. Each post office will keep an alphabetical card record of each permit.

(3) Postage. (1) Postage is collected on each piece of business reply mail at the time the paid mail is delivered. Postage due stamps for the amount due will be affixed to the mail to or Form 3582-A, "Postage Due Bill." The stamps will be canceled and delivered to the addressee with the mail when he pays the amount due. Business reply mail will not be mixed with other mail in direct packages or sacks for individuals or concerns.

(II) The amount to be collected, which may not include fees for any special services, is computed as follows:

(a) Post cards. The rate for post cards on air post cards, whichever is applicable, plus 2 cents each. (See §131.1 and §136.1 of this chapter.) Cards that do not conform to the specifications for post cards (see §131.2(b) (1)) are subject to the postage charge under subparagraph (2) (i) (B) of this paragraph.


TIMOTHY J. MAY,
General Counsel.


[F.R. Doc. 67-12788; Filed, Oct. 30, 1967; 8:45 a.m.]
§ 105–735.214 Reporting irregularities.

It is the obligation of each employee to report immediately any apparent or suspected irregularity coming to his attention in connection with any operation of GSA. Such report shall be made to the Deputy Director for Investigations, Central Office, or to the Area Investigating Office in the regional office. Each employee must cooperate with Investigative representatives conducting official investigations and furnish signed statements under oath if appropriate.

§ 105–735.217 Use of intoxicants.

An employee shall not use intoxicants habitually, to excess (5 U.S.C. 7352). Intoxicants shall not be consumed on Government owned or leased premises. An employee found using, or under the influence of, intoxicants while at work will be subject to disciplinary action.


An employee shall not use, or authorize the use of, Government owned or leased motor vehicles or aircraft for other than official purposes (31 U.S.C. 638a(a)-(c)).

Subpart 105–735.3—Standards of Conduct for Special Government Employees

Section 105–735.306 is revised to adjust statutory references as follows:

§ 105–735.306 Political activity.

Special Government employees are subject to the political activity instructions of subchapter III of chapter 73 of Title 5, United States Code, under § 105–735.214, for administering or monitoring the reporting requirements of section 401 of Executive Order 11222, May 8, 1965.

Subpart 105–735.4—Statements of Employment and Financial Interests

Sections 105–735.401 and 105–735.411 are revised editorially; § 105–735.402 is revised to declare the criteria governing positions subject to filing requirements of employment and financial interests; § 105–735.403(a) is revised editorially and to update an organizational reference; § 105–735.404 is revised to eliminate quarterely quarterly supplementary statements; §§ 105–735.408 and 105–735.410 are revised to assure the confidentiality of statements submitted; and § 105–735.413 is added to ensure the availability of the GSA grievance procedure for settling questions concerning the applicability of the reporting requirements, as follows:

§ 105–735.401 General.

Employees and special Government employees in specified positions are required to file statements of employment and financial interests. GSA Form 2157, Confidential Statement of Employment and Financial Interests (For Use by Employees of GSA), and GSA Form 2158, Confidential Statement of Employment and Financial Interests (For Use by Special Government Employees of GSA), shall be used for this purpose. The questions on these forms are prescribed or approved by the Civil Service Commission.

§ 105–735.402 Criteria for selection of positions subject to filing requirements.

The following criteria govern the selection of positions which are subject to the requirements of filing employment and financial interests statements: (a) Positions of the Federal Executive Salary Schedule in subchapter II of chapter 53 of Title 5, United States Code, except the position of the Administrator (which is subject to the separate reporting requirements of § 105–735.214, paragraph (1)), are subject to the separate reporting requirements of section 401 of Executive Order 11222, May 8, 1965.

(b) Positions in grade GS–13 or above under 5 U.S.C. 5332, or at a comparable pay level under another authority, the incumbents of which are responsible for making a Government decision or taking a Government action in regard to: (1) Contracting or monitoring contracts; (2) Administering or monitoring grants or subsidies; (3) Regulating or auditing private or other non-Federal enterprises; or (4) Other activities where the decision or action has an economic impact on the interests of any non-Federal enterprise.

(c) Positions in grade GS–13 or above under 5 U.S.C. 5332, or at a comparable pay level under another authority, the duties and responsibilities of which require the incumbent to report employment and financial interests in order to avoid involvement in a possible conflicts-of-interest situation and carry out the purpose of law, Executive order, and Civil Service Commission and GSA regulations.

(d) Positions below grade GS–13 under 5 U.S.C. 5332, or at a comparable pay level under another authority, which meet the criteria in paragraphs (b) or (c) of this section, and have been specifically designated in §§ 105–735.606(a) (8), 105–735.609(b) (9), 105–735.609(b) (3), and 105–735.610(b) (1) and (2), as positions which raise a question of the integrity of the Government and avoid employee involvement in a possible conflicts-of-interest situation.

(e) However, positions that meet the criteria of paragraph (d) of this section may be excluded from the reporting requirement when: (1) the duties of the employee are such that the likelihood of the incumbent’s involvement in a conflict-of-interest situation is remote; or (2) the incumbent is carrying out a level of responsibility that the supervisor feels the conflict-of-interest situation is remote; or (3) the incumbent is not required to carry out the duties of the position.

(f) With respect to special Government employees, a statement of employment and financial interests shall be required only when the special Government employee is a consultant or expert.

§ 105–735.403 Identification of positions and incumbents.

(a) Subpart 105–735.4 lists employee positions selected under the criteria in § 105–735.402, approved as necessary by the Administrator, and the respective incumbents thereof to file statements of employment and financial interests. Hereafter, the Heads of Central Office and Regional Office Services and Staff Offices shall promptly submit a report to the agency counselor (through the regional agency counselor in the regions) identifying the specific positions, which, from time to time, under the criteria in § 105–735.402 (b), (d), and (e), should be added to or deleted from the list of positions in Subpart 105–735.4. Positions so reported shall, after approval by the Administrator, be added to or be deleted from the list in Subpart 105–735.4. The Assistant Administrator for Administration, or the Regional Director of Administration, will include in his report any positions not in a service or staff office; for example, those in the Administrator’s or Regional Administrator’s immediate office.

§ 105–735.404 Supplementary statements.

Changes in, or additions to, the information contained in an employee’s statement of employment and financial interests shall be reported in a supplementary statement as of June 30 each year. If no changes or additions occur, a negative report is required. Notwithstanding the filing of the annual report, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of 18 U.S.C. 208, Subpart B of 5 C.F.R. Part 735, or these GSA regulations. Each special Government employee shall keep his statement current throughout his employment with GSA by the submission of supplementary statements.

§ 105–735.405 Confidentiality of statements.

Each statement of employment and financial interests and each supplementary statement shall be held in confidence by the agency counselor and regional agency counselors. Employees so designated are responsible for maintaining the statements in confidence and shall not allow access to or allow information to be disclosed from a statement except to carry out the purpose of this part. The agency may not disclose information from a statement except as the Administrator or the Civil Service Commission may determine for good cause shown.

§ 105–735.410 Responsibility for review of employment and financial interests statements.

(a) The agency counselor is responsible for receiving, reviewing, and retaining all statements of employment and financial interests submitted by Central Office personnel and by each regional agency counselor under §§ 105–735.104(b) and 105–735.412(b).
(b) Each regional agency counselor is responsible for receiving, reviewing, and retaining statements of employment and financial interests submitted to the regional office personnel.

§ 105–735.411 Procedure in obtaining statements.

(a) *( ) (1) The original of the completed form must be returned in a sealed envelope, marked "Personal-In Confidence" to the agency counselor in the Central Office or the regional agency counselor in a region, as appropriate, no later than 30 days thereafter.

* * * * *

§ 105–735.413 Employee complaint against filing requirement.

An employee required to file a statement of employment and financial interests under Subpart 105–735.4 who believes that his position has been improperly included under these regulations may request a review of such inclusion, in accordance with the GSA Grievance Procedure.

Subpart 105–735.5—Selected Statutes on Conduct

Sections 105–735.511 and 105–735.514 are revised to adjust statutory references; and § 105–735.523 is added, as follows:


Subpart 105–735.6—Selected Positions Requiring Filing of Statements of Employment and Financial Interests.

Section 105–735.601 is revised to adjust statutory references made obsolete by the codification of Title 5, United States Code. Sections 105–735.602 and 105–735.611 are deleted. Sections 105–735.603 through 105–735.610 are revised to identify current positions subject to the requirement for filing statements of employment and financial interests.

§ 105–735.601 Federal Executive Salary Schedule position.

All positions paid at a level of the Federal Executive Salary Schedule in subchapter II of chapter 53 of Title 5, United States Code, except the position of Administrator (which is subject to the separate reporting requirements of section 401 of Executive Order 11222 of May 8, 1965).

§ 105–735.602 [Deleted]

§ 105–735.603 Office of Administrator and Assistant Administrator.

(a) **Central Office.** All personnel, grade GS-13 or above, who make decisions affecting procurement and contracting with small business.

(b) **Regional offices.**

(i) Regional Administrator.

(ii) Deputy Regional Administrator.

(iii) Regional Director of Business Affairs.

§ 105–735.604 Office of Administration.

(a) **Central office.**

(i) Assistant Administrator for Administration.

(ii) Deputy Assistant Administrator for Administration.

(iii) Executive Officer.

(iv) Director of Federal Procurement Regulations.

(v) Director of Management Investigations and Review.

(vi) Director of Data Processing.

(vii) Director of Finance.

(viii) Director of Personnel.

(ix) Director of Administrative Services.

(ix) Director of Personnel.

(b) **Regional offices.**

(i) Regional Director of Administration.

(ii) Deputy Regional Director of Administration.

(iii) Special Assistant (Financial).

(iv) Chief, Finance Division.

(v) Financial Liaison Officer.

(vi) Regional Personnel Officer.

(vii) Chief, Administrative Services Division, grade GS-12 or above.

§ 105–735.605 Office of General Counsel.

(a) **Central office.**

(i) All attorneys, grade GS-13 or above.

(ii) Contract Employment Policy Officer.

(iii) Contract Compliance Officer.

(b) **Regional offices.**

(iii) All attorneys, grade GS-13 or above.

§ 105–735.606 Property Management and Disposal Service.

(a) **Central Office.**

(i) All strategic material management officers and specialists, grade GS-13 or above.

(ii) Supervisory contract negotiators, grade GS-13 or above.

(iii) Material quality control specialists, grade GS-12.

(iv) Deputy Assistant Commissioner for Personal Property.

(v) Division directors.

(vi) Personal property sales personnel, grade GS-13 or above.

(vii) Real property personnel, grade GS-13 or above.

(vii) Appraisal personnel, grade GS-13 or above.

(b) **Regional offices.**

(i) Regional directors.

(ii) Division directors.

(iii) All materials inspectors (rubber and fibers), grade GS-13 or above.

(iv) Chief, PMDS Hawaii Office.

(v) Personal property sales personnel, grade GS-13 or above.

(vi) Real property personnel, grade GS-13 or above.


(a) **Central Office.**

(i) Deputy Commissioner, Federal Supply Service.

(ii) Assistant Commissioner for Procurement.

(iii) Deputy Assistant Commissioner for Standards and Quality Control.

(iv) Deputy Assistant Commissioner for Procurement.

(v) Assistant Commissioner for Automated Data Management Services.

(vi) Deputy Assistant Commissioner for Standards and Quality Control.

(b) **Regional offices.**

(i) All employees, grade GS-13 or above, in the following positions:

(1) Contract negotiator or specialist.

(2) Contracting officer.

(3) Procurement officer or agent.

(4) Quality control specialist.

(5) Commodity standardization specialist or officer.

§ 105–735.608 National Archives and Records Service.

(a) **Central Office.**

(i) All positions in grades GS-16 or above.

(ii) Assistant Archivist for Administration and Technical Services.

(iii) Directors of Presidential Libraries.

(iv) Director, National Historical Publications Commission.

(b) **Regional offices.**

(i) All employees, grade GS-13 or above, in the following positions:

(1) Contract negotiator or specialist.

(2) Contracting officer.

(3) Procurement officer or agent.

(4) Quality control specialist.

(5) Commodity standardization specialist or officer.

§ 105–735.609 Public Buildings Service.

(a) **Central office.**

(i) All positions in grades GS-16 or above.

(ii) Special Assistant to the Commissioner.

(iii) Division directors.

(iv) Deputy division directors.

(v) Branch chiefs.

(vi) Director, Professional Services Contracts Division.

(b) **Regional offices.**

(i) All employees, grade GS-16 or above, in Public Utilities Division.

§ 105–735.610 Transportation and Communications Service.

(a) **Central Office.**

(i) Commissioner, Assistant Commissioners, division directors, grade GS-13 or above.

(ii) Branch chiefs, grade GS-13 or above.

(iii) All employees, grade GS-14 or above, in Public Utilities Division.

(b) **Regional offices.**

(i) All employees, grade GS-13 or above, in Public Utilities Division.

(ii) Regional Director, division directors, grade GS-13 or above.
RULING AND REGULATIONS

Title 49—TRANSPORTATION
Chapter I—Interstate Commerce Commission and Department of Transportation

PART 424—UNIFORM SYSTEM OF ACCOUNTS FOR CARRIERS BY INLAND AND COASTAL WATERWAYS

Miscellaneous Amendments

Order. At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 3d day of October 1967.

On August 18, 1967, notice of proposed rule making regarding proposed amendments of the Uniform System of Accounts for Carriers by Inland and Coastal Waterways, pertaining to the accounting treatment of extraordinary and prior period items in the determination of net income, was published in the Federal Register (32 FR 11959).

After consideration of all such relevant matter as was submitted by interested persons, the amendments as so proposed are hereby adopted.

It is ordered, That the amendments to Part 424 as proposed are adopted without change.

It is further ordered, That these amendments are effective January 1, 1968.

And it is further ordered, That service of this order shall be made on all Carriers by Inland and Coastal Waterways which are affected hereby and notice thereto shall be given the general public by depositing a copy of this order in the Office of the Secretary of the Commission at Washington, D.C., and by filing the order with the Director, Office of the Federal Register.

(2) Branch chiefs, grade GS-13 or above.

(3) Motor pool chiefs, grade GS-9 or above.

(4) Traffic management specialists (with delegated contract authority), grade GS-7 or above.

§ 105–735.611 [Deleted]

The amendments as so proposed are hereby adopted.

Effective date. This amended Part 105–735 was approved by the Civil Service Commission on September 21, 1967, and is effective upon publication in the Federal Register.


J. E. Moody, Acting Administrator of General Services.

[F.R. Doc. 67–12812; Filed, Oct. 30, 1967; 8:48 a.m.]

PART 424—UNIFORM SYSTEM OF ACCOUNTS FOR CARRIERS BY INLAND AND COASTAL WATERWAYS

Extraordinary and prior period items.

(a) All items of profit and loss recognized during the year are includible in ordinary income except nonrecurring items which in the aggregate for the same class are both material in relation to operating revenues and ordinary income for the year and are clearly not identified with or do not result from the usual business operations of the year. Important items of fact which occur from time to time and which, when material in amount, are to be excluded from ordinary income are those resulting from unusual sales of property and investment securities other than unitary cash investments; from wars and similar calamities and catastrophes, which are not a recurrent hazard of the business and which are not usually covered by insurance; from change in accounting principles; and from prior period items (other than ordinary adjustments of a recurring nature). Material items are those which, unless excluded from ordinary income, would distort the accounts and impair the significance of ordinary income for the year. Items so excludible from ordinary income are to be entered directly in the income accounts provided for extraordinary and prior period items upon approval of the Commission.

Adjustments constituting items of customary business activities or corrections or refinements resulting from the natural use of estimates inherent in the accounting process, including those arising from disposal of a unit of property sold or retired in the regular course of business operations, shall not be considered extraordinary or prior period items regardless of size.

(b) In determining materiality, items of a similar nature should be considered in the aggregate; dissimilar items should be considered individually. As a general standard, an item to qualify for inclusion as an extraordinary or prior period item, shall exceed 1 percent of total water-line operating revenues and ten percent of ordinary income for the year.

(c) Ordinary delayed items and adjustments arising during the current year which are applicable to or related to transactions of prior years shall be included in the same accounts which would have been charged or credited had the transactions been taken up or adjusted in the period to which it pertained. Ordinary delayed items exclude items of the character described in paragraph (a).

Item No. 3. Instruction "11 Depreciation accounting" is amended by revising the last sentence of paragraph (f) and the text of paragraphs (f) and (g) as follows:

(c) • • • Any differences between the salvage value of the particular unit or item retired and the amount charged to account 150 shall be included in the appropriate income account.

(f) Insurance reserves. When amounts are recoverable from insurance companies or chargeable to the insurance reserve in connection with retirement of depreciable property, the difference between the insurance recoverable and the net book value of the property (book cost less recorded depreciation) shall be included in the appropriate income account.

Item No. 4. Instruction "23 Book cost of securities owned" is amended by revising the last sentence of paragraph (b) as follows:

(b) • • • The amount of such adjustment shall be charged to account 527, "Miscellaneous income charges", or account 570, "Extraordinary items", as appropriate.

Item No. 5. Instruction "27 Discount, premium, and expense on long-term debt" is amended by revising paragraph (d) as follows:

(d) Except as otherwise provided in this instruction, the balance in each account shall be carried until the reacquirement of the securities to which it relates at which time the proportion (based on the relation of the amount reacquired to the total outstanding before reacquirement) of the balance in the account for the particular class of long-term debt reacquired shall be closed to account 507, "Miscellaneous income", account 527, "Miscellaneous income charge", or account 570, "Extraordinary items", as appropriate.

Item No. 6. Instruction "44 Cost of construction" is amended by revising the second sentence of paragraph (g) as follows:

(g) • • • Such costs shall be included in the cost of the work in connection with which the injury or damage occurs, except that unusual losses that result in the destruction of units that have to be entirely replaced prior to completion of the projects shall be charged to account 525, "Losses from sale or disposition of property", or account 570, "Miscellaneous ordinary items", as appropriate; • • • .

Item No. 7. Instruction "47 Retirements and replacements" is amended by revising the last sentence of paragraph

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(b) (2), the last two sentences of paragraph (c) and all of paragraph (d) as follows:

(b) * * *

(2) * * * If retired property is held by the carrier for other than water-line service, its appraised value shall be included in account 160, "Noncarrier physical property", provided the appraised value shall not exceed the net book value (less cost less recorded depreciation) of such retired property.

(c) Land retired. * * * If the land is sold, the necessary adjustment between the book cost and the sale price shall be included in account 508, "Profits from sale or disposition of property", account 525, "Losses from sale or disposition of property", or account 570, "Extraordinary items", as appropriate. If the land is retained, the lesser of its appraised value or book cost shall be charged to account 160, "Noncarrier physical property", and the necessary adjustment included in account 525, "Losses from sale or disposition of property", or account 570, "Extraordinary items", as appropriate.

(d) Sale of property. In case carrier or noncarrier depreciable property is sold or otherwise disposed of and the net proceeds realized, including insurance and salvage, and the excess of the book value (book cost less recorded depreciation), such excess shall be credited to account 508, "Profits from sale or disposition of property", or account 570, "Extraordinary items", as appropriate.

Item No. 8. The text of instruction "52 Purpose of retained income account" is revised as follows:

52 Purpose of retained income account.

The retained income accounts are designed to show the changes in retained income during each calendar year as affected by the balance of the income account as reported for the period; by any disposition of retained income made solely at the option of the carrier; and, when authorized by the Commission, other items.

Item No. 9. Instruction "61 Purpose of income accounts" as amended by revising paragraph (a) and deleting the following sentences of paragraph (b) as follows:

(a) * * * This account shall also include other entries which may be authorized by the Commission; see instruction 11. * * *

(b) * * * In case the net proceeds realized, including insurance and salvage, are not equal to the excess of the net book value (book cost less recorded depreciation), such excess shall be credited to account 508, "Profits from sale or disposition of property", or account 570, "Extraordinary items", as appropriate.

Item No. 5; Account 174 Debt discount and expense. The text of this account is amended by revising paragraph (b) as follows:

(b) When an issue of debt securities, or any part thereof, is refunded and at the date of refunding there is a balance of unpaid premium relating thereto, such amount shall be credited to account 570, "Miscellaneous income charges", or account 570, "Extraordinary items", as appropriate.

Item No. 6; Account 175 Other deferred debits. The text of paragraph (a) of this account is amended by revising the third tabulated item as follows:

Balance in account 601, "Material and stores expenses".

Item No. 7; Account 190 Reacquired or nominally issued long-term debt. The text of this account is amended by revising paragraph (b) as follows:

(b) * * * The difference between the par value of long-term debt and the amount paid therefor, including commissions and expenses for connection with its reacquisition and the portion of unamortized premium, discount, and expense relating to the long-term debt reacquired shall be included in account 508, "Miscellaneous income charges", account 527, "Miscellaneous income charges", or account 570, "Extraordinary items", as appropriate.

Item No. 8; Account 231 Premium on long-term debt. The text of this account is amended by revising paragraph (b) as follows:

(b) When an issue of debt securities, or any part thereof, is refunded and at the date of refunding there is a balance of unpaid premium relating thereto, such amount shall be credited to account 507, "Miscellaneous income", or account 570, "Extraordinary items", as appropriate.

Item No. 9; Account 232 Other deferred credits. The text of paragraph (a) of this account is revised by deleting the second tabulated item.

Item No. 10; Account 509 Retained income—unappropriated. The text of this account is amended by revising paragraph (b) as follows:

(b) The balance of all retained income accounts (251 to 257, inclusive) shall be closed into this account at the end of each calendar year.

Item No. 11. The system of accounts, following the caption "Financial Statements and Accounts", is revised by deleting the following account numbers, titles and texts:

282 * * *

The text of paragraph (b) of this account shall also include other debit adjustments, net of assigned income taxes, not provided for elsewhere in this system, but only to the extent that such charges exceed credit balances in paid-in capital surplus for shares reacquired.

(b) This account shall also include other debt adjustments, net of assigned income taxes, not provided for elsewhere in this system, but only after such inclusion has been authorized by the Commission.

Item No. 12; Account 283 Miscellaneous credits. The text of this account is revised as follows:

283 Miscellaneous credits.

This account shall include other credit adjustments, net of assigned income taxes, not provided for elsewhere in this system only after such inclusion has been authorized by the Commission.

Item No. 13; Account 285 Miscellaneous debits. The text of this account is revised as follows:

285 Miscellaneous debits.

(a) This account shall include losses from resale of reacquired capital stock, which reduces surplus or will reduce surplus on capital stock issued by the company, but only to the extent that such charges exceed credit balances in paid-in capital surplus for shares reacquired.

(b) This account shall also include other credit adjustments, net of assigned income taxes, not provided for elsewhere in this system, but only after such inclusion has been authorized by the Commission.

III. TEXTS OF INCOME ACCOUNTS REVISED AND AMENDED

Item No. 1; Account 504 Interest income. The text of this account is amended by revising the last sentence of paragraph (b) as follows:

(b) * * * Any discount or premium remaining unextinguished upon the maturity and satisfaction of such securities shall be cleared to account 597, "Miscellaneous income", account 597, "Miscellaneous income charges", as appropriate.
Item No. 2: Account 507 Miscellaneous income. The list of items following the text of this account is revised as follows:

**Items**

1. Profits from sale of securities, including temporary gains and losses on sale of securities.
2. Proceeds from the sale of timber or improvements purchased with the land, or mineral deposits when in excess of the cost thereof including cost of recovery.
3. Credits resulting from adjustments required to bring to par long-term obligations issued or assumed by the carrier and reacquired at a cost less than par value.
4. Unamortized premium on long-term debt reacquired before maturity.
5. Profits derived from conversion of money of a foreign country into U.S. money.
6. Fees collected in connection with the exchange of coupon bonds for registered bonds.
7. Cancellation of liability accounts (including unclaimed wages) or erroneous collections (except unrefundable revenue overcharges) written off because of carrier's inability to locate the creditor or payee.
8. Recovery of fines previously charged to account 570, “Extraordinary income charges”.
9. Remittances received from anonymous sources.

When the profits, proceeds or adjustments resulting from the first four items are of amounts sufficiently large to constitute extraordinary items, pursuant to instructions, proceeds or adjustments shall be credited to account 570, “Extraordinary items”.

Item No. 3: Account 508 Profits from sale or disposition of property. The text of this account is amended by deleting the last sentence and adding the following new paragraph:

When the profit from the sale of carrier and noncarrier property is of an amount sufficiently large to constitute an extraordinary item, pursuant to instruction 4, such profit shall be credited to account 570, “Extraordinary items”.

Item No. 4: Account 525 Losses from sale or disposition of property. The text of this account is amended by deleting the last sentence and adding the following new paragraph:

When the loss from the sale of carrier and noncarrier property is of an amount sufficiently large to constitute an extraordinary item, pursuant to instruction 4, such loss shall be charged to account 570, “Extraordinary Items”.

Item No. 5: Account 527 Miscellaneous income charges. The list of items following the text of this account is revised as follows:

**Items of Expense**

1. Losses resulting from remanufacture or sale of securities of others held as investments.
2. Debts resulting from adjustments required to bring to par long-term debt obligations issued or assumed by the carrier and reacquired at a cost exceeding par value.
3. Unamortized discounts and expenses on funded debt reacquired before maturity.
4. Loss on funds due to bank failures.
5. Book cost (in excess of reserve provisos) of certain investments in leased property at time of reverse to lessor.
6. Payments of liabilities previously written off.
7. Penalties and fines for violations of the Interstate Commerce Act, and other Federal or state laws, when not specifically provided for elsewhere.

8. Colla for bids in accordance with provisions of mortgagees.
9. Cost of advertising bonds drawn for redemption.
10. Losses due to conversion of money of a foreign country into U.S. money.
11. Premium on bonds to assure performance of agreements when chargeable to income accounts.
12. Taxes on interest on carrier's funded debt paid at the source under tax-free covenants.
13. Trusts, current expenses of maintaining and administering trusts.
14. Trustee's commissions and fees for paying out bond interest and expense including registrars' fees connected with such payments.

When the losses or adjustments resulting from any of the first four items are of amounts sufficiently large to constitute extraordinary items, pursuant to instruction 4, such losses or adjustments shall be charged to account 570, “Extraordinary Items”.

**Item No. 6: Account 532 Income taxes.** The title, text and note following the text of this account are revised as follows:

532 Income taxes on ordinary income.

(a) This account shall include accruals for Federal and state income taxes, when not in lieu of a property tax, applicable to ordinary income. See the texts of accounts 530, “Income taxes on extraordinary and prior period items”, account 430, “Miscellaneous credits”, and account 533, “Miscellaneous debits”, for recording other income tax consequences.

Details pertaining to the tax consequences of other unusual and significant items, and also cases where tax consequences are disproportionate to related amounts included in income accounts, shall be submitted to the Commission for consideration and decision as to proper accounting.

(b) Federal income taxes which are refundable or reduced as the result of a carry-back or carry-forward of operating loss shall be credited to this account. If a carry-back, in the year in which the loss occurs, or if a carry-forward, in the year in which such loss is applied to reduce taxes. However, when the amount constitutes an extraordinary item pursuant to instruction 4, it shall be included in account 580, “Prior period items”.

(c) This account shall be maintained in a manner sufficient to identify the nature and gross amount of each debit and credit.

590 Income taxes on extraordinary and prior period items.

This account shall include the estimated income tax consequences (debit or credit) assignable to the aggregate of items of both taxable income and deductions from taxable income which, for accounting purposes, are classified as "unusual and extraordinary", and are recorded in accounts 570, “Extraordinary Items”, and 580, “Prior period items”.

**IV. Income statement amended**

**Item No. 1: Form of income statement.**

This caption is designated 559 Form of Income Statement.

**Item No. 2.** The following centered caption is added after the opening paragraph, above “I. Water-line operating income”: Ordinary items

**Item No. 3.** Under “III. Miscellaneous deductions from income;”, after “Total income deductions”, the line item “Net income before fixed charges” is revised as follows:

Ordinary income before fixed charges

**Item No. 4. Under “IV. Fixed charges;”, after “Total fixed charges”, the line item “Net income before provision for income taxes” is revised as follows:

Ordinary income before provision for income taxes

**Item No. 5.** After “V. Provision for income taxes;” all line items are deleted and the following are added:

532. Income taxes on ordinary income

Ordinary income
V. MISCELLANEOUS AMENDMENTS

Item No. 1. The list of instructions, accounts and financial statements is amended to the following extent:

(a) The title of Instruction "4 Delayed Items and adjustments" is changed to:

4 Extraordinary and prior period items.

(b) The number "299" is prefixed to "Form of balance sheet statement."

(c) The following account numbers and titles are deleted:

282 Profits from unusual sales of property.
284 Losses from unusual sales of property.
288 Federal income taxes assigned to retained income.

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1 If a loss or a debit show the amount in parenthesis.

(d) The caption "Ordinary Items" is added directly below "Income Accounts."

(e) The number "299" is prefixed to Condensed Revenue Accounts for Small Carriers.

(f) The number "499" is prefixed to Condensed Expense Accounts for Small Carriers.

(g) The title of "532 Income taxes" is changed to:

532 Income taxes on ordinary income.

(h) The following caption and line items are added after "532 Income taxes on ordinary income":

EXTRAORDINARY AND PRIOR PERIOD ITEMS

570. Extraordinary item (net) ------- -------
580. Prior period items (net) ------- -------
590. Income taxes on extraordinary and prior period items.----------- -------
Total extraordinary and prior period items.----------- -------
Net income.----------- -------

Ordinary Items

Item No. 4. In the system of accounts, following the text of account 385, "Interdepartmental credits", and below the caption "Small Carriers", the following account number and title are added:

399 Condensed revenue accounts for small carriers.

Item No. 5. In the system of accounts, following the text of account 495, "Interdepartmental debits", and below the caption "Small Carriers", the following account number and title are added:

499 Condensed expense accounts for small carriers.

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[FR Doc. 67-12790; Filed, Oct. 30, 1967; 8:46 a.m.]
Proposed Rule Making

DEPARTMENT OF THE TREASURY
Internal Revenue Service
I 26 CFR Part 1 I
INCOME, TAX
Definition of Group-Term Life Insurance

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

[SEAL]

SHeldon S. COHEN,
Commissioner of Internal Revenue.

In order to modify the definition of group-term life insurance applicable to the Income Tax Regulations (26 CFR Part 1) under section 79 of the Internal Revenue Code of 1954, such regulations are amended as follows:

Paragraph (b)(1)(iii) of §79-1 is amended to read as follows:

§79-1. General rules relating to group-term life insurance purchased for employees.

(b) Meaning of terms. • • •

(1) Group-term life insurance. • • •

(3) Plan of group insurance defined.

(a) To constitute a plan of group insurance, the plan must be arranged for by an employer for his employees. The provisions of the plan of the employer may be incorporated in a separate written document or may be incorporated in the master policy providing life insurance protection for the employees. For purposes of determining whether the requirements of this subdivision are satisfied, the plan of each employer is considered separately even though the policy which provides insurance protection for the employees covered under the plan also provides insurance protection for the employees of another employer. Furthermore, if the plan of one employer does not satisfy the requirements of this subdivision, such failure to qualify does not affect the qualification of the plan of any other employer who provides his employees with group-term life insurance protection under the same policy.

(b) To constitute a plan of group insurance, the plan must make term life insurance available to a group of lives. Such group must include all of the employees of the employer, or, subject to the provisions of (d) of this subdivision, a class or classes of such employees the members of which are determined on the basis of factors which provide individual selection. Examples of such factors are membership in a union whose members are employed by the employer, marital status, and age. A plan under which insurance is available only to employees who own stock in the employer corporation does not qualify as a plan of group insurance for purposes of section 7805 of the Internal Revenue Code.

(c) To constitute a plan of group insurance, the amounts of insurance protection provided under the plan must be based upon some formula which precludes individual selection of such amounts. Thus, for example, the amounts of insurance on the lives of those individuals eligible for insurance under the plan must be based on a factor such as salary, years of service, or position, or a combination of such factors. (See (d) of this subdivision for requirements when a plan covers less than 10 employees.) The requirements of this subdivision do not prevent the use of a limited number of alternative schedules based upon the amount the employee elects to contribute, provided each such schedule satisfies the requirements of this subdivision independently.

(d) As a general rule, to constitute a plan of group insurance for a calendar year, an employer's plan must provide term insurance protection for at least 10 full-time employees at some time during a calendar year. However, a plan for which the plan provides insurance protection for less than 10 full-time employees may also qualify as group insurance if the following requirements to preclude individual selection are met:

(1) The plan provides protection for all full-time employees (except as otherwise permitted in (3));

(2) Except as otherwise permitted in (3), the amount of protection for employees is computed either as a uniform percent of salary or on the basis of coverage brackets (established independently of this employer's particular situation) under which no bracket exceeds 21/2 times the next lower bracket and the lowest bracket is at least 10 percent of the highest bracket;

(3) Evidence of insurability may be a factor affecting either the employee's eligibility for insurance or the amount of insurance on his life only to the extent that such eligibility or amount of insurance is determined solely on the basis of facts which provide individual selection.

For purposes of this (d), a plan shall be considered to be providing insurance protection for any employee who was eligible for such protection but elected not to participate in the plan.

[FR. Doc. 67-13794; Filed, Oct. 30, 1967; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE
Consumer and Marketing Service
[7 CFR Part 909]
GRAPEFRUIT GROWN IN ARIZONA; IMPERIAL COUNTY, CALIF.; AND THAT PART OF RIVERSIDE COUNTY, CALIF., SITUATED SOUTH AND EAST OF WHITE WATER, CALIF.

Notice of Proposed Rule Making With Respect to Approval of Expenses and Fixing of Role of Assessment for 1967-68 Fiscal Period and Carryover of Unexpended Funds

Consideration is being given to the following proposals submitted by the Administrative Committee, established under the marketing agreement, as amended, and Order No. 903, as amended (7 CFR Part 909), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, Calif., and in that part of Riverside County, Calif., situated south and east of White Water, Calif., effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) Expenses that are reasonable and necessary to be incurred by the Administrative Committee during the period August 1, 1967, through July 31, 1968, will amount to $126,500.
(2) That the rate of assessment for such period, payable by each handler in accordance with § 909.41, to be fixed at three cents ($0.03) per carton, or equivalent quantity of grapefruit; and

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

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, United States 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: October 26, 1967.

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

[F.R. Doc. 67-12806; Filed, Oct. 30, 1967; 8:47 a.m.]
### Notices

**FEDERAL POWER COMMISSION**

[Docket Nos. R166-179 et al.]

**WILLIAM HERBERT HUNT ESTATE ET AL.**

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

October 20, 1967.

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

*Does not consolidate for hearing or disposal of the several matters herein.

(See footnotes at end of table.)

#### Appendix A

<table>
<thead>
<tr>
<th>Docket No.</th>
<th>Respondent</th>
<th>Rate schedule No.</th>
<th>Supplemental No.</th>
<th>Purchaser and producing area</th>
<th>Amount additional</th>
<th>Effective date unless suspended</th>
<th>Date suspended until</th>
<th>Rate in effect</th>
<th>Proposed increased rate</th>
<th>Costs per Mcf</th>
<th>Rule in effect</th>
<th>Rate to be subject to refund in docket No.</th>
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<td>William Herbert Hunt, Trust Estate, 1401 Elm St., Dallas, Tex. 75202, Attn: Donald K. Young, Esq.</td>
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See footnotes at end of table.
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<th>Rate in effect</th>
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<td>Arizona Louisiana Gas Co. (Southwest Los Angeles County, Los Angeles, Calif. 90017.)</td>
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</table>

1 Docket No. R108-187 appears again as last entry in table.
2 The stated effective date is the effective date requested by Respondent.
3 Periodic rate increases.
4 The stated interest rate is the effective rate requested by Respondent.
7 "Fractured" rate increase, Second Amendment Settlement limits increase in rate not in excess of 1% per Mcf under this rate schedule.
8 "Fractured" rate increase, Contractually due a rate of 15.0169 cents (15.0 cents base plus 0.0169% tax reimbursement).
10 California "Other" Area.
11 Includes 0.875-cent tax reimbursement.
12 Includes 0.25-cent dehydration charge deducted by buyer.
13 Includes 0.43275-cent handling charge, 0.25-cent dehydration charge, 0.875-cent tax reimbursement, and 1.5 cents compression charge (2 stages) both deducted by buyer.
The proposed rate increases contained in Supplement Nos. 8 and 4 to Pan American Petroleum Corp. (Pan Am) FPC Gas Rate Schedule Nos. 276 and 209, respectively, and Supplement No. 7, to Placid Oil Co., Operator (Placid), FPC Gas Rate Schedule Nos. 29 and 49, respectively, are related to the buyer's, R. E. Hunt et al. (Hunt), proposed rate increase contained in Supplement No. 23 to Hunt's FPC Gas Rate Schedule No. 4, and Supplement Nos. 22 and 21 to Pan Am's FPC Gas Rate Schedule Nos. 29 and 149, respectively, are related to the increase of Hasie Hunt Trust (Operator) et al. (Hasie Hunt Trust), Hunt and Hasie Hunt Trust process the gas involved and resell the residue gas to Texas Eastern Transmission Corp. Since Hunt and Hasie Hunt Trust's proposed rate increases exceed the increased rate ceilings as set forth in the Commission's statement of general policy No. 61-1, as amended, they should be suspended for 5 months from November 1, 1967, the proposed effective date. Consistent with prior Commission action involving sales for resale where the producer's proposed rate is related to an increase in the buyer's resale rate and the buyer's increased rate is in excess of the area increased rate ceiling and both increases are contractually due at the same time, Pan Am and Placid's aforementioned rate increases are also suspended for 5 months from November 1, 1967, the proposed effective date.

All of the producers' proposed increased rates and charges exceed the applicable area ceiling price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (15 CFR 258), with the exception of the rate increases contained in Supplement No. 8 to Pan Am's FPC Gas Rate Schedule No. 276, and Supplement No. 7 to Placid FPC Gas Rate Schedule No. 29, which are suspended herein for the reason set forth above.

[F.R. Doc. 67-17501; Filed, Oct. 30, 1967; 8:45 a.m.]

R. E. HUBBARD, JR., ET AL.

Findings and Order

October 23, 1967.

Findings and order after statutory hearing issuing certificates of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce as indicated by the tabulation herein. All sales certificates herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that the sales from the Permian Basin area of New Mexico and Texas made at or below the applicable area base rates and under the conditions prescribed in Opinion Nos. 468 and 468-A.

X. E. Hubbard, Jr. (Operator), et al., Applicant in Docket Nos. G-5036, G-8566, G-4258 and G-15001, G-18334, G160-69, and C162-623, proposes to continue the sales of natural gas heretofore authorized in said docket to be made pursuant to Shell Oil Co. FPC Gas Rate Schedule Nos. 49, 128, 198, 208, 232, and 282, respectively. The presently effective rates under said rate schedules are in effect subject to refund in Docket No. R165-576, R165-475, R165-476, R165-475, R165-476, and R165-317, respectively.

Applicant has requested to be made co-respondent in said proceedings and has submitted an agreement and undertaking to assure the refund of any amounts collected by him in excess of the amount determined to be just and reasonable in said proceedings. Applicant will be made co-respondent, the proceedings will be redesignated accordingly, and the agreement and undertaking will be accepted for filing.

The Commission has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on October 18, 1967, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including amended applications, and exhibits thereto submitted in support of the respective authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as herefore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the sale.

(2) The sales of natural gas hereinafter described, as more fully described in the respective applications and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission and such sales by the Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsection (c) and (d) of section 7 of the Natural Gas Act.

(3) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Docket No. C166-193 should be cancelled and that the application filed herein should be processed as a petition to amend the certificate heretofore issued in Docket No. C165-391.


(7) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinafter described, all more fully described in the respective applications and in the tabulation herein, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity hereof issued to the respective Applicants relating to the abandonments hereinafter permitted and approved should be terminated.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that R. E. Hubbard, Jr. (Operator), et al., should be co-respondent in the proceedings pending in Docket Nos. R165-317, R165-475, and R165-476, that said proceedings should be redesignated accordingly, and that the agreement and undertaking submitted by R. E. Hubbard, Jr. (Operator), et al., should be accepted for filing.
NOTICES

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements be designated in the tabulation herein and accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of facilities and necessary are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the contracts herein involved, in the tabulation herein should be accepted for filing as hereinafter ordered.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as the covered transactions are in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act, or of Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings pending before it.

(D) The certificates heretofore issued in Docket Nos. G-4541, C167-1084, and C168-115 are amended by deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the rate schedule supplements as indicated in the tabulation herein.


(G) The certificates heretofore issued in Docket Nos. G-4541, C167-1084, and C168-116 shall file rate schedule quality statements in the form prescribed in Opinion No. 468-A, as to the cessation of service upon termination of said contracts herein involved. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(H) Docket No. C168-188 is canceled.

(I) The certificates heretofore issued in Docket Nos. G-4541, C167-1084, C168-294, and C168-115 are amended by deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the rate schedule supplements as indicated in the tabulation herein.


(L) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, is granted for the reasons set forth in the respective applications and in the tabulation herein.

(M) The certificates heretofore issued in Docket No. G-7638 is terminated only insofar as it pertains to A. M. Sinclair Oil & Gas Co. (Operator), et al., et al.; FPC Gas Rate Schedule No. 36.


O. E. Hubbard, Jr. (Operator), et al., shall be a co-respondent in the proceeding pending in Docket Nos. RI65-217, RI65-476, and RI65-476; said proceedings are redesignated accordingly; and the agreement and undertaking submitted by R. E. Hubbard, Jr. (Operator), et al., in said proceedings is accepted for filing.

(P) R. E. Hubbard, Jr. (Operator), et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder, and the agreement and undertaking submitted by him in Docket Nos. RI65-217, RI65-476, and RI65-476 shall remain in full force and effect until discharged by the Commission.

(Q) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successive terms herein are accepted and redesignated, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

Gordon M. Grant, Secretary.


See footnotes at end of table.

FEDERAL REGISTER, VOL. 32, NO. 211—TUESDAY, OCTOBER 31, 1967
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<td>G-1362 E 8-22-67</td>
<td>Florida Gas Transmission Co., Northville Field, Waco, Texas</td>
<td>Shell Oil Co., FFC</td>
<td>GRB No. 223</td>
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<td>G-1375 E 8-23-67</td>
<td>Minute Oil &amp; Gas Co. (Operator) et al.</td>
<td>Shell Oil Co., FFC</td>
<td>GRB No. 123</td>
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<td>Assignment 5-29-67</td>
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</table>

See footnotes at end of table.
<table>
<thead>
<tr>
<th>Docket No. and date filed</th>
<th>Applicant</th>
<th>Purchase, field, and location</th>
<th>FPC rate schedule to be accepted</th>
</tr>
</thead>
<tbody>
<tr>
<td>C185-188</td>
<td>Ashland Oil &amp; Refining Co. (Operator) et al.</td>
<td>Arkansas Louisiana Gas Co., Clay Field, Lincolnton Parish, La.</td>
<td>Notice of cancellation (Unstated)</td>
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<tr>
<td>C185-189</td>
<td>Tenneco Oil Co.</td>
<td>Arkansas Louisiana Gas Co., Missouri Field, Sebastian County, Ark.</td>
<td>Notice of cancellation (Unstated)</td>
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<tr>
<td>Contract 1-9-67</td>
<td>215</td>
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<tr>
<td>Assignment 7-25-67</td>
<td>215</td>
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<td>C185-190</td>
<td>Hall M. Lyons (Operator) et al.</td>
<td>Texas Eastern Transmission Corp., Raffles Field, Polk County, Erie, Pa.</td>
<td>Notice of cancellation (Unstated)</td>
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<td>Contract 7-17-67</td>
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<td>Contract 8-4-67</td>
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<td>Assignment 9-13-67</td>
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<td>Contract 8-25-67</td>
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<tr>
<td>Assignment 9-13-67</td>
<td>9</td>
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</tbody>
</table>

* Conveys acreage from Shell Oil Co. to B. E. Hubbard, Jr.
* Conveys acreage from B. E. Hubbard, Jr., to George H. Grinn, Jr., L. J. Winkler, Robert G. Hall, Robert D. Armstrong, and D. Bill Robinson.
* Applicant agreed to accept permanent authorization containing conditions similar to those imposed by Opinion No. 465, as modified by Opinion No. 466, as stated by Opinion No. 465-
* Effective date: Date of initial delivery (Applicant shall advise Commission as to such date).
* Production of gas no longer economically feasible.
* Effective date: Date of order.
* Instruments whereby Montlar Oil & Gas Co. acquired leases from Robert Lindholm et al., dated Jan. 1, 1966, moratorium pursuant to the Commission's statement of general policy No. 64-1, as amended.

This document contains detailed information regarding the FPC rate schedules associated with various oil and gas companies, including dates of filing, application numbers, and notice of cancellation. The table lists several companies and their respective fields, along with details on the rate schedules and notice of cancellations. The document also includes footnotes at the end for additional information. The notice of cancellation is an important component, indicating the approval or denial of applications by the FPC.
NOTICES

KENNETH I. SEWELL
Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10674 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of October 1, 1967.

Dated: October 6, 1967.

K. I. SEWELL.

[FR. Doc. 67-12785; Filed, Oct. 30, 1967; 8:45 a.m.]

ELWYN F. TIMME
Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10674 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of October 9, 1967.

Dated: October 9, 1967.

E. F. TIMME.

[FR. Doc. 67-12786; Filed, Oct. 30, 1967; 8:45 a.m.]

EDWARD W. WELCH
Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10674 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of October 9, 1967.

Dated: October 9, 1967.

E. W. WELCH.

[FR. Doc. 67-12787; Filed, Oct. 30, 1967; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

[Agreement T-S-1(2)]

CITY OF OAKLAND AND SEA-LAND OF CALIFORNIA, INC.

Time for Filing Comments; Correction

On October 26, 1967, notice appeared in the Federal Register (32 FR. 14555) that Agreement No. T-S-1(2), between the City of Oakland and Sea-Land of California, Inc., had been filed for approval.

Twenty days was announced as the time for filing comments in connection with the agreement, although the parties had, for good reason, requested publication on 10 days’ notice. Therefore, persons wishing to file comments in connection with Agreement No. T-S-1(2) are requested to do so by November 6, 1967.

Dated: October 27, 1967.

By order of the Commission.

THOMAS L. SHAW.
Secretary.

[FR. Doc. 67-12872; Filed, Oct. 30, 1967; 8:48 a.m.]

GENERAL SERVICES ADMINISTRATION

Property Management and Disposal Service

[Wildlife Order 89]

ARCADIA NATIONAL FISH HATCHERY

Transfer of Property

Pursuant to section 2 of Public Law 537, 80th Congress, approved May 19, 1948 (16 U.S.C. 677b), notice is hereby given that:

1. By deed from the United States of America dated July 27, 1967, the property known as the Arcadia National Fish Hatchery, Exeter-Richmond, R.I., consisting of 28.92 acres, and more particularly described in the deed, has been transferred from the United States to the State of Rhode Island.

2. The above-described property was transferred for wildlife purposes in accordance with the provisions of section 1 of said Public Law 537 (16 U.S.C. 677b).

William P. Wolf,
Manager, Real Property Disposal, Property Management and Disposal Service.

October 24, 1967.

[FR. Doc. 67-12810; Filed, Oct. 30, 1967; 8:48 a.m.]
NOTICES

DEPARTMENT OF DEFENSE

Department of the Army
U.S. ARMY RESERVE AND ARMY NATIONAL GUARD

Notice of Policies and Procedures
Governing Satisfactory Participation of Enlisted Members

The text of Department of the Army Circular 15038, effective as of July 1, 1967, to and through June 30, 1968, is set forth below.

1. Purpose. This circular prescribes policies, procedures, and responsibilities pertaining to the enlisted members of the Army Reserve as set forth in DOD Directive 1518.13, dated February 23, 1967.

2. Effective date. This circular is effective July 1, 1967, except as provided in paragraph 20.

3. Applicability. a. The instructions contained in this circular apply to all enlisted members of the ARNG and USAR who have an unfulfilled Ready Reserve obligation and who have not served on active duty/ACDUTRA to include annual active duty for training, full-time training duty, and annual field training) for a combined period of 24 months.

b. Whenever the instructions set forth herein conflict with regulations, the provisions of this circular apply.

c. Policy. Regular attendance at unit training assemblies and annual active duty for training, annual field training or annual active duty for a paid drill unit of the Army National Guard or Army Reserve, unless excused by proper authority as provided herein. A member present at a scheduled unit training assembly will not receive credit for attendance unless such attendance presents a neat and soldierly appearance, and performs his assigned duties in a satisfactory manner as determined by the commanding officer.

4. Purpose. a. An individual who changes his residence to a location too distant to continue participation with his assigned unit will, prior to departure, be counseled and provided a memorandum concerning change of residence (app. A). He will be allowed a period of 60 days of absence from training, In which to relocate and join another Reserve component unit. The responsibility for locating a suitable unit vacancy will be assigned to the individual concerned. Should the member fail to join a unit within the 60-day period, he will be allowed a period of 24 months less any previous period of active duty or active duty for training he may have already served.

b. Required. A 60-day leave of absence will be submitted to the unit commander in writing, and will indicate the member's new address. The commander will then issue the member a new Department of the Army Reservist identification card, which will be considered a vacancy for the purposes of enlistment or assignment.

c. Upon notification of a member's intended relocation, the unit commander is responsible for:

(1) Counseling the member regarding his obligations to locate and join a Reserve component unit or another Reserve component unit within 60 days of relocation.

(2) If the member fails to fulfill this obligation, the unit commander will be advised to forward the member's file to the Selective Service System.

5. Qualification. a. An individual eligible for discharge from the Reserve components for dependency, hardship, employment necessary to maintain national health, safety, or interest, or other reasons authorized herein will, upon approval of application, be discharged and appropriately reported to the Selective Service System.

b. A member of a unit which is inactivated, reorganized, or relocated at the direction of the Department of the Army, who cannot be realigned to another unit as described in paragraph 7, will be transferred to the Ready Reserve Mobilization Reinforcement Pool (Annual Training Control Group), subject to later assignment.

c. An individual who changes his residence to a location where he cannot continue participation with his assigned unit will be allowed a period of 60 days after leaving his current unit to locate and join another Reserve component unit under terms prescribed in paragraphs 5 and 6. Responsibility for locating a suitable unit vacancy will rest with the individual concerned.

d. The term of enlistment or period of military service of those individuals ordered to active duty will be extended as necessary to permit completion of the period of active duty involved.

e. Satisfactory participation is defined as:

(1) Regular attendance at unit training assemblies and annual active duty for training, or annual field training of a paid drill unit of the Army National Guard or Army Reserve, unless excused by proper authority as provided herein. A member present at a scheduled unit training assembly will not receive credit for attendance unless such attendance presents a neat and soldierly appearance, and performs his assigned duties in a satisfactory manner as determined by the commanding officer.

(2) Attendance at ACDUTRA for not more than 30 days each year, when directed; this applies only to those individuals who are stationed or who are enlisted under other conditions or who, because of change in residence to a location too distant to continue participation with his assigned unit, will, prior to departure, be counseled and provided a memorandum concerning change of residence (app. A).

(3) An individual granted a 60-day leave of absence will be submitted to the unit commander in writing, and will indicate the member's new address. The commander will then issue the member a new Department of the Army Reservist identification card, which will be considered a vacancy for the purposes of enlistment or assignment.

f. d) If an individual who changes his residence to a location too distant to continue participation with his assigned unit will, prior to departure, be counseled and provided a memorandum concerning change of residence (app. A). He will be allowed a period of 60 days of absence from training, in which to relocate and join another Reserve component unit. The responsibility for locating a suitable unit vacancy will be assigned to the individual concerned. Should the member fail to join a unit within the 60-day period, he will be allowed a period of 24 months less any previous period of active duty or active duty for training he may have already served.

e. c) A member granted a 60-day leave of absence will remain assigned to the unit until his leave of absence expires or is terminated by reassignment, discharge, or return to the unit, and will be given credit for constructive attendance at training assemblies, without pay. During this period his position will be considered a vacancy for the purposes of enlistment or assignment.

d. Upon notification of a member's intended relocation, the unit commander is responsible for:

(1) Counseling the member regarding his obligations to locate and join a Reserve component unit or another Reserve component unit within 60 days of relocation.

(2) If the member fails to fulfill this obligation, the unit commander will be advised to forward the member's file to the Selective Service System.

7. Discharge. a. The commander will consider such a member for acceptance based on the vacancy qualification criteria contained in paragraph 8 and, if acceptable, will accord him the priority as established in paragraph 8d.

b. If the member is accepted for a vacancy, the commander is responsible for furnishing the pertinent information on Inclusion 1 to the Letter of Instructions and forward it to the member's former unit, unless in the prescribed uniform, presents a neat and soldierly appearance, and performs his assigned duties in a satisfactory manner as determined by the commanding officer.

c. Upon receipt of Inclusion 1 to the Letter of Instructions or other verification that the member has been accepted by another unit, the following procedures will apply:

(1) For ARNGUS members:

(a) If accepted for assignment In an ARNGUS unit in another State, the losing State Adjutant General will issue reassignment orders.

(b) If enlisted in an ARNGUS unit in another State, the losing State Adjutant General will discharge the member from the ARNG, but not as a Reserve of the Army. The State discharge order will identify the gaining State and ARNG unit in which the member enlisted.

(d) If accepted for assignment in a USAR unit, the losing State Adjutant General will discharge the member from the ARNG, but not as a Reserve of the Army. The State discharge order will assign the member to the gaining ARNG unit.

(e) If enlisted in a unit of another service component of the Armed Forces or the active forces, the State Adjutant General will concurrently discharge the member in accordance with NGR 25-3.

f. For USAR members:

(a) If accepted for assignment to a USAR unit within the same corps or area over area command, the appropriate commander will issue reassignment orders.

(b) If accepted for assignment to a unit not within the jurisdiction of the losing headquarters, the corps or area area commander or Commanding Officer, USAAC, as appropriate, will issue reassignment orders assigning the member to the gaining USAR unit.

(d) If enlisted in an ARNG unit, the corps or area commander or CO, USAAC, as appropriate, will terminate the member's USAR assignment. The State and ARNG unit in which enlisted will be identified in the reassignment order.

(e) If enlisted in a unit of another service component or the active forces, the corps or area area commander or CO, USAAC, as appropriate, will discharge the member in accordance with AR 195-176.

(g) If the member remains a member of the Reserve component and has his military personnel records jacket forwarded to the unit commander, the appropriate commander or U.S. Army Corps commander, as appropriate.

(h) If no vacancy is available for which the member may be accepted, the member will notify his unit commander. If he has not already done so, of his current address. This notification will notify the unit commander to order his being ordered to active duty in his present grade.

(i) If, after 65 days from the effective date of excused absence, the unit commander has not received information indicating that the member has been accepted for assignment or enlistment in another Reserve component unit, the following procedures will be followed:

(1) In the case of a USAR member, the commander will forward the member's military personnel records jacket, including his new address if available, to the appropriate corps headquarters, as applicable, requesting his transfer to the ARNGUS unit (Army) and order to active duty. The unit commander will forward this at time submit DD Form 44 (Record of Military Status of Reg-
within each and among the priorities listed in (1) through (7) above, it shall be normal practice to accept the earliest applicant for enlistment or assignment in a unit of the Reserve components who meets the minimum qualifications for any vacancy, regardless of this general policy may be made when, in the best judgment of those responsible for the procurement of Reserve component personnel, there is a demonstrated need for Reserve military service, or significant civilian experience in the occupational skill concerned is considered to warrant authority for approving exceptions within each and among the priorities listed above will not be followed. (3) Enlistment or assignment solely because of the length of the remaining Ready Reserve obligation, provided that, in the case of the Ready Reserve, that agreement to serve other stipulations are required by State statutes and regulations for membership.

1. Individual applicants for enlistment or assignment in the Reserve components will not be accepted unless there is reasonable assurance that they will be available and able to participate satisfactorily in the unit concerned. In this respect careful consideration shall be given to geographical location, possible conflicts with the civilian occupation of the applicant, future plans, and past frequent relocations as outlined in paragraph 5.

g. Transfer to Ready Reserve Mobilization Reinforcement Pool and the Standby Reserve. (1) Except as provided in paragraph 6, 7, 16, and 26, in action on 30 June 1967 to transfer enlisted members who entered the Reserve components through RPA 55 or ECP 62 to the Ready Reserve Mobilization Reinforcement Pool.

2. Effective July 1, 1967, enlisted members with a remaining military obligation may be transferred to the Ready Reserve for the following reasons only:

(a) Upon completion of a combination of 6 years' Ready Reserve and active duty service, providing he does not have an overriding contractual obligation.

(b) Upon completion of Ready Reserve obligation when the member has a remaining statutory obligation, providing he does not have an overriding contractual obligation.

An obligated status beyond the control of the individual and subject to the policies enunciated in this circular will be considered to warrant award of the new MOS at the discretion of the State Adjutant concerning applicable.
NOTICES

10. Unexcused absences from an ACDUTRA/AFRT. A member fails to participate satisfactorily when he fails with authority, to attend annual active duty for training (ANACDUTRA) or, in the case of the Army National Guard (ANGUS), annual field training (AFT). In such cases:

a. A member will be ordered to active duty for a period which, when added to his prior service on active duty or active duty for training, annual field training, or full-time training duty, will total 24 months.

b. The following procedures will apply:

(1) The unit commander will deputize, if the member was notified in sufficient time to comply, and whether or not emergency or cogent reasons existed for his absence.

(2) Upon determining that the member was notified in sufficient time to comply, and that no emergency or cogent reason existed for his absence, the unit commander will reduce his grade to E-2 a member in grade E-3, and will forward a request to the appropriate area commander for reduction to E-2 of a member in grade E-4 or higher that the member be charged with one unexcused absence.

(3) For all other members, unexcused absences accrued prior to July 1, 1967, will be forgiven, and will not remain charged to the individual.

(4) The 1-year period and the counting of unexcused absences will start on the date of the first unexcused absence which occurs on or after July 1, 1967. For a member who accrues five unexcused absences after this date, enforcement measures prescribed here-in-will apply.

f. In addition to the orientation requirements specified in paragraph 12, the unit commander will—

(1) Insure that following each scheduled training assembly (UTA or MUTA) from which a member is absent without authority, but prior to the next scheduled training assembly (except as provided in (2) below):

(a) The member is contacted in person, if practical, and furnished with a letter of instruction (prepared locally) outlining his obligation to participate satisfactorily, stating the number of absences he has accrued and explaining the implications of additional unexcused absences from training.

(b) If he is unable or it is impractical to establish personal contact, the member is furnished the letter of instruction by certified mail, deliver to addressee only, return receipt requested.

(c) A copy of the letter of Instruction and the Post Office receipt, if applicable, are filed in the member’s military personnel records jacket as permanent documents.

(2) If the absence(s) charged will result in a total accrual of five or more unexcused absences in a 1-year period, determine if any cogent or emergency reasons existed which prevented the member from attending. If no such reasons existed, he will forward the member’s military personnel records jacket to the appropriate commander, U.S. Army Corps commander, overseas commander, or State Adjutant General, requesting that he be ordered to active duty as prescribed in a above. If the member is serving in grade E-3, the unit commander will reduce him to E-2 and forwarding his records. If the member is serving in grade E-4 or higher, the unit commander will include in his request a recommendation that the member be reduced to grade E-2. The unit commander will then immediately notify the member of the action taken and advise him that he will be required to report for active duty on or about 30 days after this date. The unit commander will at this time submit DD Form 44 to the member’s Selective Service board designating the member as an unsatisfactory participant who is being reported for order to active duty under provisions of Public Law 88-687.

12. Orientation. In order to assure that each enlisted member is fully aware of and understands his obligations, the following procedures for maintaining satisfactory participation, and the actions which will result from unsatisfactory participation, the unit commander will—

a. At the first training assembly held following receipt of this circular, advise all affected enlisted members of the principal provisions. Absent members will be oriented at the earliest assembly thereafter. Each new member of the unit will be similarly oriented upon his enlistment or assignment. The orientation will be repeated at least once annually for each enlisted member of the unit.

b. Following the initial orientation of currently assigned personnel, cause each enlisted member to sign a statement that he has been oriented on and understands the satisfactory participation requirements and enforcement provisions. This statement will be signed in the presence of and countersigned by the unit commander or his duly authorized representative. The statement will be filed in the member’s military personnel records jacket as a permanent document.

13. Order to active duty. a. Authority to issue orders. Commanders are authorized to issue orders to active duty as shown below:

<table>
<thead>
<tr>
<th>Members</th>
<th>Issua ordera</th>
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<tbody>
<tr>
<td>ARNGUS</td>
<td>---</td>
</tr>
<tr>
<td>USAR unit personnel.</td>
<td>---</td>
</tr>
<tr>
<td>CONUS—Army/Corps commander, as appropriate.</td>
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</tr>
<tr>
<td>OCONUS—Army/Conmar commander, as appropriate.</td>
<td>---</td>
</tr>
<tr>
<td>USAR nonunit personnel.</td>
<td>---</td>
</tr>
<tr>
<td>CO, USAAC or area commander, as appropriate.</td>
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</tr>
<tr>
<td>b. Discharge of enrolled ARNGUS personnel. State adjutant general will identify to the appropriate area commander those ARNGUS members who are to be ordered to active duty as Reserves of the Army. Members so identified will be discharged from their ARNG status by the State Adjutant General, effective the day prior to the date the member is scheduled to report to active duty.</td>
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<tr>
<td>c. Processing. Actions to order individuals to active duty will be identical to possible promptness at each level concerned.</td>
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<tr>
<td>d. Timing. The date individuals are required to report for active duty will not be more than 30 days from the date of the orders.</td>
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</table>
| e. Period. The member will be ordered to active duty for a period of 2 months less the number of days and months he has previously 

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2

<table>
<thead>
<tr>
<th>Date of unexcused absence(s)</th>
<th>Number of cumulative total in 1-year period</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 10, 1967 (MUTA-4)</td>
<td>(2)</td>
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<tr>
<td>July 11, 1967 (MUTA-4)</td>
<td>(2)</td>
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<tr>
<td>July 30, 1967 (UTA)</td>
<td>(1)</td>
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<tr>
<td>Aug. 19, 1967 (First day of MUTA-4)</td>
<td>(3)</td>
</tr>
<tr>
<td>Sept. 2, 1967 (First assembly of MUTA-4)</td>
<td>(1)</td>
</tr>
<tr>
<td>Mar. 1, 1970 (UTA)</td>
<td>(1)</td>
</tr>
<tr>
<td>Aug. 15, 1970 (MUTA-2)</td>
<td>(1)</td>
</tr>
</tbody>
</table>

4

1. Over 4—report for order to active duty.

2. Unexcused absences will remain charged to individual upon reassignment or enlistment in another Reserve Component unit.

3. The following applies to members assigned to units on the effective date of this circular:

(1) For a member who accrued his fifth unexcused absence on or before June 30, 1967, the enforcement measures prescribed in AR 135-90 will apply.

(2) For all other members, unexcused absences accrued prior to July 1, 1967 will be forgiven, and will not remain charged to the individual.

(3) The 1-year period and the counting of unexcused absences will start on the date of the first unexcused absence which occurs on or after July 1, 1967. For a member who accrues five unexcused absences after this date, enforcement measures prescribed here-in-will apply.

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FEDERAL REGISTER, VOL. 32, NO. 211—TUESDAY, OCTOBER 31, 1967
served on active duty or active duty for training.

(c) Inactive duty training assemblies do not constitute "active duty for training.

(b) Initial ACUTRA, annual ACUTRA, annual field training (ARNG), and full-time training duty (ARNG) constitute "active duty for training.

(c) Time spent in cadre status at the USMA constitutes "active duty."

(d) Time spent in ROTC summer camp does not constitute "active duty for training" or "active duty."

(2) The enlistment or period of military service of those individuals ordered to active duty will be extended as necessary to provide for completion of the period of active duty concerned.

1. Grade. Members will be ordered to active duty in their current grade, subject to reductions specified in paragraphs 10, 11, and 21.

(a) Assignment Instructions. Prior to issuing orders to active duty, the area commander, corps commander, or Commanding Officer, USAAC, as appropriate, will request assignment instructions from OPO, DA, ATTN: REAPR-I, for individuals who are MOS qualified, indicating the number of months and days the member has served as computed in c above. These assignment instructions will be reflected in the orders when published. An asterisk (*) following the orders will be used to establish by separate instructions from Headquarters, Department of the Army.

(b) Orders. (1) Orders format TO 138, appendix I, AR 310-10, will be used (see chart appended to these orders).

(2) The following information will be included in response to pertinent lead lines:

(i) Period: Months and days computed as prescribed in a above.

(ii) Authority: Public Law 89-687, DA Circular 135-10.

(iii) Special Instructions: On EDCSA you are relieved from your present Reserve unit or Control Group.

2. Government transportation and meal tickets (as appropriate) will be furnished upon the member's request. The term of enlistment or period of military service of the member concerned is extended as necessary to permit completion of the period of active duty for which ordered and/or served.

(2) The following processing will be accomplished at the U.S. Army reception station:

(a) Completion of required testing, interviewing, and records.

(b) Issue of required items of clothing.

(c) Medical examination, if required.

(2) Those who are not ROTC or MOS qualified will be assigned to a civilian activity in accordance with the USCNO/Reception Station trainee monthly flow letter.

3. Those who are ROTC qualified will be further assigned to Drill in a training center, school, or unit (OJT).

4. Members who are qualified In an MOS which is surplus to the needs of the Army will be further assigned to space vacancies in ATT either initially by DA-OPO or, subsequent to unit assignment, as recommended by their unit commander where OJT is inappropriate.

5. Members trained in a MOS (other than surplus) will be further assigned to a unit.

k. USAAC assistance. The Commanding Officer, USAAC, may request assistance from the Army, corps commander, or Commanding Officer, USAAC, as appropriate, will request assignment instructions from OPO, DA, ATTN: REAPR-I, for individuals who are MOS qualified, indicating the number of months and days the member has served as computed in c above. These assignment instructions will be reflected in the orders when published. An asterisk (*) following the orders will be used to establish by separate instructions from Headquarters, Department of the Army.

(a) Orders. (1) Orders format TO 138, appendix I, AR 310-10, will be used (see chart appended to these orders).

(2) The following information will be included in response to pertinent lead lines:

(i) Period: Months and days computed as prescribed in a above.

(ii) Authority: Public Law 89-687, DA Circular 135-10.

(iii) Special Instructions: On EDCSA you are relieved from your present Reserve unit or Control Group.

(b) Orders. (1) Orders format TO 138, appendix I, AR 310-10, will be used (see chart appended to these orders).

(2) The following information will be included in response to pertinent lead lines:

(i) Period: Months and days computed as prescribed in a above.

(ii) Authority: Public Law 89-687, DA Circular 135-10.

(c) Scope of medical examination. Medical examinations will be of the scope prescribed in regulations for entry on active duty and will include administration of the required immunizations as prescribed in AR 40-562.

(2) The examination consists of:

(a) A full physical examination. Medical examinations will be performed for discharge under AR 40-15.

(b) Exceptions. Those members who have undergone a medical examination within the 12-month period preceding their active duty reporting date are exempt from the provisions of a above, provided they sign Statement No. 1 on the Form 229 (Active Duty Report) attesting that they have been examined and that to their knowledge there has been no significant change in their physical condition.

(d) Final determination of each member's fitness for active duty will be made in accordance with the standards of medical fitness prescribed in AR 40-501.

15. Delay from entry on active duty. a. Authority. State adjutants general, area commanders and Commanding Officers are authorized to delay the entry of, and renewal of delay for, those members who meet the condition stated in b below. Requests for delay will be submitted to the appropriate school official indicating the date upon which the current school year will terminate.

16. Delay from entry on active duty. a. Authority. State adjutants general, area commanders and Commanding Officers are authorized to delay the entry of, and renewal of delay for, those members who meet the condition stated in b below. Requests for delay will be submitted to the appropriate school official indicating the date upon which the current school year will terminate.

17. Delay from entry on active duty. a. Authority. State adjutants general, area commanders and Commanding Officers are authorized to delay the entry of, and renewal of delay for, those members who meet the condition stated in b below. Requests for delay will be submitted to the appropriate school official indicating the date upon which the current school year will terminate.

18. Delay from entry on active duty. a. Authority. State adjutants general, area commanders and Commanding Officers are authorized to delay the entry of, and renewal of delay for, those members who meet the condition stated in b below. Requests for delay will be submitted to the appropriate school official indicating the date upon which the current school year will terminate.
discharged by any other individual, delay may be authorized. In addition, delay may be authorized for those members of the Reserve Component which may not specifically meet the above requirements but where the individual's entry on active duty would create a severe and unusual hardship on either himself or his family. Renewal of delay for this purpose may be granted not to exceed 90 days.

(7) Temporary Illness or Injury. An enlisted member who is temporarily ill or injured and who is medically transferable to the United States Army or other authorized reasons, upon completion of active duty, members will be discharged under the specific conditions set forth in the Standby Reserve.

(8) Transfer of Active Duty. Upon the completion of active duty, members will be transferred as follows:

(a) Those who have completed less than a total of 3 years' Ready Reserve and active military service may be transferred to the USAR Control Group (Annual Training).

(b) Those who have completed a total of 5 but less than 7 years' Ready Reserve and active military service will be transferred to the Standby Reserve.

17. Separation from Active Duty. Army regulations pertaining to Active Army members will apply except for those who are discharged due to expiration of term of military service or other authorized reasons, upon completion of active duty, members will be transferred as follows:

(a) Those who have completed less than a total of 5 years' Ready Reserve and active military service may be transferred to the USAR Control Group (Annual Training).

(b) Those who have completed a total of 5 but less than 7 years' Ready Reserve and active military service will be transferred to the Standby Reserve.

18. Discharge. This paragraph prescribes the criteria and procedures governing the discharge under the specific conditions set forth below, of nonprior service enlisted members who are subject to order to active duty under the provisions of this circular.

(a) Dependency/hardship.

(1) For the purpose of separation under hardship/dependency conditions, the term "dependency" or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(b) The enlisted member shall provide evidence of dependency or hardship conditions, the term "dependency" or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(c) The evidence required for dependency or hardship discharge normally will be in affidavit form. The evidence must substantiate dependency or hardship conditions upon which discharge is based. The evidence required will include affidavits or statements submitted by or in behalf of the enlisted member's dependents or person or agency having first hand knowledge of the dependents.

(d) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(e) The evidence required will include affidavits or statements submitted by or in behalf of the enlisted member's dependents or person or agency having first hand knowledge of the circumstances. If dependency or hardship conditions are shown to be arising as of the date the individual's, a physician's certificate should be furnished showing specifically when such disability occurred, the nature thereof, and prognosis for recovery. There also will be furnished the names, ages, occupations, home addresses, and monthly income of the dependents of the applicant's family. The affidavits of disinterested individuals and agencies should include reasons within their knowledge that these members of the family can or cannot aid the financial or physical care of the dependents concerned for the period of time the enlisted member is to be ordered to active duty.

(f) Applications for discharge for dependency or hardship reasons will be forwarded as prescribed in paragraph 18a, to the commander or agency having discharge authority as specified in paragraph 18a.

(g) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(h) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(i) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(j) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(k) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(l) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(m) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(n) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(o) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(p) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(q) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(r) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(s) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(t) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(u) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(v) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(w) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(x) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(y) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.

(z) Applications for discharge for dependency or hardship reasons will be forwarded to the commander or agency having discharge authority as specified in paragraph 18a.
c. How submitted.

(1) ARNGUS personnel. Application will be submitted to member’s unit commander who will immediately forward it, together with his recommendations and applicant’s record, to the State Adjutant General. Applications requiring Department of the Army approval will, in turn, be forwarded to the area Commanding Officer of the appropriate State Adjutant General, through Chief, National Guard Bureau, Headquarters, Department of the Army, Washington, D.C. 20310.

(2) USAR personnel. Applications initiated by USAR members will be submitted as follows:

(a) A member of a USAR unit will submit his application to its unit commander who will immediately forward it, together with his recommendations and the member’s records to the appropriate U.S. Army Corps/area commander. Applications requiring Department of the Army approval will, in turn, be forwarded to Commanding Officer, Reserve Component Personnel Center, Department of the Army, Fort Benjamin Harrison, Ind. 46249.

(b) A nonunit member will submit his request to Commanding Officer, Reserve Commanding Officer, Reserve Component Personnel Center, Department of the Army, Fort Benjamin Harrison, Ind. 46249.

f. Orders. Directing discharge will be issued as prescribed in AR 503-10 or NGB 5-4 citing the appropriate paragraph in 135-178 or NGB 5-4 and this circular as authority.

g. Type of discharge. Enlisted members discharged for the reasons set forth in this circular will be discharged under honorable conditions and the appropriate local Selective Service Board will be promptly notified of discharge actions and the reason for discharge using DD Form 44 (Record of Military Status of Registrant).

18. Authority to discharge. a. Authority to approve discharge.

(1) State adjutants general, area commanders, and Commanding Officer, USARCO (except as indicated in paragraphs 20 c and d) are authorized to take final action on applications for discharge of enlisted members based on hardship, under the provisions of this circular. Commanding Officers are directed to notify the pertinent records, to Commanding Officer, Reserve Component Personnel Center, Department of the Army, Fort Benjamin Harrison, Ind. 46249.

(2) Headquarters, Department of the Army will take final action on applications for discharge from members based on hardship, under the provisions of this circular. This direction is to be based on the fact that the request is in the public interest, and that the discharge is necessary to avoid hardship or danger to the service interests of the United States.

(3) To take final action to approve or disapprove the application.

(a) In those instances where the circumstances for discharge for hardship reasons do not warrant approval, the commander, if considered appropriate, approve delay on current active duty as authorized in paragraph 16.

19. Appeals, a. General. An individual who has been denied a requested discharge or delay in order may appeal the denial. The appeal will be submitted within 15 days of the member’s receipt of a denial; it will explain his reasons for the denial, and may include any additional appropriate information. The appeal will be submitted through the unit commander to the commanding officer having authority to approve discharges or delays as prescribed in paragraphs 16a and 16b, as appropriate.

b. Authority to act on appeals. The approving authority may act on such appeals when the decisions are favorable to the individual concerned. When denial is indicated, the request for appeal will be returned to the member’s unit commander for further action.

c. Final appeal. In the event the commanding officer does not act on the appeal within 60 days, the member may appeal to the appropriate local Selective Service Board, the reason for discharge, and the conditions and the appropriate local Selective Service Board.

19a. Appeals. a. General. An individual who has been denied a requested discharge or delay in order may appeal the denial. The appeal will be submitted within 15 days of the member’s receipt of a denial; it will explain his reasons for the denial, and may include any additional appropriate information. The appeal will be submitted through the unit commander to the commanding officer having authority to approve discharges or delays as prescribed in paragraphs 16a and 16b, as appropriate.

b. Authority to act on appeals. The approving authority may act on such appeals when the decisions are favorable to the individual concerned. When denial is indicated, the request for appeal will be returned to the member’s unit commander for further action.

c. Final appeal. In the event the commanding officer does not act on the appeal within 60 days, the member may appeal to the appropriate local Selective Service Board, the reason for discharge, and the conditions and the appropriate local Selective Service Board.

20. Members of RRMRP prior to July 1, 1967. a. The provisions of this circular are applicable to nonprior service enlisted reservists who were assigned to the RRMRP (Annual Training Control Group) prior to July 1, 1967 except as modified with regard to the following:

(1) Termination of grace period.

(2) Minimum number of months for which a member was denied a requested discharge or delay in order may appear the denial. The appeal will be submitted within 15 days of the member’s receipt of a denial; it will explain his reasons for the denial, and may include any additional appropriate information. The appeal will be submitted through the unit commander to the commanding officer having authority to approve discharges or delays as prescribed in paragraphs 16a and 16b, as appropriate.

APPENDIX A

FORMAT OF LETTER OF INSTRUCTIONS CONCERNING CHANGE OF RESIDENCE

Subject: Change of Residence

To: (Grade, name, service number, MOS, and SSN of member)

(Prent address)

(Present home address)

(Dates of previous relocations w/60 days leave of absence)

(Dates of previous relocations w/60 days leave of absence)

(Final address)

(Dates of previous relocations w/60 days leave of absence)

1. This letter provides guidance and instructions pertinent to your reported change of residence. It identifies your status and provides you a priority for acceptance in another unit in your new duty station.

2. It is your responsibility to locate and join a Reserve Component at your new place of residence under terms specified in current directives. Failure to do so by

3. You may obtain assistance at the Army National Guard or Army Reserve unit, ARNGCO or USARCO, Training Center nearest your new residence.

4. Should you desire to enlist in another component of the Armed Forces, a letter will be issued if you are accepted for enlistment.

5. When you report to a unit present this letter to the commanding officer of his representative.

* Insert date 60 days from date of departure from current residence.
12A1—Pioneer.
13A1—Artillery Basic.

(5) **Specific Individual MOS substitutions.**

**Required MOS**

| 11B10 | Lt Wps Inf |
| 11B20 | Lt Wps Inf |
| 11B30 | Ammu Sec Ldr |
| 11C20 | FI Computer |
| 12B10 | Radar Officer |
| 12B20 | Construction Spec |
| 26C10 | Radar Repairman |
| 26D10 | Repairman |
| 46B10 | Asst Driver |
| 71A10 | General Clerk |
| 71A20 | Driver Messenger |
| 71B30 | Clerk Typist |
| 71B40 | Clerk Typist (GL10) |
| 71H20 | Fuel Records Spec |
| 71J20 | Personnel Records Specialist |
| 74B20 | Asst Card Punch Operator |
| 74B30 | Card Punch Operator |
| 74B40 | Card Punch Operator |
| 31C20 | E5 Card Punch Operator |
| 31C30 | E5 Card Punch Operator |
| 31D20 | E4 Card Punch Operator |
| 31E20 | E3 Asst Card Punch Operator |
| 31F20 | E2 Clerk Typist |
| 72F20 | E3 Clerk Typist |
| 73C20 | E4 Scouting Officer |
| 73D20 | E3 Scouting Officer |
| 73E20 | E4 Messenger |
| 74C20 | E5 Scouting Officer |
| 74D20 | E4 Clerk Typist |
| 74E20 | E3 Asst Card Punch Operator |
| 74F20 | E2 Clerk Typist |
| 74G20 | E3 Scouting Officer |
| 74H20 | E4 Clerk Typist |
| 74I20 | E3 Asst Card Punch Operator |
| 74J20 | E2 Clerk Typist |
| 74K20 | E3 Scouting Officer |
| 74L20 | E4 Clerk Typist |
| 74M20 | E3 Asst Card Punch Operator |
| 74N20 | E2 Clerk Typist |
| 74O20 | E3 Scouting Officer |
| 74P20 | E4 Clerk Typist |
| 74Q20 | E3 Asst Card Punch Operator |
| 74R20 | E2 Clerk Typist |
| 74S20 | E3 Scouting Officer |
| 74T20 | E4 Clerk Typist |
| 74U20 | E3 Asst Card Punch Operator |
| 74V20 | E2 Clerk Typist |
| 74W20 | E3 Scouting Officer |
| 74X20 | E4 Clerk Typist |

**Substitute MOS**

| 13C10 | Lt Wps Inf |
| 13C20 | Lt Wps Inf |
| 13C30 | Lt Wps Inf |
| 13C40 | Lt Wps Inf |
| 13C50 | Lt Wps Inf |
| 13C60 | Lt Wps Inf |
| 13C70 | Lt Wps Inf |
| 13C80 | Lt Wps Inf |
| 13C90 | Lt Wps Inf |
| 13C10 | Lt Wps Inf |
| 13C20 | Lt Wps Inf |
| 13C30 | Lt Wps Inf |
| 13C40 | Lt Wps Inf |
| 13C50 | Lt Wps Inf |
| 13C60 | Lt Wps Inf |
| 13C70 | Lt Wps Inf |
| 13C80 | Lt Wps Inf |
| 13C90 | Lt Wps Inf |
| 13C10 | Lt Wps Inf |
| 13C20 | Lt Wps Inf |
| 13C30 | Lt Wps Inf |
| 13C40 | Lt Wps Inf |
| 13C50 | Lt Wps Inf |
| 13C60 | Lt Wps Inf |
| 13C70 | Lt Wps Inf |
| 13C80 | Lt Wps Inf |
| 13C90 | Lt Wps Inf |

**APPENDIX C**

**ACKNOWLEDGEMENT OF UNDERSTANDING OF SERVICE REQUIREMENTS**

(Six-Year Enlistment in a Unit of the U.S. Army Reserve)

In connection with my enlistment as a Reserve of the Army for service in a paid drill unit of the Army Reserve, this date, I hereby agree to and understand that—

I am required to perform a duty of 10 years. I will participate with my unit in scheduled training effective immediately. I will enter on active duty for training for a period of 4 weeks within 120 days of this date, unless a delay for a longer period is authorized or directed by the Department of the Army. I may be delayed in reporting for active duty for training for a period necessary to accomplish a security clearance if my position requires it. If I am enlisting for a position requiring highly specialized skills for which appropriate formal training courses are offered only infrequently, I may be delayed to the extent necessary to ensure that I pursue the proper courses commensurate with my qualifications and the requirements of the position. If I am unable to complete training within the number of weeks indicated above because of illness, accident, or other emergency, I agree to remain on active duty for training for the additional period required to qualify for my original MOS. If for any reason I cannot satisfactorily complete the required training (schooling) in the MOS for which I initially entered duty for training, I will be required to accept training for the purpose of qualifying for an alternate MOS. In such event, I may be retained on active duty for training until I satisfactorily complete training for such alternate MOS but in no case less than 120 days.

I understand that during my initial period of active duty for training I will not be entitled to any Veterans’ Preference Benefits and I will not be entitled to basic allowance for quarters for dependents.

During my Reserve service, both before and after my active duty training, I am required to participate satisfactorily in the scheduled training assemblies (not less than 48 annually) and annual active duty for training (not more than 17 days per year) with my assigned unit unless excused therefrom by proper authority, until completion of my total 6-year military obligation. I agree to complete my Reserve service in a paid drill unit of the Ready Reserve.

Prior to moving to another location (town, city, community, State), I must report any change of address to my unit commander or his representative. Within 60 days after leaving my unit, I must voluntarily locate and be accepted for assignment to another paid drill unit of the Ready Reserve or of another service if prior to this time I have not performed my initial active duty for training. I realize that, at a time convenient to the service, I must enter on active duty training for the period required to qualify me for the position in my new unit, which may be longer than the number of weeks indicated above but not less than 120 days.

I further understand that—

1 Enter here the total number of weeks required for BCT, AFF, and functional courses if required, plus 3 weeks travel and processing time.
prescribed number of unit training assemblies, or am unable to continue in a Ready Reserve paid drill unit assignment, I may be involuntary ordered to active duty for 24 months less any period of active duty or active duty for training I have previously performed, in which case my term of enlistment will be extended to permit completion of such active duty.

After completion of any period of active duty, I will be required to serve the balance of my military obligation, if any, in the Ready Reserve paid drill unit as assigned, or in the Non-Active Ready Reserve as provided in statutes and regulations.

For failure to perform satisfactory Reserve service in any year subsequent to involuntary active duty tour, I can be ordered to perform active duty for training for a maximum of 45 days.

If I am assigned by proper authority to the Ready Reserve Mobilization Reinforcement Pool, I may be required to perform up to 30 days active duty for training annually. I must reply promptly to any military correspondence directed to me.

In the event of war or national emergency declared by Congress or my enlistment, which would otherwise expire, will be continued in effect until 6 months after the end of such war or emergency to perform active duty or active duty for training.

I have enlisted for assignment to an airborne unit vacancy and volunteered to undergo airborne training as a condition to my enlistment: if I refuse to undergo or fail to complete airborne training, for reasons within my control, I will be subject to being ordered to 24 months active duty less any period of active duty or active duty for training I may have already served, unless I can be assigned to a position in a paid drill unit for which I am or can become qualified.

During my Ready Reserve service, both before and after my active duty training, I am required to participate satisfactorily in the scheduled drills (at least 48 each year) and attend field training at least 15 days each year in order to retain my reserve authority. If I become a member of the U.S. Army Reserve prior to the completion of my obligated period of service, I will participate with a unit in that component.

I must, prior to moving to another location (town, city, community, State) report any change of address to my unit commander or his representative. Within 60 days after leaving my unit I must voluntarily locate and be accepted for assignment in a unit of the ARNG or USAR. If, prior to this time, I have not performed my initial active duty for training as agreed to above, I must enter on this active duty for training for the period described above, or after the time, that I have been involuntarily ordered to active duty for 24 months, less any period of active duty or active duty for training I have previously performed.

I further understand that:

* For any reason, other than inactivation, relocation, or reorganization of my unit, I will participate with my unit in schedule training effective immediately.

* I will enter on active duty for training for a period of approximately 24 months (effective time required for training in designated MOS) within 120 days of this date, unless a delay for a longer period is authorized by the Department of the Army. If I am enlisting for a position requiring security clearance for access to classified information or equipment, I may be delayed to the extent necessary to accomplish the required clearance. If I am enlisting for a position requiring specialized skills for which appropriate training courses are offered only infrequently, I may be delayed to the extent necessary to assure that I pursue the proper course commensurate with my qualifications and the requirements of the position. Delay in either of above instances shall not exceed the number of weeks indicated above because of illness, accident, or other emergencies. I agree to remain on active duty for training for the additional period required to qualify for my selected MOS, or any other MOS for which I am not satisfactorily complete the required training (schooling) in the MOS for which I am not ordered to active duty for training, I will be required to accept training for the purpose of qualifying for an alternate MOS, if such training is already given the airborne unit.
NOTICES

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
CANNED MUSHROOMS DEVIATING FROM IDENTITY STANDARD

Notice of Modification of Temporary Permit for Market Testing

Notice was given in the Federal Register of May 2, 1967 (32 F.R. 6737), that a temporary permit had been issued to Oxford Royal Mushroom Products, Inc., Kelton, Pa. 19346. The permit, granted pursuant to (21 CFR 10.5), covered interstate marketing tests of canned mushrooms in the button and whole forms with added calcium disodium EDTA, an ingredient not provided for by the standard of identity for this canned vegetable (21 CFR 51.990).

Notice is hereby given that the subject temporary permit has been modified to include the terms of "places and stems" and "sliced" canned mushrooms under the same terms and conditions of the permit now in effect.

The expiration date of the permit (Apr. 30, 1968) is unchanged.


J. K. Knox, Associate Commissioner for Compliance.

[Coord. Doc. 67-12799; Filed, Oct. 30, 1967; 8:47 a.m.]

[DOCKET NO. FDC-D-103]

DRUGS FOR HUMAN USE CONTAINING BITHIONOL

Notice of Withdrawal of Approval of New-Drug Applications


In the Federal Register of July 19, 1967 (32 F.R. 10615), the Commissioner of Food and Drugs issued a Notice of Opportunity for Hearing on his proposal to issue an order under the provisions of section 505(e) (21 U.S.C. 355(e)) of the Federal Food, Drug, and Cosmetic Act (1) withdrawing approval of new drug application No. 12-268 and all amendments and supplements thereto held by the Purex Corp. for the drug Cuttone Acne Cream, which contains bithionol as an active ingredient, and (2) withdrawing approval of all other new-drug applications and all amendments and supplements thereto for drugs for human use containing any bithionol, for which applicants have waived opportunity for a hearing on the proposal.

Each holder of the new-drug applications listed below has by letter requested withdrawal of approval of his application for a drug containing bithionol, and thereby waived notice of hearing as provided by section 505 of the act (21 U.S.C. 355) and the regulations thereunder (21 CFR Part 310), prior to such withdrawal:

A. NDA No. 8-492 for Rexall Medicated Dusting Powder, held by Rexall Drug Co., #450 Beverly Boulevard, Los Angeles, Calif. 90054.
B. NDA No. 9-178 for Surginol Surgical Soap, held by Medical Arts Supply Co., 706-08-10 Fourth Avenue, Huntington, W. Va. 25701.
C. NDA No. 9-233 for Thylox Sulfur Cream and Thylox Sulfur Soap with Aetam, held by Shulton, Inc., Route 46, Clifton, N.J. 07011.
D. NDA No. 9-240 for Degerm with Aetam, held by Huntington Laboratories, Inc., 970 East Tipton Street, Huntington, Ind. 47905.
E. NDA No. 9-254 for Lan-O-Kleen, held by West Chemical Products, Inc., 42-16 West Street, Long Island City, N.Y. 11101.
F. NDA No. 9-287 for Coco-Borax Powered Hand Soap, held by North Coast Chemical Co., 6300 17th Avenue, South, Seattle, Wash. 98108.
G. NDA No. 10-935 for Dial Deodorant Soap, held by Armour Products Division of Armour & Co., 1355 West 31st Street, Chicago, Ill. 60616.
H. NDA No. 12-268 for Cuttone Acne Cream, held by Purex Corp., 24600 South Main Street, Wilmington, Calif. 90744.

The Commissioner of Food and Drugs, by virtue of the authority vested in him by the Secretary of Health, Education, and Welfare by the provisions of the act (sec. 505(e), 52 Stat. 1053; 21 U.S.C. 355(e)) and delegated to him by the Secretary (21 CFR 3.120), finds on the basis of the standard of identity for this canned vegetable (21 CFR 51.990).

Therefore, based on the foregoing findings of fact, the approval of the new-drug applications listed above, may cause photosensitivity and that in some instances the photosensitization may persist for prolonged periods as severe reactions without further contact with sensitizing articles and, further, that bithionol may produce cross photosensitization with other commonly used chemicals such as certain halogenated salicylanilides and hexachlorophene.


J. L. Godbard, Commissioner of Foods and Drugs.

[F.R. Doc. 67-12800; Filed, Oct. 30, 1967; 8:47 a.m.]
Order Regarding Procedural Dates

In the matter of American Telephone and Telegraph Co., and the Associated Bell System Cos., Docket No. 16238; charges for interstate and foreign communication service.

In the matter of American Telephone and Telegraph Co., Docket No. 16011; charges, practices, classifications, and regulations for and in connection with telegraphy exchange service.

The Telephone Committees having under consideration a motion for extension of time with respect to certain procedural dates hereinafter established by the Committee's order of May 11, 1967, filed by Air Transport Association of America on October 13, 1967; and having also under consideration supporting requests filed on behalf of American Newspaper Publishers Association et al. and Aeronautical Radio, Inc., and

It is ordered, That the following modifications are hereby effected in our order of May 11, 1967:

(1) All other parties, including the FCC staff, shall distribute written testimony on rate making principles and factors on December 15, 1967.

(2) Hearing sessions for cross-examination on the evidence submitted by parties other than Respondents shall begin on January 15, 1968, at 10 a.m.

(3) If Respondents wish to offer rebuttal to the testimony submitted by other parties, such rebuttal shall be distributed on or before March 8, 1968.

(4) Hearing sessions for cross-examination on such rebuttal testimony will begin April 1, 1968, at 10 a.m.


Cosmos Cablevision Corp.

Memorandum Opinion and Order Designating the Request for a Hearing

In re petition by Cosmos Cablevision Corp., Darlington, S.C., Docket No. 17817, File No. CATV 100-132; for authority pursuant to § 74.1107 of the rules to serve and operate a CATV system in the Columbia, S.C., television market.

In re application of Cosmos Cablevision Corp., Docket No. BFCAR-41; for construction permit for community antenna relay station to serve its CATV System at Darlington, S.C.

1. Cosmos Cablevision Corp. requests a new window of hearing for its CATV system at Darlington, S.C., located in the Columbia, S.C., television market (ARB 83), carrying the local signals of Channels 10 (NBC), Columbia, 13 (ABC, CBS, FOX), 19 (CBS), and *35 (Ed.), Florence (with program exclusivity afforded); and the distant signals of Channels 19 (CBS), 25 (ABC), and *35 (Ed.), Columbia. Also under consideration herein is the application filed by Cosmos for a Community Antenna Relay Station to serve its CATV system at Darlington. Cosmos proposes to transmit by microwave the television signals of Channels 25 and 35, Columbia, S.C.

2. The Columbia market has a total net weekly circulation of 223,400. Channel assignments in the market and their respective areas: Columbia, S.C., (CBS) 19 (CBS), 25 (ABC), *35 (Ed.-Program Test Authority), and 87 (idle). Darlington (6,710), Darlington County (52,928), is located approximately 68 miles from Columbia, S.C., (CBS) (200,103). Petitioner states that the area to be served is limited to the City's corporate limits and that the maximum subscriber potential is 1,965 households. Cosmos states that it will provide Darlington with the full three network services; will bring the first educational station into the community; will significantly affect a prospective ABC affiliation; and will assist existing stations in coverage.

3. In opposition, Rovan Television, Inc., permitted to a television broadcast station WPDT, Florence, S.C., states that the community or Darlington is an integral part of the WPDT service area; that the second report and order was designed to protect emerging UHF stations such as WPDT so that the stations might achieve economic viability. Rovan concludes that its chances of obtaining a network affiliation will be 'substantially lessened' by allowing the system to import distant signals.

4. In view of the size of the community and its location, it would appear that operation of this system would have little or any impact upon UHF development in the market. The same conclusion was reached in Cable Television of Hartsville, S.C., FCC 2d 69, 9 RR 1265, which involved a system in a city of the same size located 10 miles from Darlington. See also, Video Vision, Inc., 7 FCC 2d 112, 9 RR 2d 493, for permission to import the Columbia UHF signals where the VHF station served the community; Greater Television, 2 FCC 2d 690, RR 2d 1106. When weighed against the benefits to be obtained from operation of the system—such as full network coverage and an educational station—waiver of § 74.1107 of the rules is indicated.

5. The request to import the distant ABC signal from Channel 25, Columbia, S.C., presents a different problem. As we stated in the second report:

In markets below the top 100 (here, the Florence market) the Independent UHF (or VHF) station is much better able to develop; the stations in such markets are apt to be three or less in number and network affiliated. This means, in turn, that the need to provide real relief is not as great and that the provision is effective (since network programming will be significantly involved), and protections of a station's network programming should contribute very substantially to insuring its continued viability.

Here, however, Rovan does not yet have a network affiliation and has alleged that CATV importation of a distant ABC signal would jeopardize its chances of obtaining an ABC affiliation. We can reach no decision on this question on the basis of the present record.

We have also considered the CARS application filed by Cosmos (BFCAR-41) to serve its CATV system at Darlington. Cosmos has filed a "Petition to Deny Applications for Community Antenna Relay Services." The allegations contained in the petition directed against the CARS application do not present any new issues not considered and disposed of in connection with the top 100 waiver petition. We are therefore of the view that the petition should be denied, except as indicated, and that a grant of this application would serve the public interest.

Accordingly, it is ordered, Pursuant to §§ 74.1107 and 74.1109 of the Commission's rules, that with respect to the petition of Cosmos Cablevision Corp. for permission to carry the signals of Channels 19 and *35, Columbia, S.C., waiver is granted.

It is further ordered, That the request of Cosmos Cablevision Corp. to carry the signal of Channel 25, Columbia, S.C., is designated for hearing on the following issues:

(1) To determine whether carriage of the signal of Channel 25, Columbia, S.C., by the Cosmos Cablevision Corp., Darlington, S.C., CATV system would significantly affect a prospective ABC network affiliation for Channel 15, Florence, S.C.

(2) To determine whether, in light of the evidence adduced under the above issue, Cosmos Cablevision Corp. should be authorized to carry the signal of Channel 25.

Accordingly, it is further ordered, Pursuant to § 309 of the Communications Act as amended, and §§ 74.1031, 74.1107, and 74.1109 of the Commission's rules, we have also considered, in connection with the opposition, the "Petition to Prohibit Cosmos Cablevision Corp. from Importing Distant Signals," filed pursuant to § 74.1109 of the rules by Rovan Television, Inc., on April 12, 1967. To the extent that it requests additional relief or leave to file supplementary material, and in the absence of an adequate showing, it is denied.

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that the above captioned application of Cosmos Cablevision Corp. is granted subject to the following condition:

Cosmos Cablevision Corp. may not furnish the signal of Channel 35, Columbia, S.C. to its Darlington, S.C. CATV system until further order.

It is further ordered, That the "Petition to Deny Applications for Community Antenna Relay Services" and the "Petition to Prohibit Cosmos Cablevision Corporation from Importing Distinct Signals", both filed by Rowan Television, Inc., are denied.

It is further ordered, That Rowan Television, Inc., and Cosmos Cablevision Corp. are made parties to this proceeding and, to participate, must comply with the applicable provision of § 1.221 of the rules.

The burden of proceeding and proof with respect to issue 1 is on Rowan. Issue 2 is conclusory. A time and place for the hearing will be specified in another order.


FEDERAL COMMUNICATIONS COMMISSION

INTERSTATE COMMERCE COMMISSION
[S.O. 994, ICC Order 10]

LEHIGH VALLEY RAILROAD CO.

Rerouting or Diversion of Traffic

In the opinion of R. D. Pfahler, agent, the Lehigh Valley Railroad Co. is unable to transport traffic to and from Raven Run, Pa., because of bridge destroyed by fire at mile post 171.

It is ordered, That:

(a) Rerouting traffic: The Lehigh Valley Railroad Co., being unable to transport traffic to and from Raven Run, Pa., because of a bridge destroyed by fire at mile post 171, that carrier and its connections are hereby authorized to reroute or divert such traffic over any available route to expedite the movement. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall notify such shipper to expedite the movement. The railroad shall carry a reference to this order as authority for the rerouting.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order:

(d) Inasmuch as the diversion or rerouting of traffic by said agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with the applicable provision of § 1.221 of the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 12:01 a.m., October 26, 1967.

(g) Expiration date: This order shall expire at 11:59 p.m., December 31, 1967, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and other agreement under the terms of that agreement and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., October 26, 1967.

INTERSTATE COMMERCE COMMISSION,

[F.R. Doc. 67-12721; Filed, Oct. 30, 1967; 8:46 a.m.]

NOTICES

MOTOR CARRIER AUTHORITY APPLICATIONS

October 26, 1967.

The following are notices of filing of applications for temporary authority under section 310(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) published in the Federal Register publication, volume 32, No. 244, December 27, 1967, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field office named in the Federal Register publication, within 15 calendar days after the date of notice of the filing of the application is published in the Federal Register. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as 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 97357 (Sub-No. 21 TA), filed October 20, 1967. Applicant: ALLOYN TRANSPORTATION COMPANY, 14011 South Central Avenue, Los Angeles, Calif. 90059. Authority sought to operate as a common carrier in intrastate commerce, transporting molten sulphur from points in Los Angeles County, Calif.; to Yuma, Ariz., for 180 days.

Supporting shipper: Phoenix & California Chemical Corp., 714 West Olympia Boulevard, Los Angeles, Calif. 90015.

Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Division of Operations, Federal Building, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 106790 (Sub-No. 89 TA), filed October 20, 1967. Applicant: WHITNEY HOUSE TRUCKING, INC., 3111 Grand Avenue, Clarion, Pa. 16214. Applicant's representative: O. L. Thee (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prefabricated buildings, building sections and/or component parts; from points in Georgia to points in Florida, for 180 days.


No. MC 11223 (Sub-No. 82 TA), filed October 19, 1967. Applicant: QUICKIE TRANSPORTATION COMPANY, 501 11th Avenue South, Minneapolis, Minn. 55415. Applicant's representative: Warren E. Holting, 505 11th Avenue South, Minneapolis, Minn. 55415. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dry, crude sulphur in bulk, from the plantsite of Cenex, Inc., near Pine Bend, Minn.; to the plantsite of Badger Ordnance Works near Baraboo, Wisc., for 180 days.


No. MC 123054 (Sub-No. 6 TA), filed October 19, 1967. Applicant: R. & H. CORPORATION, Post Office Box 208, 255 Grand Avenue, Clarion, Pa. 16214. Applicant's representative: Alfred N. Lowenstein, 123 South Broad Street, Philadelphia, Pa. 19109. Authority sought to operate as a common carrier, by motor
vehicle, over irregular routes, transport- ing: Kitchen cabinets and accessories used in the installation thereof; from Richmond, Ind., to points in Palm Springs, El Centro, Cali., for 180 days.


No. MC 123473 TA filed October 19, 1967. Applicant: R. D. Allain, doing business as Allain Freight Service Company, P.O. Box 72205, Station G, Jacksonville, Fla. 32207. Applicant’s representative: Martin Steck, Jr., 1207 Tiger Tower, Jacksonville, Fla. 32207. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commissioner; and containers having an immediately prior or subsequent movement in containers by rail, motor, water or air, and empty containers having an immediately prior or subsequent movement by rail, motor, water or air, between points in Florida; for 180 days. Supporting shipper: Fernstrom Storage and Van Co., Post Office Box 60220, Chicago, Ill. 60686. Send protests to: District Supervisor, G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Federal Office Building, 400 Washington St., Jersey City, N. J. 07302.


By the Commission. [SEAL]

H. Neil Gasman, Secretary.

[FR Doc. 67-12762; Filed, Oct. 30, 1967; 8:46 a.m.]

ATOMIC ENERGY COMMISSION

STATE OF COLORADO

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to any action thereon, a proposed agreement received from the Governor of the State of Colorado for the assumption of certain of the Commission’s regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A résumé, prepared by the State of Colorado and summarizing the State’s proposed program and agreement, is also submitted to the Commission. With the exception of the reference to the Atomic Energy Act of 1954, as amended, the text of the agreement is set forth below as an appendix to this notice.

A copy of the program, including proposed Colorado regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW, Washington, D.C., or may be obtained by writing to the Director, Division of State and Licensee Relations, U.S. Atomic Energy Commission, Washington, D.C. 20545. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them, triplicate, to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, within 30 days after initial publication in the Federal Register.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered

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Into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in Federal Register issuances of February 14, 1962, 27 F.R. 1321; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Germantown, Md., this 28th day of September 1967.

For the Atomic Energy Commission.

W. B. McCool,
Secretary


Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act), to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Colorado (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on that the program of the State for the regulation of the materials covered by this Agreement is no less adequate than the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the Governor of the State of Colorado certified on September 12, 1967, that the State of Colorado (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission recognizes the desirability and importance of cooperation between the Commission and the State in the field of radiation hazards, and recognizes the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1964, as amended; and

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;
B. Source materials; and
C. Special nuclear materials in quantities not sufficient to form a critical mass.

ARTICLE II. This Agreement does not provide for discontinuance of any authority and responsibility of the Commission and the State to cooperate with each other in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible.

ARTICLE III. Notwithstanding this Agreement, and except as provided in the Act by rule, regulation, or order, the manufacturer, processor, or other person or entity having possession, custody, or control of such product containing source, by-product, or special nuclear material shall not, without a license issued by the Commission, transfer possession of such product, or special nuclear material shall not transfer possession of such product, or special nuclear material In quantities not sufficient to form a critical mass; and

ARTICLE IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or f. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ARTICLE V. The Commission will use its best efforts to cooperate with the State and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible.

ARTICLE VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials subject to this Agreement issued by the other party or by any Agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop, agree on, and adopt appropriate rules and regulations, and procedures by which such reciprocity will be accorded.

ARTICLE VII. The Commission, upon its own initiative, or at the request of the Governor of the State, may suspend or terminate this Agreement and rescind the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ARTICLE VIII. This Agreement shall become effective on January 1, 1968, and shall remain in effect, and shall be subject to termination or suspension as is it is terminated pursuant to Article VII.

Done at , this Day of

For the U.S. Atomic Energy Commission

For the State of Colorado

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and other naturally occurring nuclides. The results of these studies were applied to establish adequate ventilation facilities to limit radon daughter concentrations in homes to levels below screening standards. In 1969 the Department trained Colorado Bureau of Mines technicians to do this work; however, current activities include training: calibration of equipment, evaluation of the Bureau of Mines program, consultation with industry, and assessment of radium leakage sources.

X-Ray survey program. A limited program for surveying X-ray machines was started in 1967. Rules regulating X-ray machines had been promulgated by the Colorado State Board of Health in 1959.

Following this requirement of registration, the Department initiated a dental radiological health program by mailing the specially prepared Surpak film kit to all dentists in the Denver Metropolitan area. This survey was conducted with the cooperation of the Colorado Dental Association and the U.S. Public Health Service (U.S.P.H.S.). A total of 643 dental X-ray units were evaluated in this manner, and corrections in filtration and collimation were made by the individual dentists as needed.

A limited survey of physical surveys of dental and all other diagnostic X-ray installations began in 1968 using procedures approved by the U.S.P.H.S. Approximately 15,000 radiological health specialists assisted in training selected local health department personnel in the survey procedures. As a result of this training, the organization of the radiological health departments gave invaluable assistance in completing the program in their respective areas.

The continuing program encompasses physical surveys of X-ray units in the healing arts and industry and radiological health consulting on survey results submitted to the individual in charge of the installation. NGRF standards and recommendations as published in NBS Handbooks 76 and 93 are used in all procedures. Approximately 1,600 medical X-ray units and 1,200 dental X-ray machines have been surveyed out of a total of 2,000 registered units in the State. Results indicate that 95 percent of the dental units and 70 percent of the medical machines and facilities are in physical compliance at this time. This degree of compliance has been accomplished without the aid of rules and regulations specifying physical requirements. The program is now 99 percent completed in helping X-ray installations in outlying areas that have not had an initial survey. Many of the installations have had more than one physical survey.

Radium control program. As previously mentioned, rules and regulations which were promulgated under the program dealing with the regulation and control of ionizing radiation including radium sources to be registered with the Department. There are 33 registered installations in Colorado that use radium sealed sources, and all have had complete storage area surveys and tests made for leakage contamination. All of these installations have completed surveys recommended in NBS Handbook 73. The Department provides assistance to radium users in the proper disposal of unwanted or leaking sources.

Environmental surveillance. An air surveillance program was established as early as 1954 and was expanded by the Colorado State Health Department until joining the Public Health Service surveillance network in 1957. Currently, it is maintained in two national surveillance networks and one study project. The mechanism for expanding surveillance needs in the State has been established as part of the emergency monitoring program. A State milk monitoring program is being conducted and a summary of these activities is published periodically in "Radiological Health Data." Additional surveillance is conducted on food, beverages, and other materials. Another phase of this activity is the continuous human thyroid viva counting of human thyroids for 131I and whole body counting for 137Cs on a select group of individuals in Colorado.

Activities in this program are expanding rapidly. Collection of background data and surveys of radiation levels are currently being planned and organized to measure the environmental effects of nuclear energy activities in Colorado. Specific surveillance has been done and is planned in the future to determine the radiation air in selected communities in Colorado. Projects such as "Gasbuggy" and the proposed use of nuclear energy for all shale recovery in northwest Colorado indicate a busy future for this program.

Whole body counting facility. In 1961, the Whole Body Counting Facility was completed and put into operation. Activities of the Whole Body Counter have been described briefly above, particularly regarding surveillance. Additional activities involve adapting whole body counting techniques to evaluate the use of radioactive materials. The adaptability of the instrumentation of the Whole Body Counter to the radiological health programs has improved the capability of the Division in rapid evaluation and accuracy of measurement.

Groundwater Contamination Act. This act, in effect since 1959, is an attempt to prevent potential contamination of the environment. The purpose of this act is to prevent the introduction of radioactive materials into the groundwater supply. This act requires the registration of all radioactive materials, except naturally occurring radium, that are to be used in the State. The act also requires that any person who uses radioactive materials must submit to the Department and State Board of Health a geologic survey of the site where the material will be utilized. The survey must show the extent of the contamination of the soil and groundwater. The operator must also submit a plan for the disposal of the material and any other radioactive waste. The Department must approve the plan before the material can be used.

The Radiation Hygiene Section is responsible for the administration of the Groundwater Contamination Act. The section is responsible for the registration of all radioactive materials, the approval of geologic surveys, and the approval of plans for the disposal of radioactive waste. The section is also responsible for the enforcement of the act and the investigation of any violation.

The Radiation Hygiene Section is also responsible for the administration of the Colorado Radiation Control Act. This act is designed to protect the public from exposure to ionizing radiation. The act requires that any person who uses radioactive materials must register with the Department. The act also requires that any person who uses radioactive materials must submit to the Department and State Board of Health a geologic survey of the site where the material will be utilized. The survey must show the extent of the contamination of the soil and groundwater. The operator must also submit a plan for the disposal of the material and any other radioactive waste. The Department must approve the plan before the material can be used.

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environmental monitoring, consultative services, and applied research.

In addition to the Section Chief, the Radiation Hygiene Section is comprised of four professionals, each with specific responsibilities. One of these, the public health physicist, will have primary responsibility for the Whole Body Counting facility. In addition to maintaining internal flexibility, primary responsibilities for the remaining four are (e.g., licensing and registration, inspection and compliance, environmental monitoring, and applied research) may be rotated among the other three members of the staff. Supervision and administrative duties of the logical program are provided by the division director and section chief. Current staff qualifications are shown in the attachment.

Future replacement and addition to the staff will be similarly qualified.

Although local health departments will not participate directly in the agreement, the radiation hygiene section in radiological health activities.

REGULATORY PROCEDURES AND POLICY

Licensing and registration. The Colorado radiation control program extends to all sources of radiation. The licenses require that a permit for exposure and registration of all radiation-producing machines except such sources as may be specifically exempted from the application of the regulations.

Licensing procedures and criteria will be consistent with those of the Atomic Energy Commission as provided in Part III of the State of Colorado Rules and Regulations Pertaining to Radiation Control.

General licenses are issued for specified materials under specified conditions when it is determined that the issuance of specific licenses is not necessary to protect the public and occupational health and safety. Specific licenses or amendments thereon are issued upon review and approval of an application. Any license for radioactive materials will be issued to named persons and will incorporate appropriate conditions and expiration dates. The conditions and expiration dates will be conducted when appropriate.

The Department, when it determines such to be appropriate, will request the advice of the Radiation Advisory Committee, or appropriate members thereof, with respect to any matter pertaining to a license application, or to criteria for reviewing applications.

All applications for nonroutine medical uses of radioactive materials will be referred for advice and consultation to those members of the Radiation Advisory Committee who have appropriate training and experience in nonroutine human uses of radioactive materials. Specific license documents will be required as part of an application. The Department will maintain knowledge of current techniques, techniques, and procedures for medical uses applicable to the licensing program through continuing contact and information exchange with the Atomic Energy Commission and other Agreement States.

The registration program will be a continuation of the current activity except that (a) all radiation machines will be subject to the applicable provisions of Part IV of the regulations and (b) radium and accelerator-produced radionuclides which were formerly registered must now be licensed.

Inspection. Inspections for the purpose of evaluating radiation safety and determination of compliance with regulations and provisions of licenses will be conducted as needed. Inspections will be made frequently in the early years of the license, in order to establish understandable and reasonable behavior.

Inspections will include the observation of personnel in their work environments, operators, and equipment; a review of use procedures, radiation safety practices, and use qualifications; a review of records of radiation surveys, personal exposure, and receipt and disposition of licensed materials—all as appropriate to the scope and conditions of the license and applicable regulations. In addition, independent measurements will be made as appropriate.

At the start and conclusion of an inspection or investigation, the licensee will be so informed at "the time of such notice or investigation, the reports will be reviewed by the Radiation Hygiene Section Chief.

Compliance and enforcement. The status of completion with regulations, registration, or license conditions will be determined through inspections and evaluations of inspection reports.

When there are items of noncompliance, the licensee will be so informed at the time of inspection. When the items are minor and noncompliance is not considered to be a threat to public health, they will be promptly terminated. Where items of noncompliance are more serious, the licensee will be informed of the items of noncompliance and required to reply within a stated time as to the corrective action taken and the date completed.

Upon request by the licensee, the terms and conditions of a license may be amended, reacquired, or canceled with the intent of meeting changing conditions in operations or to remedy technicalities of noncompliance which are beyond the control of the licensee. The Department may, upon request, revoke a license in the event of continuing refusal of the licensee to comply with terms and conditions of the Act, or regulations or failure to take adequate action concerning items of noncompliance. Prior to such action, the Department shall notify the licensee of its intent to amend, suspend, or revoke the license and provide the opportunity for a hearing.

The Department will use its best efforts to attain compliance through cooperation and education. Only in instances where real or potential hazards exist, or cases of repeated noncompliance or willful violation will the full legal procedures normally be employed.

Where the Department finds that the licensee has been guilty of deliberate and willful violation, or that the provision of public health, safety, or welfare is endangered, the Department may, at its discretion and without the necessity of obtaining a court order, carry out enforcement measures to assure compliance, and to bring the licensee into compliance with the requirements and conditions of the license.

Effective date of license transfer. Any person who, on the effective date of the agreement with the Atomic Energy Commission, possesses a license issued by the Federal Government shall be deemed to possess a license issued under Chapter 181, Colorado Session Laws 1965 which shall expire either 90 days after the receipt of the certificate, or on the date of expiration specified in the Federal license, whichever is earlier.

Administrative procedures and judicial review. The basic standards of procedure for administrative agencies in the State of Colorado are set by the rules of the Atomic Energy Commission. As part of the rule-making process, the Department will use its best efforts to attain compliance through cooperation and education. Only in instances where real or potential hazards exist, or cases of repeated noncompliance or willful violation will the full legal procedures normally be employed.
5. Right to hearing after reasonable notice in a case in which legal rights, duties or privileges of parties are required by law or constitutional right to be determined.

6. Judicial review in the district court by any person aggrieved by a final decision of the Department and to appeal to the State supreme court for review of a final judgment of the district court.

Program Planning, University of Oklahoma.
Numerous short courses in radiological health and industrial hygiene.

Experience and Related Activity:
Colorado Department of Public Health: Industrial Hygienist, 1947-54.
Chief, Industrial Hygiene Section (including Radiological Health), 1954-63.
Chief, Radiological Health Section, 1953-present.
Responsibility for administration of the radiation control program.
Chief of Radiological Defense, Colorado Civil Defense Agency.
Past member NT-1 Committee of American Standards Association on Uranium and Thorium Mining and Milling.
Past Member Committee on Ionizing Radiation, American Conference of Governmental Industrial Hygienists.
President, Rocky Mountain Section of American Industrial Hygiene Association.
Lecturer, University of Denver and Colorado State University.
Co-investigator on various research projects.
Several publications.

ROBERT D. SIEK
SENIOR RADIATION HEALTH SPECIALIST
Education and Training:
M.P.H. in Industrial Hygiene, University of Michigan, 1961.
U.S.P.H.S. Training Courses:
Medical X-Ray Protection, CSIDN, 1954.
Basic Radiological Health, CSIDN, 1953.
U.S.A.E.C. Training Courses:
Fundamentals of Radiological Health and Safety (8-month extension course), University of Denver, 1963-64.
Experience and Related Activity:
Pueblo City-County Health Department, 1967-68.
Responsibility of industrial hygienists and radionuclide protection program at the local level. Program was conducted under the supervision of a State Health Department industrial hygienist and the Colorado State Department of Public Health, 1961-present.
Responsibility for protection, training of personnel, and disposal of industrial hazards and radiological health programs on a district basis throughout the State. Assists section chief on program planning and evaluation and represents him as requested in technical and administrative functions.

ALFRED J. HAZLE
RADIOLOGICAL HEALTH SPECIALIST
Education and Training:
B.S. in Agriculture, Colorado State University, 1958.
Graduate work in Physiology, Colorado State University, 1959.
U.S.P.H.S. Training Courses:
Medical X-Ray Protection, CSIDN, 1954.
U.S.A.E.C. Training Courses:
Fundamentals of Radiological Health and Safety (9-month extension course), University of Denver, 1953-64.
Applied Health Physics Course, ORINS, 1957.
Civil Defense Courses:
Experience and Related Activity:
Jefferson County Health Department, 1951-55.
Performance and supervision of radiation protection programs in radiobiology in the health arts and industry. Participant in AEC assignments involving the inspection of licensed users of radioactive materials in the county. Representative director for radiation control program planning and in liaison function.
Colorado State Department of Public Health, 1955-present.

JOHN E. MILLER
RADIOLOGICAL HEALTH SPECIALIST
Education and Training:
D.V.M., Colorado State University, 1950.
Graduate work, one full academic year's training in Radiology, University of California and Radiation Biology, FHS fellowship, Colorado State University, 1954-56.
U.S.A.E.C. Training Courses:
Applied Health Physics Course, ORINS, 1957.
Experience and Related Activity:
Health Health Officer, Bent County, Colorado, 1955-65.
Colorado State Department of Public Health, 1955-present.
In charge of X-ray and radium registration and survey program. Participates in AEC inspections of licensed users of radiological materials.
Other:
Fifteen years practice experience in veterinary medicine.

Antin LOVAAS
PUBLIC HEALTH PHYSICIST
Education and Training:
B.S., Chemistry Major, Wisconsin State College at River Falls, 1935.
M.S., in Radiation Biology (Radiological Physics Fellowship Program) University of Rochester, 1935.
Experience and Related Activity:
University of Rochester, AEC Project, Technical Assistant in Radiation Biology, 1956-59.
Work mainly involved analysis of environmental and biological samples for radioactive materials, primarily radium, thorium, and/or their products. Assisted in student lab.
Colorado State Department of Public Health, 1955-present.
Operator of Whole Body Counting Facility.
CIVIL SERVICE COMMISSION
PUBLIC INFORMATION SPECIALIST
Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission has found effective October 12, 1967, that there is a manpower shortage for the position of Public Information Specialist, GS-1081-9, U.S. Commission on Civil Rights, Washington, D.C. (This position primarily requires public information experience in disseminating information to Spanish-speaking Americans. Fluency in written and spoken Spanish is essential.) This finding will terminate when the position is filled.

The appointee to this position may be paid for the expense of travel and transportation to the first post of duty.

United States Civil Service Commission,
[Seal] James C. Sper, Executive Assistant to the Commissioners.
[F.R. Doc. 67-12756; Filed, Oct. 30, 1967; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

ALM DUTCH ANTILLEAN AIRLINES
Notice of Further Prehearing Conference

Application for authority to engage in foreign air transportation of persons, property and mail between the Netherlands Antilles and Miami via Santo Domingo, D.R., Fort au Prince, Haiti, Kingston, and Montego Bay, Jamaica, Camaguey, and Havana, Cuba; and between the Netherlands Antilles and New York; and for off-route charter authority.

Notice is hereby given that a further prehearing conference in the above-entitled proceeding is assigned to be held before the undersigned Examiner at 10 a.m., e.s.t., November 7, 1967, in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.


[F.R. Doc. 67-12796; Filed, Oct. 30, 1967; 8:46 a.m.]


SERVICE TO LAWRENCEVILLE, ILL., VINCENTNES, IND., AND KANKAKEE, ILL.

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 matter is assigned to be heard on November 8, 1967, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.


[F.R. Doc. 67-12798; Filed, Oct. 30, 1967; 8:47 a.m.]
CUMULATIVE LIST OF PARTS AFFECTED—OCTOBER

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