

# FEDERAL REGISTER

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Agencies in this issue—

The President  
Agricultural Research Service  
Atomic Energy Commission  
Civil Aeronautics Board  
Civil Service Commission  
Coast Guard  
Commodity Credit Corporation  
Customs Bureau  
Delaware River Basin Commission  
Federal Aviation Administration  
Federal Deposit Insurance Corporation  
Federal Home Loan Bank Board  
Federal Insurance Administration  
Federal Maritime Commission  
Federal Power Commission  
Federal Reserve System  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
General Services Administration  
Interior Department  
Internal Revenue Service  
Interstate Commerce Commission  
Land Management Bureau  
Packers and Stockyards  
Administration  
Pipeline Safety Office  
Post Office Department  
Securities and Exchange Commission  
Small Business Administration

Detailed list of Contents appears inside.



Volume 82

UNITED STATES  
STATUTES AT LARGE

[90th Cong., 2d Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1968, reorganization plans, and Presidential proclamations. Also included are: a subject index, tables of prior

laws affected, a numerical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

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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, 1970, and specifies how they are affected.

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# Presidential Documents

## Title 3—THE PRESIDENT

Proclamation 3971

CANCER CONTROL MONTH, 1970

By the President of the United States of America

### A Proclamation

Cancer strikes Americans of all ages and in all walks of life. It continues to rank as the second greatest killer among diseases, and the death rate due to it is rising.

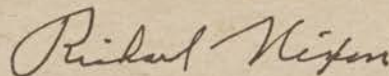
Research into this disease has progressed significantly in recent years—in the areas of cause and treatment, as well as prevention. To build on this progress, this Administration's Fiscal Year 1971 budget increases Federal funds for cancer research by nearly 17 percent. This research attack will not overtake the onslaught of cancer unless all Americans encourage and support the intensive effort carried on by our scientists, physicians and health administrators against this menace to the health and welfare of our people.

In recognition of the urgency of the cancer problem, the Congress, by a joint resolution of March 28, 1938 (52 Stat. 148), requests the President to issue annually a proclamation setting aside the month of April as Cancer Control Month.

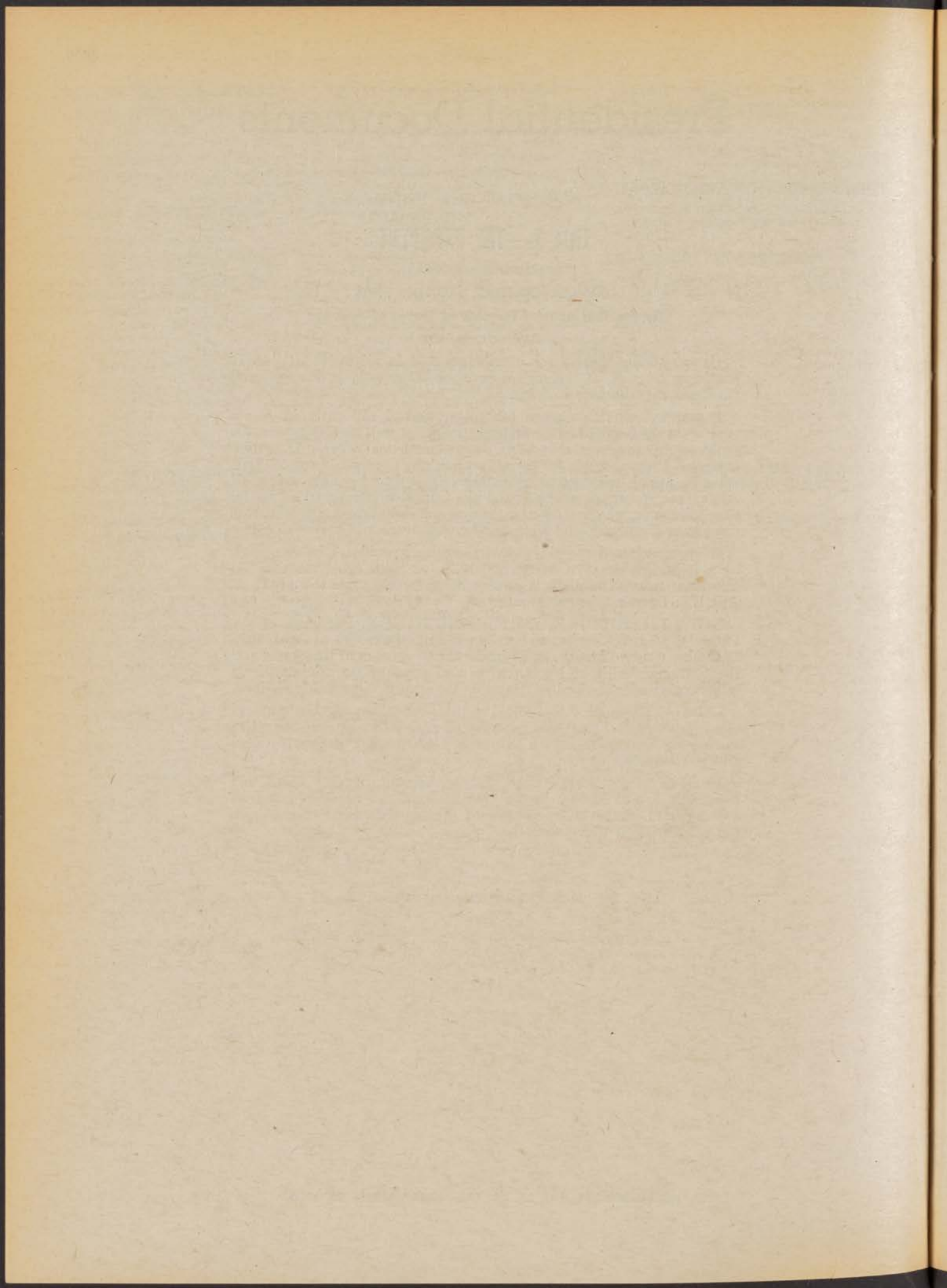
NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the month of April 1970 as Cancer Control Month, and I invite the Governors of the States and the Commonwealth of Puerto Rico, and appropriate officials of all other areas under the United States flag to issue similar proclamations.

I also ask the medical and allied health professions, the communications industries, and all other interested persons and groups to unite during the appointed month in public reaffirmation of this Nation's efforts to control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of March, in the year of our Lord nineteen hundred seventy, and of the Independence of the United States of America the one hundred ninety-fourth.



[F.R. Doc. 70-3556; Filed, Mar. 20, 1970; 3:31 p.m.]



**Proclamation 3972**  
**DECLARING A NATIONAL EMERGENCY**  
**By the President of the United States of America**  
**A Proclamation**

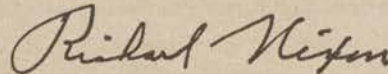
WHEREAS certain employees of the Postal Service are engaged in an unlawful work stoppage which has prevented the delivery of the mails and the discharge of other postal functions in various parts of the United States; and

WHEREAS, as a result of such unlawful work stoppage the performance of critical governmental and private functions, such as the processing of men into the Armed Forces of the United States, the transmission of tax refunds and the receipt of tax collections, the transmission of Social Security and welfare payments, and the conduct of numerous and important commercial transactions, has wholly ceased or is seriously impeded; and

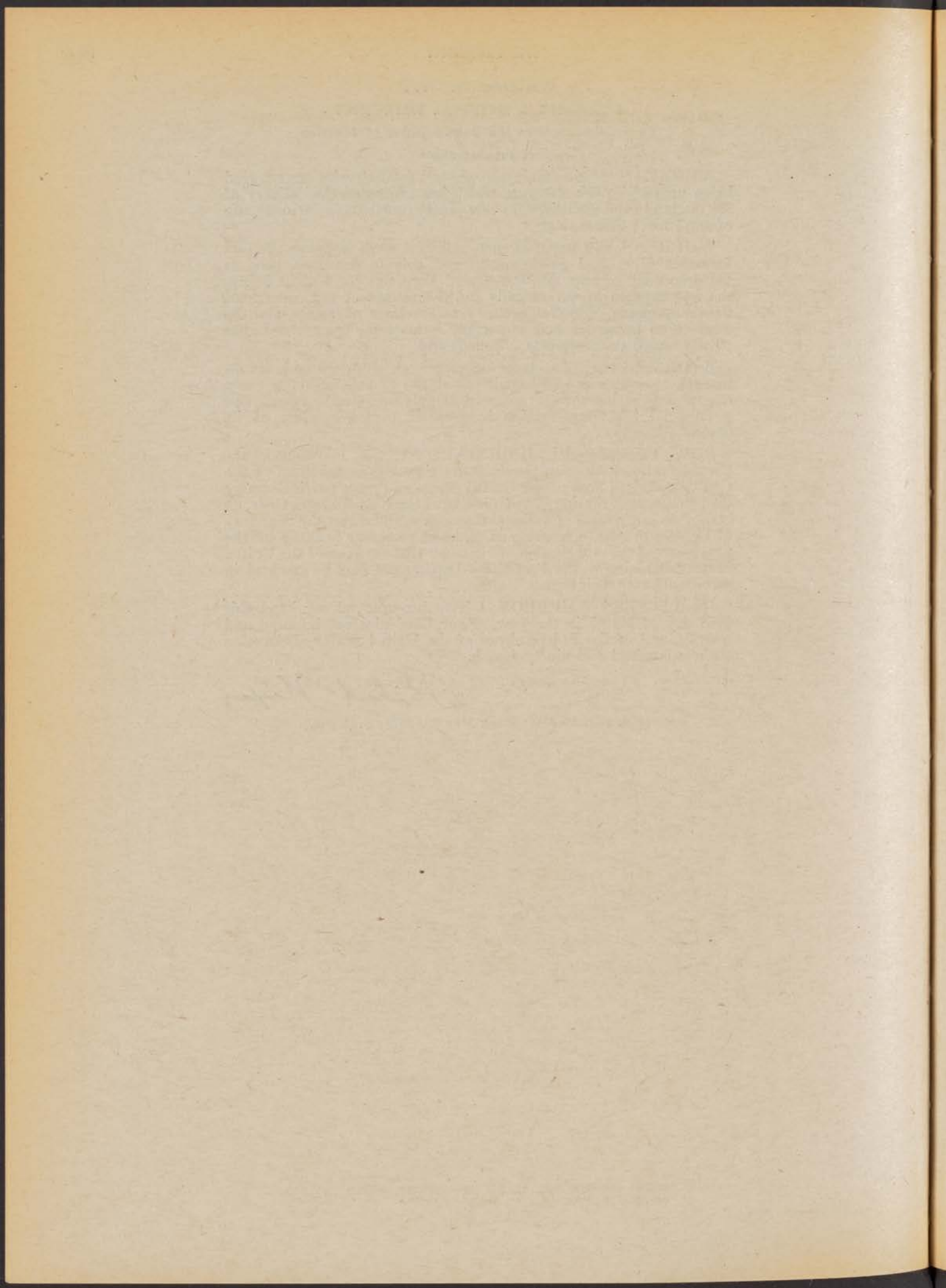
WHEREAS the continuance of such work stoppage with its attendant consequences will impair the ability of this nation to carry out its obligations abroad, and will cripple or halt the official and commercial intercourse which is essential to the conduct of its domestic business:

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, pursuant to the powers vested in me by the Constitution and laws of the United States and more particularly by the provisions of Section 673 of Title 10 of the United States Code, do hereby declare a state of national emergency, and direct the Secretary of Defense to take such action as he deems necessary to carry out the provisions of the said Section 673 in order that the laws of the United States pertaining to the Post Office Department may be executed in accordance with their terms.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of March in the year of our Lord nineteen hundred and seventy, and of the Independence of the United States of America the one hundred and ninety-fourth.



[F.R. Doc. 70-3641; Filed, Mar. 23, 1970; 3:15 p.m.]





## Executive Order 11519

CALLING INTO SERVICE MEMBERS AND UNITS OF THE NATIONAL  
GUARD

WHEREAS certain employees of the Postal Service are engaged in an unlawful work stoppage which has prevented the delivery of the mails and the discharge of other postal functions in various parts of the United States; and

WHEREAS the laws of the United States, including Sections 707, 5102, 6001, and 6101 of Title 39, United States Code require that the business of the Post Office Department, including the expeditious processing and delivery of the mail, be regularly carried on; and

WHEREAS the aforesaid unlawful work stoppage has prevented and is preventing the execution of the aforesaid laws relating to the Post Office Department; and

WHEREAS the breakdown of the postal service in the numerous areas affected by the said unlawful work stoppage is a matter of grave national concern; and

WHEREAS I am charged by the Constitution of the United States to take care that the laws be faithfully executed, and I have determined that I am unable solely with the regular forces to cause the aforesaid laws to be executed:

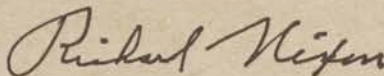
NOW, THEREFORE, I, RICHARD NIXON, by virtue of the authority vested in me by the Constitution and laws of the United States, including Sections 3500 and 8500 of Title 10 of the United States Code and Section 301 of Title 3 of the United States Code, do hereby order as follows:

SECTION 1. The Secretary of Defense is authorized and directed to take all appropriate steps to respond to requests of the Postmaster General for assistance in restoring and maintaining Postal service and to execute the Postal laws of the United States.

SEC. 2. In furtherance of the authorization and direction contained in section 1 hereof, the Secretary of Defense is authorized to use such of the Armed Forces of the United States as he may deem necessary.

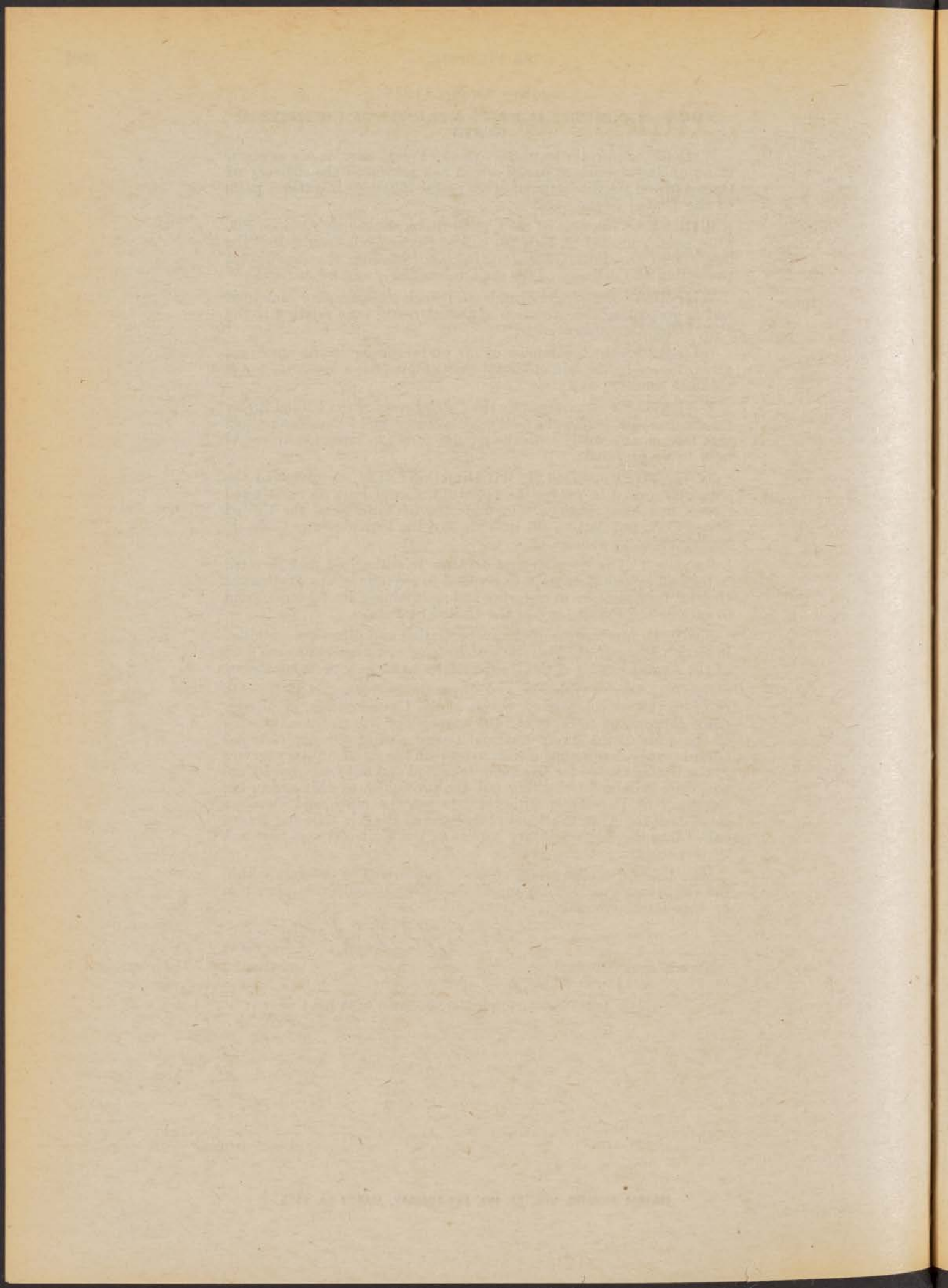
SEC. 3. I hereby authorize and direct the Secretary of Defense to call into the active military service of the United States, as he may deem appropriate to carry out the purposes of this order, any or all of the units of the Army National Guard and of the Air National Guard that he deems appropriate to serve in the active military service of the United States for an indefinite period and until relieved by appropriate orders. In carrying out the provisions of this order, the Secretary of Defense is authorized to use the units, and members thereof, of the Army National Guard and of the Air National Guard called into the active military service of the United States pursuant to this section.

SEC. 4. The Secretary of Defense is authorized to delegate within the Department of Defense any of the authority conferred upon him by this Executive order.



THE WHITE HOUSE,  
March 23, 1970.

[F.R. Doc. 70-3642; Filed, Mar. 23, 1970; 3:15 p.m.]



# Rules and Regulations

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

#### PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

##### Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, subparagraph (e) (3) relating to the State of Georgia is amended to read:

(e) \* \* \*

(3) *Georgia.* (i) Walton County.

(ii) That portion of Robeson County bounded by a line beginning at the junction of the Newton-Rockdale County line and Interstate Highway 20; thence, following Interstate Highway 20 in a generally easterly direction to State Highway 12; thence, following State Highway 12 in a northeasterly direction to the Newton-Walton County line; thence, following the Newton-Walton County line in a generally northwesterly direction to the Newton-Rockdale County line; thence, following the Newton-Rockdale County line in a generally southwesterly direction to its junction with Interstate Highway 20.

2. In § 76.2, in subparagraph (e) (13) relating to the State of North Carolina, a new subdivision (vi) relating to Robeson County is added to read:

(e) \* \* \*

(13) *North Carolina.* \* \* \*

(vi) That portion of Robeson County bounded by a line beginning at the junction of State Highway 72 and Secondary Road 1003; thence, following Secondary Road 1003 in a southwesterly direction to U.S. Highway 74; thence, following U.S. Highway 74 in a northwesterly direction to Secondary Road 1153; thence, following Secondary Road 1153 in a northeasterly direction to Secondary Road 1312; thence, following Secondary Road 1312 in a southeasterly direction to Secondary Road 1352; thence, following Secondary Road 1352 in a northeasterly direction to Secondary Road 1339;

thence, following Secondary Road 1339 in a northeasterly direction to Secondary Road 1303; thence, following Secondary Road 1303 in a northeasterly direction to Secondary Road 1318; thence, following Secondary Road 1318 in a southwesterly direction to State Highway 72; thence, following State Highway 72 in a southeasterly direction to its junction with Secondary Road 1003.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 8210, as amended)

**Effective date.** The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of Robeson County, North Carolina because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to such county.

The amendments also exclude a portion of Newton County, Ga., from the areas heretofore quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement from nonquarantined areas contained in said Part 76 will apply to the area excluded from quarantine.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 18th day of March 1970.

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

[F.R. Doc. 70-3480; Filed, Mar. 23, 1970; 8:47 a.m.]

## Title 12—BANKS AND BANKING

### Chapter II—Federal Reserve System

#### SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

#### PART 224—DISCOUNT RATES

##### Change in Rate

Pursuant to section 14(d) of the Federal Reserve Act (12 U.S.C. 357), and for the purpose of adjusting discount rates with a view to accommodating commerce and business, on a uniform basis, in accordance with other related rates and the general credit situation of the country, § 224.4 is amended as set forth below:

#### § 224.4 Advances to persons other than member banks.

The rates for advances under the last paragraph of section 13 of the Federal Reserve Act to individuals, partnerships, or corporations other than member banks secured by direct obligations of, or obligations fully guaranteed as to principal and interest by, the United States or any agency thereof are:

Federal Reserve Bank of—	Rate	Effective
Boston.....	7½	Feb. 2, 1970
New York.....	7½	Apr. 4, 1969
Philadelphia.....	7½	Feb. 10, 1970
Cleveland.....	7½	Apr. 4, 1969
Richmond.....	7½	Feb. 18, 1970
Atlanta.....	7½	Feb. 10, 1970
Chicago.....	7½	Mar. 4, 1970
St. Louis.....	7½	Mar. 16, 1970
Minneapolis.....	7½	Apr. 4, 1969
Kansas City.....	7½	Feb. 18, 1970
Dallas.....	7½	Do.
San Francisco.....	7½	Feb. 2, 1970

For the reasons and good cause found as stated in § 224.7, there is no notice, public participation, or deferred effective date in connection with this action.

(12 U.S.C. 248(1). Interprets or applies 12 U.S.C. 357)

By order of the Board of Governors,  
March 16, 1970.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-3474; Filed, Mar. 23, 1970; 8:46 a.m.]

### Chapter III—Federal Deposit Insurance Corporation

#### SUBCHAPTER B—REGULATIONS AND STATEMENTS OF GENERAL POLICY

#### PART 329—INTEREST ON DEPOSITS

##### Interest on Time and Savings Deposits

1. On November 5, 1969, the Board of Directors of the Federal Deposit Insurance Corporation adopted an amendment to § 329.3(g), of its rules and regulations, "Time deposits of foreign governmental entities and international

organizations," by adding thereto a new subparagraph (3) which permits the Board of Directors to exempt from the interest rate limitations in § 329.6 the rate of interest payable by an insured nonmember bank on a time deposit of 2 years or less which represents funds deposited and owned by "(3) any other foreign, international or supranational entity specifically designated by the Board of Directors as exempt from § 329.6."

The Board of Directors has determined that it would be in the public interest to publish as an "Appendix A" to Part 329 of its rules and regulations a list of foreign, international, and supranational entities which it has specifically designated as exempt from § 329.6.

Pursuant to § 329.3(g)(3) of the rules and regulations of the Federal Deposit Insurance Corporation, and effective March 6, 1970, the following entities are hereby designated as exempt from § 329.6:

## APPENDIX A

## EUROPE

Bank for International Settlements.  
European Atomic Energy Community.  
European Coal and Steel Community.  
The European Communities.  
European Development Fund.  
European Economic Community.  
European Free Trade Association.  
European Fund.  
European Investment Bank.

## LATIN AMERICA

Andean Development Corporation.  
Andean Subregional Group.  
Caribbean Development Bank.  
Caribbean Free Trade Association.  
Caribbean Regional Development Agency.  
Central American Bank for Economic Integration.  
The Central American Institute for Industrial Research and Technology.  
Central American Monetary Stabilization Fund.  
East Caribbean Common Market.  
Latin American Free Trade Association.  
Organization for Central American States.  
Permanent Secretariat of the Central American General Treaty of Economic Integration.  
River Plate Basin Commission.

## AFRICA

African Development Bank.  
Banque Centrale des Etats de l'Afrique de l'Ouest.  
Banque Centrale des Etats de l'Afrique Equatoriale et du Cameroun.  
Conseil de l'Entente.  
East African Community.  
Organisation Commune Africaine et Malagache.  
Organization of African Unity.  
Union des Etats de l'Afrique Centrale.  
Union Douaniere et Economique de l'Afrique Centrale.  
Union Douaniere des Etats de l'Afrique de l'Ouest.

## ASIA

Asia and Pacific Council.  
Association of Southeast Asian Nations.  
Bank of Taiwan.  
Korea Exchange Bank.

## MIDDLE EAST

Central Treaty Organization.  
Regional Cooperation for Development.  
(Interprets and applies 12 U.S.C. 1828(g))

2. The Board of Directors has deemed it desirable to publish this list in order to effectuate the purposes of § 329.3(g), namely, to encourage the maintenance of time deposits belonging to foreign, international, or supranational entities in American banks.

3. The procedures of 5 U.S.C. section 553(b) and of 12 CFR 302.1-302.5, with respect to notice, public participation, and deferred effective date were not followed because this list imposes no substantive legal restrictions upon the public and because the designation of exempt entities pursuant to § 329.3(g)(3) lies within the sole discretion of the Board of Directors. In these circumstances the Board of Directors found such procedures unnecessary and contrary to the public interest.

(Sec. 9, 18(g), 64 Stat. 881-82, 83 Stat. 371, 12 U.S.C. 1819, 1828(g))

Dated at Washington, D.C., this 18th day of March 1970.

By order of the Board of Directors.

FEDERAL DEPOSIT INSURANCE CORPORATION,

[SEAL] E. F. DOWNEY,  
Secretary.

[F.R. Doc. 70-3472; Filed, Mar. 23, 1970; 8:46 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 69-SO-153]

#### PART 73—SPECIAL USE AIRSPACE

##### Designation of Temporary Restricted Area

On February 5, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 2595) stating that the Federal Aviation Administration was considering an amendment to Part 73 of the Federal Aviation Regulations that would designate a temporary restricted area in the coastal region adjacent to Jacksonville and Beaufort, N.C., wherein a joint military training exercise would be conducted.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Comments were received from the Air Transport Association of America; Jacksonville Air Services, Jacksonville, N.C.; Star Hill Estates and Country Club, Swansboro, N.C.; Piney Green Airport, Jacksonville, N.C.; State of North Carolina, Department of Conservation and Development, Raleigh, N.C.; and Coastair, Inc., Beaufort, N.C. The comment received from the Air Transport Association interposed no objection to the designation of the proposed temporary restricted area. Each of the other comments received stated a requirement to conduct flight activities within or from nonmilitary airports that

will be encompassed by the proposed temporary restricted area.

The using agency of the proposed restricted area has assured the Federal Aviation Administration that the joint military training exercise project officers will contact each airport operator and respondent to the notice so that proper ingress and egress procedures will be developed to facilitate their flight operations during the period of the training exercise.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 30, 1970, as hereinafter set forth.

Section 73.53 (35 F.R. 2343) is amended by adding the following:

R-5320 EXOTIC DANCER III—JOINT MILITARY EXERCISE

CAMP LEJEUNE—CROATAN NATIONAL FOREST, N.C.

Boundaries: Beginning at lat. 35°30'00" N., long. 76°30'00" W.; to lat. 35°24'00" N., long. 76°00'00" W.; to lat. 35°01'00" N., long. 76°00'00" W.; thence southwest along the boundary of W-122 to lat. 34°17'45" N., long. 77°37'50" W.; to lat. 34°35'00" N., long. 77°40'00" W.; to lat. 34°54'00" N., long. 77°30'00" W.; to lat. 35°02'58" N., long. 77°30'00" W.; to lat. 35°06'55" N., long. 77°10'20" W.; to lat. 35°00'05" N., long. 77°10'20" W.; to lat. 34°57'10" N., long. 77°06'55" W.; thence northeast along the boundary of the New Bern control zone to lat. 35°02'00" N., long. 76°58'15" W.; thence to point of beginning.

Designated altitudes: Surface to FL-450, except the area west and southwest of R-5306A, B, and C, would have a ceiling of FL-230; and except the area north of a line extending from lat. 34°54'00" N., long. 77°30'00" W., to lat. 34°57'10" N., long. 77°06'55" W., would have a ceiling of 3,000 feet MSL; and excluding the airspace below 3,000 feet MSL within a 5-mile radius of the Beaufort-Moorehead City Airport and within 5 miles each side of a line extending from the airport to the New Bern VOR.

Time of designation: Continuous, May 16, 1970, through May 25, 1970.

Controlling agency: FAA, Washington ARTC Center, Leesburg, Va.

Using agency: U.S. Atlantic Command, Norfolk, Va.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on March 19, 1970.

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

[F.R. Doc. 70-3499; Filed, Mar. 23, 1970; 8:48 a.m.]

[Airspace Docket No. 70-EA-10]

#### PART 73—SPECIAL USE AIRSPACE

##### Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to alter the designated altitudes of the Oswego, N.Y., Restricted Area R-5203.

Restricted Area R-5203 is presently designated from the surface to Flight Level (FL) 320. Through concurrence with the using agency, action is being

taken herein to lower the designated altitudes of R-5203 to FL-310. The released altitude through this action will be utilized by air traffic control for other aeronautical activities not associated with R-5203.

Since this amendment restores airspace to the public and relieves a restriction, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 30, 1970, as hereinafter set forth.

In § 73.52 (35 F.R. 2342) R-5203 is amended by deleting "Surface to Flight Level 320." and substituting "Surface to Flight Level 310." therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on March 19, 1970.

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

[F.R. Doc. 70-3501; Filed, Mar. 23, 1970; 8:48 a.m.]

[Airspace Docket No. 70-WA-3]

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

**PART 73—SPECIAL USE AIRSPACE**

**PART 75—ESTABLISHMENT OF JET ROUTES**

**Correction of Citations**

The purpose of these amendments to the Federal Aviation Regulations is to correct and add FEDERAL REGISTER citations.

On January 31, 1970, F.R. Doc. No. 70-3, comprising a compilation of Parts 71, 73, and 75 of the Federal Aviation Regulations was published as Part II of the FEDERAL REGISTER of that date. All amendments to those parts which had been published prior to December 12, 1969, were included.

Subsequent to December 11, 1969, additional amendments to Parts 71, 73, and 75 were published which either incorrectly cited FEDERAL REGISTER volumes and page numbers or omitted them entirely. This action will correct those errors.

Since these corrections are editorial in nature and no substantive changes in the regulations are effected, notice and public procedure are unnecessary, and good cause exists for making these amendments effective on less than 30 days notice.

In consideration of the foregoing, the FEDERAL REGISTER documents listed below are amended, effective upon publication in the FEDERAL REGISTER, as follows:

1. Change the citation "(34 F.R. 4856)" to "(35 F.R. 2359)" in the following FEDERAL REGISTER Dockets: 69-14739 (34 F.R. 19595) and 69-14908 (34 F.R. 19749).

2. Change the citation "(34 F.R. 4557)" to "(35 F.R. 2054)" in the following FEDERAL REGISTER Dockets: 69-15021 (34 F.R. 19748), 69-15011 (34 F.R. 19800), 69-15050 (34 F.R. 19871), 69-15048 (34 F.R. 19872), 70-24 (35 F.R. 101) and 70-25 (35 F.R. 101).

3. Change the citation "(34 F.R. 4637)" to "(35 F.R. 2134)" in the following FEDERAL REGISTER Dockets: 69-15011 (34 F.R. 19800), 69-15050 (34 F.R. 19871), 69-15048 (34 F.R. 19872), 70-24 (35 F.R. 101), 70-25 (35 F.R. 101), 70-26 (35 F.R. 102), 70-28 (35 F.R. 102) and 70-29 (35 F.R. 103).

4. Change the citation "(34 F.R. 4509)" to "(35 F.R. 2009)" in the following FEDERAL REGISTER Dockets: 69-14907 (34 F.R. 19749), 69-15128 (34 F.R. 19968) and 69-15129 (34 F.R. 19969).

5. Change the citation "(34 F.R. 4824, 14463)" to "(35 F.R. 2327)" in FEDERAL REGISTER Docket 69-14809 (34 F.R. 19649).

6. Change the citation "(34 F.R. 4547)" to "(35 F.R. 2044)" in FEDERAL REGISTER Docket 69-14908 (34 F.R. 19749).

7. Change the citation "(34 F.R. 4846)" to "(35 F.R. 2349)" in FEDERAL REGISTER Docket 69-14909 (34 F.R. 19749).

8. Change the citation "(34 F.R. 4811)" to "(35 F.R. 2313)" in FEDERAL REGISTER Docket 69-15010 (34 F.R. 19800).

9. Change the citation "(34 F.R. 4509, 7899)" to "(35 F.R. 2009)" and change the citation "(34 F.R. 4856, 9616, 9985)" to "(35 F.R. 2359)" in FEDERAL REGISTER Docket 70-168 (35 F.R. 146).

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1343; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on March 17, 1970.

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

[F.R. Doc. 70-3486; Filed, Mar. 23, 1970; 8:47 a.m.]

[Airspace Docket No. 69-AL-7]

**PART 75—ESTABLISHMENT OF JET ROUTES**

**Correction of Description**

On February 5, 1970, the Federal Aviation Administration published miscellaneous amendments to Parts 71 and 75 in the FEDERAL REGISTER (F.R. Doc. No. 70-1454; 35 F.R. 2583). This action amended, in part, Jet Route No. 115. Subsequent to the publication of the document, it was noted that the description of J-115 would unintentionally revoke a portion of that jet route. The intent was to extend J-115 from Fairbanks, Alaska, to Prudhoe Bay, Alaska, via Chandalar Lake, Alaska. Action is taken herein to correct the erroneous description.

Since this amendment is editorial in nature and corrects an erroneous description, notice and public procedure hereon are unnecessary, and good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, F.R. Doc. No. 70-1454 (35 F.R. 2583) is corrected, effective upon publication in the FEDERAL REGISTER, as follows:

In Item 9.a., the title of J-115 is corrected by deleting the phrase "King Salmon, Alaska" and substituting the phrase "Shemya, Alaska" therefor. The text of J-115 is corrected by deleting the phrase "From King Salmon, Alaska, via" and substituting the phrase "From Shemya, Alaska, RBN, via Adak, Alaska, RBN; Nikolski, Alaska, RBN; Cold Bay, Alaska; King Salmon, Alaska;" therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on March 19, 1970.

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

[F.R. Doc. 70-3500; Filed, Mar. 23, 1970; 8:48 a.m.]

**Title 16—COMMERCIAL PRACTICES**

**Chapter I—Federal Trade Commission  
SUBCHAPTER A—PROCEDURES AND RULES OF PRACTICE**

**PART 3—RULES OF PRACTICE FOR ADJUDICATIVE PROCEEDINGS**

**Subpart C—Prehearing Procedures; Motions; Interlocutory Appeals; Summary Decisions**

**SUMMARY DECISIONS**

The Commission announces the following amendments to Chapter I of Title 16 of the Code of Federal Regulations. These amendments are effective on the date of their publication in the FEDERAL REGISTER.

1. The heading to Subpart C is amended to read as set forth above.

2. Section 3.24 is added to read as follows:

**§ 3.24 Summary Decisions.**

(a) *Procedure.* (1) Any party to an adjudicatory proceeding may move with or without supporting affidavits for a summary decision in his favor upon all or any part of the issues being adjudicated. Counsel in support of the complaint may so move at any time after thirty (30) days following issuance of the complaint and any party respondent may so move at any time after issuance of the complaint. Any such motion by any party, however, must be filed at least twenty (20) days before the date fixed for the adjudicatory hearing.

(2) Any other party may, within ten (10) days after service of the motion, file opposing affidavits. The hearing examiner may, in his discretion, set the matter for oral argument and call for the submission of briefs or memoranda. The decision sought by the moving party shall be rendered within thirty (30) days if the pleadings and any depositions, answers to interrogatories, admissions

on file, and affidavits show that there is no genuine issue as to any material fact and that the moving party is entitled to such decision as a matter of law. Any such decision shall constitute the initial decision of the hearing examiner. A summary decision, interlocutory in character, may be rendered on the issue of liability alone although there is a genuine issue as to the nature and extent of relief.

(3) Affidavits shall set forth such facts as would be admissible in evidence and shall show affirmatively that the affiant is competent to testify to the matters stated therein. The hearing examiner may permit affidavits to be supplemented or opposed by depositions, answers to interrogatories, or further affidavits. When a motion for summary decision is made and supported as provided in this rule, a party opposing the motion may not rest upon the mere allegations or denials of his pleading; his response, by affidavits or as otherwise provided in this rule, must set forth specific facts showing that there is a genuine issue of fact for trial. If no such response is filed, summary decision, if appropriate, shall be rendered.

(4) Should it appear from the affidavits of a party opposing the motion that he cannot, for reasons stated, present by affidavit facts essential to justify his opposition, the hearing examiner may refuse the application for summary decision or may order a continuance to permit affidavits to be obtained or depositions to be taken or discovery to be had or make such other order as is appropriate and a determination to that effect shall be made a matter of record.

(5) If on motion under this rule a summary decision is not rendered upon the whole case or for all the relief asked and a trial is necessary, the hearing examiner shall make an order specifying the facts that appear without substantial controversy and directing further proceedings in the action. The facts so specified shall be deemed established.

(b) *Affidavits filed in bad faith.* (1) should it appear to the satisfaction of the hearing examiner at any time that any of the affidavits presented pursuant to this rule are presented in bad faith, or solely for the purpose of delay, or are patently frivolous, the hearing examiner shall enter a determination to that effect upon the record.

(2) If upon consideration of all relevant facts attending the submission of any affidavit covered by subparagraph (1) of this paragraph, the hearing examiner concludes that action by him to suspend or remove an attorney from the case is warranted, he shall take action as specified in § 3.42(d). If the hearing examiner concludes, upon consideration of all the relevant facts attending the submission of any affidavit covered by subparagraph (1) of this paragraph, that the matter should be certified to the Commission for consideration of disciplinary action against an attorney, including reprimand, suspension or disbarment, the examiner shall certify the matter, with his findings and recommendations, to the Commission for its

consideration of disciplinary action in the manner provided by the Commission's rules.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46)

Issued: March 12, 1970.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 70-3458; Filed, Mar. 23, 1970;  
8:45 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER C—DRUGS

#### PART 130—NEW DRUGS

#### Subpart A—Procedural and Interpretative Regulations

#### ABBREVIATED NEW-DRUG APPLICATIONS FOR CYCLAMATE-CONTAINING PRODUCTS

In an order published in the FEDERAL REGISTER of October 21, 1969 (34 F.R. 17063), deleting cyclamates from the list of substances generally recognized as safe in food (21 CFR 121.101), the Commissioner of Food and Drugs gave notice that cyclamate-sweetened products intended for use in the dietary management of diabetes and obesity should be relabeled promptly to comply with the drug provisions of the law if they are to continue on the market.

In an order published December 31, 1969 (34 F.R. 20426), promulgating 21 CFR 130.40, notice was given that the Medical Advisory Group on Cyclamates established by the Assistant Secretary for Health and Scientific Affairs concurred that cyclamates should be made available under appropriate medical management on a nonprescription, drug-labeled basis to individuals with diabetes and to patients in whom weight reduction and control are essential for health. This advisory group also recommended that the Food and Drug Administration carry out an annual review of data on cyclamates.

Accordingly, the Commissioner concludes that guidelines should be established as set forth below to define the conditions under which such products may be marketed.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505, 701(a), 52 Stat. 1052-53, as amended, 1055; 21 U.S.C. 355, 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), the following new section is added to Part 130, Subpart A:

#### § 130.43 Conditions for marketing cyclamate-containing products as drugs.

(a) Products that are useful in regulating the intake of protein, fats, carbohydrates, or calories for the purpose of maintaining or reducing body weight under medical supervision or that are useful in the diet of diabetics may be marketed on the basis of approved

abbreviated new-drug applications that are submitted in the form described in the proposed amendments to § 130.4, published in the FEDERAL REGISTER of February 27, 1969 (34 F.R. 2673), and that provide for the following:

(1) A label for the product that bears:

(i) Immediately following the name of the product, a statement identifying the cyclamate salt present and the statement "An artificial, nonnutritive sweetener."

(ii) A declaration of the cyclamate content, carbohydrate content, and number of calories in an appropriate unit of measure; for example, a 4-ounce serving or one-half measuring cup, per wafer, per can, per container, etc., by which measure the patient can readily calculate his cyclamate intake.

(iii) In a prominent place on the principal display panel, a statement limiting the indications to "For use only by diabetic or obese patients under medical supervision," and immediately thereafter in a box, the statement "Caution: Medical supervision is essential for safe use," provided that where the label area is too small to accommodate these statements, they may extend beyond the border of the principal display panel.

(iv) A statement comparing the caloric content of the artificially sweetened article and the same food made with an amount of added sugar or other carbohydrate providing equivalent sweetness.

(2) A product so formulated that its caloric value is at least 50 percent less than the caloric value of the comparable product made without artificial sweeteners.

(b) Recordkeeping and reporting: Reports of the kinds described in § 130.13 (b) (1)(ii) and (2)(i) shall be submitted as required of the applicant by that section.

(c) Persons desiring to market or continue marketing preparations covered by this section should submit an abbreviated new-drug application meeting the conditions specified in this section to the Food and Drug Administration District Office in whose jurisdiction such firm is located. If this information is not known, write to the Food and Drug Administration, Bureau of Drugs, 5600 Fishers Lane, Rockville, Md. 20852.

(d) Distribution of any such preparation on the market may continue: *Provided*, That an abbreviated new-drug application has been submitted and the labeling of the preparation is in accord with this section by April 1, 1970, for dietetic jams, jellies, desserts, and ice cream, and by September 1, 1970, for canned fruits and vegetables.

(e) The Food and Drug Administration will undertake an annual review of the data on cyclamates and on the basis of such review these guidelines may be revoked or amended.

(Secs. 505, 701(a), 52 Stat. 1052-53, as amended, 1055; 21 U.S.C. 355, 371(a))

Dated: March 17, 1970.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 70-3370; Filed, Mar. 23, 1970;  
8:49 a.m.]

## Title 24—HOUSING AND HOUSING CREDIT

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

#### SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

#### PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

##### List of Designated Areas

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

##### § 1914.4 List of designated areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Virginia	City of Hampton		E 51 650 1180 01.	Division of Water Resources, Seventh Floor, 911 East Broad St., Richmond, Va. 23219. Commissioner of Insurance, State Corporation Commission, Richmond, Va. 23209.	City Planning Office, City Hall, Hampton, Va. 23369. City Engineer's Office, City Hall, Hampton, Va. 23369. City Clerk's Office, City Courthouse, Hampton, Va. 23369.	Mar. 27, 1970.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968, 42 U.S.C. 4001-4127), effective Jan. 23, 1969 (33 F.R. 17804, Nov. 23, 1968); Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: March 24, 1970.

RICHARD C. VAN DUSEN,  
*Under Secretary of Housing and Urban Development.*  
[F.R. Doc. 70-3493; Filed, Mar. 23, 1970; 8:48 a.m.]

#### PART 1915—IDENTIFICATION OF FLOOD-PRONE AREAS

##### List of Flood Hazard Areas

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

##### § 1915.3 List of flood hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Virginia	City of Hampton		H 51 650 1180 01.	Division of Water Resources, Seventh Floor, 911 East Broad St., Richmond, Va. Commissioner of Insurance, State Corporation Commission, Richmond, Va. 23209.	City Planning Office, City Hall, Hampton, Va. 23369. City Engineer's Office, City Hall, Hampton, Va. 23369. City Clerk's Office, City Courthouse, Hampton, Va. 23369.	Mar. 24, 1970.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968, 42 U.S.C. 4001-4127), effective Jan. 23, 1969 (33 F.R. 17804, Nov. 23, 1968); Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: March 24, 1970.

RICHARD C. VAN DUSEN,  
*Under Secretary of Housing and Urban Development.*  
[F.R. Doc. 70-3494; Filed, Mar. 23, 1970; 8:48 a.m.]

## Title 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs

[T.D. 70-71]

#### PART 53—ANTIDUMPING

#### Aminoacetic Acid (Glycine) From France

MARCH 18, 1970.

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to such authority the Secretary of the Treasury has determined that aminoacetic acid (glycine) from France is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), gives the U.S. Tariff Commission responsibility for determination of injury or likelihood of injury. The U.S. Tariff Commission has determined, and on February 17, 1970, it notified the Secretary of the Treasury that an industry in the United States is being injured by reason of the importation of aminoacetic acid (glycine) sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to aminoacetic acid (glycine) from France.

Section 53.43 of the Customs Regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	Country	T.D.
Aminoacetic Acid (Glycine).....	France....	70-71

(Secs. 201, 407, 42 Stat. 11, as amended, 18; 19 U.S.C. 160, 173)

[SEAL] EUGENE T. ROSSIDES,  
*Assistant Secretary of the Treasury.*  
[F.R. Doc. 70-3503; Filed, Mar. 23, 1970; 8:49 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 101—Federal Property Management Regulations

#### SUBCHAPTER E—SUPPLY AND PROCUREMENT RETURN OF GSA ITEMS FOR CREDIT

MARCH 17, 1970.

This amendment revises procedures relating to the return to GSA of GSA

stock items by executive agencies for credit.

### PART 101-26—PROCUREMENT SOURCES AND PROGRAMS

The table of contents for Part 101-26 is amended to read as follows:

101-26.312 Return to GSA of GSA stock items.

#### Subpart 101-26.3—Procurement From GSA Supply Depots

Sections 101-26.312 and 101-26.312-1 through 101-26.312-6 are revised to read as follows:

§ 101-26.312 Return to GSA of GSA stock items.

The provisions of this § 101-26.312 are applicable to all executive agencies with respect to the return to GSA of GSA stock items for which no current or anticipated future requirements are recognized. Other Federal agencies may participate in this program and are encouraged to do so. Civil agencies shall maximize use of inventories as set forth in Subpart 101-27.3, and, when reporting and returning material to GSA, shall follow procedures in the FEDSTRIP Operating Guide (FPMR 101-26.2). Procedures for DOD and military services are outlined in applicable DOD/service regulations. Despite eligibility of items for return to GSA, consideration should be given to the transportation costs involved as related to the value of the items, and, where excessive, such items should not be reported to GSA.

#### § 101-26.312-1 Criteria.

To be eligible for return for credit to GSA, items shall be stocked by GSA and shall meet the following criteria:

(a) Be new, used, repaired, or reconditioned material which is serviceable and issuable to all agencies without limitation or restriction (condition code A);

(b) Have a value of \$50 or more per line item based on current GSA stock catalog selling price; and

(c) Have a minimum remaining shelf life of 6 months at time of receipt by GSA.

#### § 101-26.312-2 Notice to GSA.

When an activity has material that is no longer needed which meets the criteria in § 101-26.312-1, and elects to offer the material to GSA for credit, the activity shall report offers by mail or transceiver. Offers transmitted by mail shall be addressed to the GSA National Inventory Control Center (NICC)—FXIP, Federal Supply Service, Washington, D.C. 20406; the transceiver routing identifier is GGØ. Offers shall be submitted in accordance with FEDSTRIP/MILSTRIP.

#### § 101-26.312-3 Notice to activity.

The offering activity will be notified on GSA Form 1348m by the NICC of acceptance or rejection within 20 workdays after receipt of the offer. Coded accept-

ance replies will indicate the routing identifier codes of the GSA supply distribution facility to which the material shall be shipped. If acceptance is indicated, when an activity has new material and used material that is usable without repairs in its inventory only a part of which is being offered for return to GSA, where possible the new material shall be returned prior to the return of material in other than new condition. If the return of material to GSA is disapproved, GSA will so advise the activity holding the material. Rejection replies will give the reason for nonacceptance in coded form.

#### § 101-26.312-4 Inspection.

Material returned will be inspected by GSA upon receipt to determine acceptability for credit. Material which is unacceptable for GSA inventory will be deemed to have been declared excess by the returning activity, and will be disposed of by GSA as excess or surplus in the name of the activity, in accordance with Part 101-43. The returning activity will be officially notified of the disposal action taken by GSA.

#### § 101-26.312-5 Reimbursement.

Reimbursement to activities returning material that is accepted by GSA will be in the form of a credit against future requisitions for supplies placed upon GSA and will be reflected in billings by GSA. Credit will be granted at the rate of 90 percent of the current GSA stock catalog price for acceptable items returned to GSA.

#### § 101-26.312-6 Transportation and other costs.

Transportation costs for the movement of material to GSA, and handling costs for preparation and shipment, shall be paid by the activity shipping the material to GSA.

## PART 101-27—INVENTORY MANAGEMENT

### Subpart 101-27.2—Management of Shelf-Life Materials

Sections 101-27.204-2, 101-27.208, 101-27.209, 101-27.209-1, and 101-27.209-2 are revised to read as follows:

#### § 101-27.204-2 Shelf-life codes for GSA stock items.

A listing by FSN and shelf-life codes for those items stocked in GSA supply distribution facilities is published in the GSA Federal Supply Catalog Management Data List, which may be obtained from GSA regional offices.

#### § 101-27.208 Inventory analyses.

(a) An inventory analysis shall be conducted for each Type II item with a shelf life of 36 months or less, to determine if issue of the quantity on hand is anticipated prior to the expiration of the designated shelf life. This analysis shall be made as follows:

Shelf-life period:	Date of analysis
18 to 36 months..	6 to 8 months prior to expiration.
12 to 18 months..	4 to 6 months prior to expiration.
6 to 12 months..	3 to 4 months prior to expiration.
Up to 6 months..	No analysis required, but special emphasis should be placed on good requirements determination and proper order quantity.

(1) If, as a result of the analysis, there is an indication that the quantity on hand will not be issued within the shelf-life period and the line item cost is in excess of \$300, the item shall be inspected to determine if the shelf-life period can be extended. Inspection is not required where it appears that the quantity on hand will be issued within the shelf-life period. Such items, however, should be reviewed again during the last month of the shelf-life period and if overages sufficient to warrant inspection are indicated, the procedures in § 101-27.206-3 shall apply.

(2) If an agency does not have an inspection capability and the quantity and value of an indicated overage is sufficiently large to warrant special consideration, arrangements shall be made for qualified inspection or laboratory testing to determine if the material is suitable for issue.

(b) Type I items are subject to inventory analysis for the purpose of determining indicated overages and insuring use before the expiration date either within the holding agency or by redistribution to other agencies.

#### § 101-27.209 Utilization and distribution of shelf-life items.

Where it is determined that specified quantities of both Type I and Type II shelf-life items will not be used within the shelf-life period, such quantities shall be utilized or distributed in accordance with this section.

#### § 101-27.209-1 GSA stock items.

Shelf-life items that are stocked in GSA supply distribution facilities may be offered for return to GSA under the provisions of § 101-26.312.

#### § 101-27.209-2 Items to be reported as excess.

Shelf-life items which do not meet the criteria in § 101-26.312, which would, if returned to GSA, adversely affect GSA's nationwide stock position, or which are returned to GSA and are determined unsuitable for issue, will be reported as excess under the provisions of Part 101-43.

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

*Effective date.* This regulation is effective upon publication in the FEDERAL REGISTER.

Dated: March 17, 1970.

ROBERT L. KUNZIG,  
Administrator of General Services.

[F.R. Doc. 70-3478; Filed, Mar. 23, 1970; 8:46 a.m.]



**Title 5—ADMINISTRATIVE PERSONNEL**

**Chapter I—Civil Service Commission**

**PART 213—EXCEPTED SERVICE**

**Temporary Boards and Commissions**

Section 213.3199 is amended to show that positions on the staff of the National Council on Indian Opportunity at GS-15 and below are excepted under Schedule A when filled by the appointment of Indians who are of one-fourth or more Indian blood. Effective on publication in the FEDERAL REGISTER, paragraph (g) is added to § 213.3199 as set out below.

**§ 213.3199 Temporary Boards and Commissions.**

(g) *The National Council on Indian Opportunity.* (1) Positions at GS-15 and below on the staff of the Council when filled by Indians who are of one-fourth or more Indian blood.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[F.R. Doc. 70-3576; Filed, Mar. 23, 1970; 8:49 a.m.]

**PART 213—EXCEPTED SERVICE**

**General Services Administration**

Section 213.3137 is amended to show that one position of Receptionist—Guide, Region 9, Public Buildings Service, is excepted under Schedule A. Effective on publication in the FEDERAL REGISTER, paragraph (b) is added under § 213.3137 as set out below.

**§ 213.3137 General Services Administration.**

(b) *Public Buildings Service.* (1) One Receptionist—Guide, Region 9.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[F.R. Doc. 70-3575; Filed, Mar. 23, 1970; 8:49 a.m.]

**Title 46—SHIPPING**

**Chapter IV—Federal Maritime Commission**

**SUBCHAPTER A—GENERAL PROVISIONS**

[General Order 16; Amdt. 7]

**PART 502—RULES OF PRACTICE AND PROCEDURE**

**Mailing Address; Hours**

The postal strike in the New York area has virtually rendered impossible for all practical purposes compliance with the requirement in its rules of practice and procedure that filings with the Federal Maritime Commission be made at its offices in Washington, D.C., and it appears to be contrary to the public interest to perpetuate such requirement during pendency of the strike.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553) and section 43 of the Shipping Act, 1916 (46 U.S.C. 841a), Part 502 of Chapter IV of Title 46 CFR is hereby amended by adding a third sentence to § 502.2, reading as follows: "Filings by those at the Port of New York shall, until further notice, be deemed as in compliance with this part if made within the above-mentioned hours at the Commission's office in New York, N.Y."

*Effective date.* These rules shall become effective upon date of publication in the FEDERAL REGISTER.

By the Commission.

FRANCIS C. HURNEY,  
*Secretary.*

[F.R. Doc. 70-3567; Filed, Mar. 23, 1970; 8:49 a.m.]

**SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES**

[Tariff Circular 3]

**PART 531—PUBLICATION, POSTING AND FILING OF FREIGHT AND PASSENGER RATES, FARES AND CHARGES IN THE DOMESTIC OFFSHORE TRADE**

**Filing and Posting of Tariff Publications**

The postal strike in the New York area has virtually rendered impossible for all practical purposes compliance with the requirement that tariffs be filed with the Federal Maritime Commission at its office in Washington, D.C., and it appears to be contrary to the public interest to perpetuate such requirement during pendency of the strike.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553) and section 43 of the Shipping Act, 1916 and section 2 of the In-

tercoastal Shipping Act, 1933 (46 U.S.C. 841(a) and 844), Part 531 of Chapter IV of Title 46 CFR is hereby amended by adding a third sentence to paragraph (a) of § 531.2, reading as follows: "Filings by those at the Port of New York shall, until further notice, be deemed as in compliance with this part if made at the Commission's office in New York, N.Y."

*Effective date.* These rules shall become effective upon date of publication in the FEDERAL REGISTER.

By the Commission.

FRANCIS C. HURNEY,  
*Secretary.*

[F.R. Doc. 70-3568; Filed, Mar. 23, 1970; 8:49 a.m.]

[General Order 13; Amdt. 3]

**PART 536—FILING OF TARIFFS BY COMMON CARRIERS BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES AND BY CONFERENCE OF SUCH CARRIERS**

**Filing of Tariffs; General**

The postal strike in the New York area has virtually rendered impossible for all practical purposes compliance with the requirement that tariffs be filed with the Federal Maritime Commission at its office in Washington, D.C., and it appears to be contrary to the public interest to perpetuate such requirement during pendency of the strike.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553) and sections 18(b) and 43 of the Shipping Act, 1916 (46 U.S.C. 817b and 841(a)), Part 536 of Chapter IV of Title 46 CFR is hereby amended by amending paragraph (a) of § 536.2 to read as follows:

**§ 536.2 Filing of tariffs, general.**

(a) Where used in this part, the words "filing," "filed," or "file" when used with respect to time of filing with the Commission shall mean actual receipt by the Federal Maritime Commission at its offices in Washington, D.C., United States of America. Until further notice, filing in compliance with this part by those at the Port of New York may be accomplished by actual receipt by the Federal Maritime Commission at its offices in New York, N.Y., United States of America.

*Effective date.* These rules shall become effective upon date of publication in the FEDERAL REGISTER.

By the Commission.

FRANCIS C. HURNEY,  
*Secretary.*

[F.R. Doc. 70-3569; Filed, Mar. 23, 1970; 8:49 a.m.]

# Proposed Rule Making

## DEPARTMENT OF TRANSPORTATION

Coast Guard  
[ 33 CFR Part 117 ]

[CGFR 70-28]

### DRAWBRIDGE OPERATION REGULATIONS

#### Notice of Proposed Rule Making

1. Notice is hereby given that the Commandant, U.S. Coast Guard under authority of section 5, 28 Stat. 362, as amended (33 U.S.C. 499), section 6(g) (2) of the Department of Transportation Act (49 U.S.C. 1655(g)(2) and 49 CFR 1.4 (a) (3) (v)) is considering a request by the Livingston Shipbuilding Co. to provide special operation regulations for its pontoon bridge across the Sabine River (Old Channel) behind Orange Harbor Island at Orange, Tex.

2. Accordingly, it is proposed to amend § 117.245(j) to add subparagraph (26-a) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

\* \* \* \* \*

(j) \* \* \* \* \*  
(26-a) *Sabine River (Old Channel) behind Orange Harbor Island, Orange, Tex.* The draw shall be opened promptly on signal from 7 a.m. to 12 Midnight Monday through Friday, except holidays. At all other times, including legal holidays, 8 hours' advance notice is required.

\* \* \* \* \*

3. Interested persons may participate in this proposed rule making by submitting written data, views, arguments, or comments as they may desire on or before March 30, 1970. All submissions should be made in writing to the Commandant, 8th Coast Guard District, Customhouse, New Orleans, La. 70130.

4. It is requested that each submission state the subject to which it is directed, the specific wording recommended; the reason for any recommended change, and the name, address, and firm or organization, if any, of the person making the submission.

5. Each communication received within the time specified will be fully considered and evaluated before final action is taken on the proposal in this document. This proposal may be changed in light of the comments received. Copies of all written communications received will be available for examination by inter-

ested persons at the office of the Commander, 8th Coast Guard District, Customhouse, New Orleans, La. 70130.

6. After the time set for the submission of comments by the interested parties, the Commander, 8th Coast Guard District will forward the record, including all written submissions and his recommendations with respect to the proposals and the submissions, to the Commandant, U.S. Coast Guard, Washington, D.C. The Commandant will thereafter make a final determination with respect to these proposals.

Dated: March 16, 1970.

W. J. SMITH,  
Admiral, U.S. Coast Guard,  
Commandant.

[F.R. Doc. 70-3491; Filed, Mar. 23, 1970;  
8:47 a.m.]

### [ 46 CFR Part 69 ]

[CGFR 70-14A]

### MEASUREMENT OF VESSELS

#### Extension of Time

1. The FEDERAL REGISTER of February 28, 1970 (35 F.R. 3916) contained a notice of proposed rule making and a public hearing to be held on March 30, 1970, at the Departmental Auditorium, Washington, D.C., by the Merchant Marine Council on Items PH 1-70 to PH 12-70, inclusive, of the Merchant Marine Council Agenda (CG-249), dated March 30, 1970. This notice requires the submission of written data, views, arguments, or comments regarding these Items by March 27, 1970, or at the public hearing to be held on March 30, 1970.

2. Item PH 9-70 of the stated Agenda is entitled "Measurement of Vessels—Limitation of Deep Floors, Frames, Double Bottoms, and Side Frames." Several communications have been received from interested persons stating that the time afforded by the notice is inadequate to permit a detailed study of the proposals contained in this item.

3. Accordingly, the time to submit written data, views, arguments, or comments regarding Item 9-70 of the Merchant Marine Council Agenda (CG-249), dated March 30, 1970, is extended to and including September 1, 1970. However, all other terms of the notice published in the FEDERAL REGISTER of February 28, 1970 (35 F.R. 3916) remain unchanged and oral data, views, arguments, or comments on Item PH 9-70 and the other items on the Agenda will be heard, as scheduled, at the public hearing to be held on March 30, 1970.

Dated: March 20, 1970.

W. J. SMITH,  
Admiral, U.S. Coast Guard,  
Commandant.

[F.R. Doc. 70-3572; Filed, Mar. 23, 1970;  
8:49 a.m.]

### Federal Aviation Administration

[ 14 CFR Part 71 ]

[Airspace Docket No. 70-SW-5]

### CONTROL ZONES

#### Proposed Designation and Alteration

##### Correction

In F.R. Doc. 70-2132 appearing on page 3235 in the issue for Friday, February 20, 1970, the degree designation in the sixth line of the control zone description for the James Connally Airport, now reading "353", should read "358".

### Office of Pipeline Safety

[ 49 CFR Part 192 ]

[Notice 70-4; Docket No. OPS-3D]

### MINIMUM FEDERAL SAFETY STANDARDS FOR GAS PIPELINES

#### Class Location Definitions

The Department of Transportation is developing proposals for the comprehensive minimum Federal safety standards for gas pipeline facilities and for the transportation of gas, as required by § 3(b) of the Natural Gas Pipeline Safety Act of 1968. This notice of proposed rule making is the fifth of a series of notices by which the proposed Federal safety standards will be issued for public comment.

Interested persons are invited to participate in the making of these proposed rules by submitting written data, views, or arguments as they may desire. Communications should identify the regulatory docket and notice number and be submitted in duplicate to the Office of Pipeline Safety, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590. Communications received before May 11, 1970, will be considered before taking final action on this notice. All comments will be available for examination by interested persons at the Office of Pipeline Safety before and after the closing date for comments. The proposals contained in this notice may be changed in light of comment received.

The first notice in this series was published in the FEDERAL REGISTER on November 21, 1969 (Notice 69-3; 34 F.R. 18556). That notice discussed both the Department's plan for establishing the minimum Federal standards and the source materials to be used in developing proposals for these standards. It proposed, without stating specific regulatory language, several requirements for inclusion in the minimum Federal standards. It also stated that new and more specific definitions of class locations would be proposed for inclusion in the minimum Federal safety standards. This notice proposes these new definitions.

Population density indices and class location designations have been established as a method of providing higher safety standards for pipelines in more densely populated areas. The higher standards are necessary because a greater number of people in proximity to the pipeline substantially increases the probabilities of personal injury and property damage in the event of an accident. At the same time, the external stresses, the potential for damage from third parties, and other factors which contribute to accidents will also increase with the population. Consequently, the existing interim standards require a number of additional protective measures in areas with greater concentration of population.

The method of determining class location in these proposals differs significantly from the method contained in the present requirements. One major difference involves the population density indices. The 10-mile index was established at a time when class location had to be considered only during initial construction. It encouraged the evaluation of pipelines outside of populated areas so the operators would make provision for future population increases. Since that time, however, new requirements have been established and will be carried forward into the minimum Federal standards to require uprating of pipelines whenever there is a change in class location. These new requirements eliminate the need for a 10-mile density index. Since the 10-mile density index is not necessary, the present two step process for determining class location can be reduced to one step by making the class location relate directly to the population density.

A second major difference is the reduction of the zone used to determine population density. Present standards call for the population density to be taken in a zone that is 1/2-mile wide, extending one-quarter of a mile on either side of the pipeline. However, a recent study that included hundreds of miles of pipeline right-of-way areas indicated that a zone of this width is not necessary to reflect the environment of the pipeline. A 1/4-mile wide zone extending one-eighth of a mile on either side of the pipeline appears to be equally appropriate for this purpose. It would be an unusual instance in which a population change more than one-eighth of a mile away would have an impact on the pipeline. Conversely, an accident on the pipeline would rarely have an effect on people or buildings that were more than an eighth of a mile away. For these reasons, it appears that the density zone can be reduced from one-half to one-quarter of a mile without any adverse effect on safety.

The determination as to which class location definition applies at a particular point on the pipeline would be accomplished by use of a "sliding mile". The sliding mile is moved along the pipeline overlying the continuous 1/4-mile-wide zone. The number of buildings within this sliding mile at any point during the movement determines the class location

for the entire mile of pipeline within the sliding mile. Whenever there is a change in class location which will cause an apparent overlapping of class locations, the higher numbered class location would be applicable.

The reduction in size of the zone and the more specific definitions have resulted in other changes with respect to each class location as discussed below.

**Class 1 locations.** Since the zone used to determine class location would be only one-half the previous size, the density count has been reduced commensurately. A Class 1 location would be an area with 10 or fewer buildings per mile.

**Class 2 locations.** The minimum number of buildings for a Class 2 location has also been reduced and a new specific upper limit of 45 buildings per mile has been established. After surveying several thousand miles of existing pipeline, it appears that this number most closely reflects the present practice in differentiating between Class 2 and 3 locations.

**Class 3 locations.** Areas with densities of more than 45 buildings per mile but where four-story buildings are not prevalent would be Class 3 locations. In addition, a substantive change would be made. A point on the pipeline that would normally fall within a Class 1 or Class 2 location on a density basis, would also be in a Class 3 location if it lies within 300 feet of a building that during normal use would be occupied by 20 or more persons, or within 300 feet of a well-defined outside area meeting this same criteria.

**Class 4 locations.** Areas in which buildings of four or more stories above ground are prevalent and which have heavy traffic and many underground utilities would be Class 4 locations. The primary reasons for lower stress level operation in these areas are the unusual external stresses and greater possibilities for damage by external force that exist there. The deep excavation necessary for taller buildings, the heavier traffic that usually exists, and the frequency of other underground utilities that require digging for installation and maintenance, all combine to create a situation in which heavier pipe and other protective measures are necessary.

The class location definitions will determine to a very significant degree the effect of a number of other provisions of these standards, particularly those governing pipe design, cover, welding, and testing. Consequently, these definitions should not be commented on until each notice of this series that relates to a commenter's particular area of interest has been published and the overall effect can be fully evaluated. In this regard, there are two provisions that will appear in subsequent proposals and should be noted here. One is the exemption from the requirement of a full mile of low stress level pipe if, somewhere in the mile segment, there is a physical barrier which will block further expansion of a populated area. This exemption is related to pipe design and will be included as an exemption from certain of the design requirements. Placing this exemption in the class location definitions

would cause reductions in a number of other requirements, some of which might not be appropriate under the circumstances. The second provision with respect to class location that warrants special attention is a new requirement that will be included with the testing requirements in Subpart J. This would require that any section of pipeline in a Class 1 location passing within 300 feet of a building intended for human occupancy must be hydrostatically tested to 1.25 times the maximum allowable operating pressure.

Inasmuch as these new class location definitions are more specific and are determined in a different manner than those presently in use, the possibility exists that some temporary problems may arise when the new standards go into effect. As stated in an earlier notice, the Department intends to make the minimum Federal standards effective on 30 days notice in accordance with section 3(c) of the Natural Gas Pipeline Safety Act, unless it is shown that good cause exists for providing additional time. Therefore, in commenting on these new class location definitions, interested persons should consider whether or not 30 days notice will be sufficient for situations where a pipeline will have to be uprated to a higher class location under the new definitions or where new and heavier wall pipe must be ordered for a pipeline that is planned or is under construction. Comments on these and other similar situations will be carefully considered in determining an effective date for the standards.

In consideration of the foregoing, the Department proposes to amend Title 49 of the Code of Federal Regulations by adding a new Part 192 to contain § 192.5 as set forth below.

This notice is issued under the authority of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. § 1671 et seq.), Part 1 of the regulations of the Office of the Secretary of Transportation (49 CFR Part 1), and the delegation of authority to the Director, Office of Pipeline Safety, dated November 6, 1968 (33 F.R. 16468).

Issued in Washington, D.C., on March 17, 1970.

W. C. JENNINGS,  
Acting Director,  
Office of Pipeline Safety.

#### § 192.5 Class locations.

(a) Class location is determined by applying the criteria set forth in this section to a continuous 1/4-mile-wide zone that extends one-eighth of a mile on either side of the pipeline along its entire length. A sliding mile is moved along the pipeline overlying the continuous 1/4-mile-wide zone. Except as provided in paragraph (d) (2) of this section, the buildings within this sliding mile at any time during the movement determines the class location for the entire mile of pipeline within the sliding mile.

(b) A Class 1 location is any continuous 1-mile segment of the 1/4-mile-wide

## PROPOSED RULE MAKING

zone that has 10 or less buildings intended for human occupancy.

(c) A Class 2 location is any continuous 1-mile segment of the  $\frac{1}{4}$ -mile-wide zone that has more than 10 but less than 46 buildings intended for human occupancy.

(d) A Class 3 location is—

(1) Any continuous 1-mile segment of the  $\frac{1}{4}$ -mile-wide zone that has 46 or more buildings intended for human occupancy; or

(2) An area where any of the following lies within 300 feet of the pipeline:

(i) A building that is occupied by 20 or more persons during normal use.

(ii) A small, well-defined outside area that is occupied by 20 or more persons during normal use, such as a playground, recreation area, outdoor theater, or other place of public assembly.

(e) A Class 4 location is any continuous 1-mile segment of the  $\frac{1}{4}$ -mile-wide zone where buildings with four or more stories above ground are prevalent, traffic is heavy, and there are many other utilities installed underground.

[F.R. Doc. 70-3485; Filed, Mar. 23, 1970; 8:47 a.m.]

# Notices

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

ALGIN PASLEY

### Notice of Granting of Relief

Notice is hereby given that Algin Pasley, Route 6, Box 515, Magician Lake Road, Dowagiac, Mich., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his convictions on September 9, 1958, in the U.S. District Court for the Eastern District of Kentucky; on December 2, 1959, in the Circuit Court, Garrard County, Ky.; and on September 12, 1960, in the U.S. District Court for the Eastern District of Kentucky, of crimes punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Algin Pasley because of such convictions to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code, as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such convictions, it would be unlawful for Algin Pasley to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Algin Pasley's application and:

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

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

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code, and delegated to me by 26 CFR 178.144, it is ordered that Algin Pasley be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, of firearms and incurred by reason of receipt, transfer, shipment, or possession the convictions hereinabove described.

Signed at Washington, D.C., this 13th day of March 1970.

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

[F.R. Doc. 70-3482; Filed, Mar. 23, 1970;  
8:47 a.m.]

## POST OFFICE DEPARTMENT

### NEW JERSEY AND VARIOUS AREAS

#### Mail Embargo

*New Jersey.* On March 19, 1970, the Post Office Department issued the following instructions to all Regional Directors of the Post Office Department:

ZIP Codes 078, SCF Dover, N.J., and 087, SCF Lakewood, N.J., should be added to the list of numbers previously furnished. Amended embargo, effective immediately, for all second, third, and fourth class mail originating in or destined for the affected area, covers ZIP Codes 070 through 079, and 087.

*Various Areas.* On March 20, 1970, the Post Office Department issued the following additional instructions to all Regional Directors of the Post Office Department:

Effective immediately, embargo all classes of mail originating in or destined for the State of Connecticut, ZIP Codes 060 through 069, and the State of New Jersey, ZIP Codes 070 through 089.

A recap of embargoed areas as of this time follows:

State	Zip Code areas
New York.....	100-119
New Jersey.....	070-089
Connecticut.....	060-069

In view of the emergency conditions resulting from the work stoppage involving postal employees in the areas mentioned above, it was necessary that the foregoing instructions be applied without delay. Accordingly, notice of proposed rule making and delay in the effective date would be impracticable and contrary to the public interest.

(5 U.S.C. 301, 39 U.S.C. 501, 701, 6106, 6107)

DAVID A. NELSON,  
General Counsel.

[F.R. Doc. 70-3571; Filed, Mar. 23, 1970;  
8:49 a.m.]

### PRIVATE EXPRESS STATUTES AND EMBARGO ON MAIL

On March 21, 1970, the Post Office Department issued the following order:

The Postmaster General has extended the suspension of statutory restrictions

on private carriage of letters outside of the mail (39 U.S.C. 901(a)(1)-(6)). On Wednesday he has suspended these restrictions in respect to letters originating from, or destined for delivery in, New York City and its immediate vicinity. This extension applies to ZIP Code areas in which the Post Office Department has imposed an embargo on mail service.

At this time (2:30 p.m. e.s.t. March 21) the embargoed areas are:

State	ZIP Code areas
New York.....	100-119
Wisconsin.....	530-534
New Jersey.....	070-089
Minnesota.....	540, 550-551
Connecticut.....	060-069
Pennsylvania.....	150-152, 189-194
Michigan.....	480-482
Illinois.....	600-606

If and to the extent that other areas are embargoed, the suspension of the restrictions on private carriage of letters will automatically apply. The suspension will remain in effect until further notice.

In view of the emergency conditions resulting from the work stoppage involving postal employees in the areas mentioned above, it was necessary that the foregoing instructions be applied without delay. Accordingly, notice of proposed rule making and delay in the effective date would be impracticable and contrary to the public interest.

(5 U.S.C. 301, 39 U.S.C. 501, 701, 6106, 6107)

DAVID A. NELSON,  
General Counsel.

[F.R. Doc. 70-3586; Filed, Mar. 23, 1970;  
10:19 a.m.]

## PENNSYLVANIA

### Mail Embargo

On March 20, 1970, the Post Office Department issued the following instructions to all Regional Directors of the Post Office Department:

Effective immediately embargo all classes of mail originating in or destined to Post Offices in the following sectional center areas in Pennsylvania:

SCF	ZIP Code areas
Doylestown.....	189
Philadelphia.....	190-191
Paoli.....	193
Norristown.....	194

In view of the emergency conditions resulting from the work stoppage involving postal employees in the areas mentioned above, it was necessary that the

foregoing instructions be applied without delay. Accordingly, notice of proposed rule making and delay in the effective date would be impracticable and contrary to the public interest.

(5 U.S.C. 301, 39 U.S.C. 501, 701, 6106, 6107)

DAVID A. NELSON,  
General Counsel.

[F.R. Doc. 70-3596; Filed, Mar. 23, 1970;  
11:47 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR 4971]

#### OREGON

### Notice of Classification of Public Lands for Disposal by Exchange

#### Correction

In F.R. Doc. 70-2685, appearing at page 4144 in the issue for Thursday, March 5, 1970, make the following changes:

1. On page 4144, "T. 5 S., R. 133 E.," should read "T. 5 S., R. 13 E.,".
2. On page 4145, in the 11th line under "T. 13 S., R. 24 E.," the reference to "E $\frac{1}{2}$ NW $\frac{1}{4}$ " should read "E $\frac{1}{2}$ NE $\frac{1}{4}$ ".

#### Fish and Wildlife Service

[Docket No. S-501]

#### JACK R. HOLT

### Notice of Loan Application

MARCH 13, 1970.

Jack R. Holt, Post Office 357, Newport, Ore. 97365, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 52-foot length overall steel vessel to engage in the fishery for salmon, crab, albacore, and shrimp.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

C. E. PETERSON,  
Chief,

Division of Financial Assistance.

[F.R. Doc. 70-3460; Filed, Mar. 23, 1970;  
8:45 a.m.]

[Docket No. C-314]

#### ALVIN J. BABCOCK

### Notice of Loan Application

MARCH 13, 1970.

Alvin J. Babcock, Route 2, Box 1304, Smith River, Calif., 95567, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 36-foot length overall wood vessel to engage in the fishery for salmon, albacore, bottomfish, and Dungeness crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

C. E. PETERSON,  
Chief,

Division of Financial Assistance.

[F.R. Doc. 70-3461; Filed, Mar. 23, 1970;  
8:45 a.m.]

#### ELLERTON E. WALL

### Statement of Changes in Financial Interests

In accordance with the requirements of section 719(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) None.
- (2) None.
- (3) Standard Oil Company of California, 3,072; Johns Mansville, 300; Domtar Ltd., 300; Erie Technological, sold (300).
- (4) None.

This statement is made as of February 23, 1970.

Dated: March 6, 1970.

E. E. WALL.

[F.R. Doc. 70-3498; Filed, Mar. 23, 1970;  
8:48 a.m.]

### COOPERATIVE STATE GRAZING DISTRICTS STATE OF MONTANA

#### Notice of Public Hearings

The Department wishes to get a full expression of local views from all interested parties concerning the proposed agreements with Montana Cooperative State Grazing Districts.

Notice is hereby given that public hearings will be held as set forth below for the purpose of receiving comments and suggestions relating to the administration of public lands within the Montana State Grazing Districts:

April 13-14, 1970, Miles City, Mont., Elk's Club, Sixth and Pleasant Streets.

April 16-18, 1970, Billings, Mont., Courtroom, Sixth Floor, Yellowstone County Courthouse.

April 20-21, 1970, Missoula, Mont., Room 361, University Center, University of Montana.

All hearings will begin at 9 a.m. on the above scheduled dates.

The public hearings will be held before a Hearing Examiner of the U.S. Department of the Interior.

The public hearings will provide the Secretary of the Interior with additional information from both the public and private sectors to help evaluate fully the potential effects of cooperative arrangements which may be entered into between the Bureau of Land Management and the Montana Cooperative State Grazing Districts with respect to the public lands.

A basic issue is to what extent or degree should the Secretary of the Interior delegate responsibilities for management of the public lands to the Montana State Grazing Districts.

Cooperative State Grazing Districts encompass approximately 3.6 million acres of public lands managed for multiple use. These public lands are administered under the Taylor Grazing Act of 1934 and the Classification and Multiple Use Act of 1964. The Cooperative State Grazing Districts are authorized under the Montana Grass Conservation Act of 1939. There are 33 State Grazing Districts organized in Montana and the Bureau of Land Management and the State Grazing Districts have entered into past cooperative agreements involving 28 State Districts. Of these, one was canceled in 1968 and one expired in 1969. The remainder of the agreements expire prior to 1976.

In view of the actual or pending expiration of existing 10-year cooperative agreements and the affirmation of multiple-use responsibilities expressed in the Classification and Multiple Use Act of 1964, it is appropriate that the Secretary obtain a public expression concerning future management of public lands lying within Cooperative State Grazing Districts prior to consideration of new or revised cooperative agreement proposals.

Interested individuals, representatives of organizations and public officials wishing to testify at the hearing should make their wishes known on or prior to April 10, 1970, to the Office of Hearing Examiners, Bureau of Land Management, U.S. Department of the Interior, 4209 Federal Building, Salt Lake City, Utah 84111. Others who wish to testify will be permitted to do so, if time permits. Written comments from those unable to attend the hearings should be sent to the same office. The Department will accept at that address written testimony for a period of 10 days following the last day

of the hearings. This will allow ample time for those unable to testify at the hearings to make their views known and for the submission of supplemental materials by those presenting oral testimony. Time limitations may make it necessary to limit the length of oral presentation of individuals and organizations who wish to offer oral testimony. Written statements presented at the hearing will be included in the hearings record.

HARRISON LOESCH,  
Assistant Secretary of the Interior.

MARCH 20, 1970.

[F.R. Doc. 70-3577; Filed, Mar. 23, 1970;  
9:25 a.m.]

## DEPARTMENT OF AGRICULTURE

### Commodity Credit Corporation GRAINS AND SIMILARLY HANDLED COMMODITIES

#### Notice of Extension of Warehouse- Storage Loans for 1967, 1968, and 1969 Crops

Pursuant to the provisions of § 1421.55  
of the General Regulations Governing

Price Support for the 1964 and Subsequent Crops of Grains and Similarly Handled Commodities, as amended, CCC hereby gives notice that, unless earlier demand for payment is made, the loan maturity dates of price support warehouse-storage loans on the 1967 crops of barley and oats, 1968 crops of barley, oats, and wheat, 1969 crops of barley, grain sorghum, oats, and wheat are extended for an additional 1-year period from the current maturity dates for such loans, as provided below, with respect to producers who, prior to the current original maturity dates of loans secured by the 1969 crops of such commodities or the current extended maturity date of loans secured by the 1967 and 1968 crops thereof, or such later dates that may be authorized for good cause by the Deputy Administrator, State and County Operations, ASCS, notify in writing the ASCS county office through which they obtained such loans that they wish to have such maturity dates extended; loans with respect to which no request for extension are received will mature on the current original and extended maturity dates of loans secured by the 1969, 1968, and 1967 crops of the commodities designated in this notice.

	1967 crop -		1968 crop		1969 crop	
	From current extended maturity date	To re-extended maturity date	From current extended maturity date	To re-extended maturity date	From current original maturity date	To extended maturity date
Barley in Alaska, Idaho, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming.	May 31	May 31	1970 May 31	1971 May 31	1970 May 31	1971 May 31
Barley in all other States	Apr. 30	Apr. 30	Apr. 30	Apr. 30	Apr. 30	Apr. 30
Grain sorghum in Oklahoma and Texas	(1)		(1)		June 30	June 30
Grain sorghum in all other States	(1)		(1)		July 31	July 31
Oats in Alaska, Idaho, Maine, Michigan, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming.	May 31	May 31	May 31	May 31	May 31	May 31
Oats in all other States	Apr. 30	Apr. 30	Apr. 30	Apr. 30	Apr. 30	Apr. 30
Wheat in Idaho, Minnesota, Montana, North Dakota, Oregon, Washington, and Wyoming.	(1)		May 31	May 31	May 31	May 31
Wheat in all other States	(1)		Apr. 30	Apr. 30	Apr. 30	Apr. 30

<sup>1</sup> Extension of maturity date not authorized.

(Secs. 4, 5, 62 Stat. 1070, as amended; secs. 101, 401, 403, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1421, 1423, 1425)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C. on March 16, 1970.

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

[F.R. Doc. 70-3421; Filed, Mar. 23, 1970; 8:45 a.m.]

### GRAINS AND SIMILARLY HANDLED COMMODITIES

#### Notice of Final Date for Redemption of Warehouse-Storage Loan Made Under 1969 Price-Support Pro- grams<sup>1</sup>

Unless demand is made earlier by CCC, warehouse-storage loans under 1969 price-support programs on the commodities listed in the table below mature and

are due and payable on the dates indicated. Unless on or before the final date for repayment specified below such loans are repaid, title to the unredeemed collateral shall immediately vest in CCC without a sale thereof on the date next succeeding the final date for repayment specified below: *Provided*, That, CCC will not acquire title to any commodity for which repayment has been mailed to the ASCS county office by letter post-marked (not patron postage meter date

stamp) not later than the final date for repayment of such commodity. This notice applies to all such unredeemed collateral pledged to CCC under warehouse-storage loans. CCC shall have no obligation to pay for any market value which the unredeemed collateral may have in excess of the loan indebtedness; i.e., the unpaid amount of the note plus interest and charges. Nothing herein shall preclude making payment to a producer of any amount by which the settlement value of the pledged commodity may exceed the principal amount of the loan. The settlement value as used herein is the price support value of the pledged commodity determined on the basis of the weight, grade, and other quality factors shown on the warehouse receipts or accompanying documents in accordance with the applicable support rate provided in the program regulations. Notwithstanding the foregoing provisions, if the producer has made a fraudulent representation in obtaining the loan or in settlement or deliveries under the loan, the producer shall remain personally liable for the amounts specified in the Warehouse Storage Note and Security Agreement and in the price-support program regulations.

Amounts due the producer will be paid to the producer by the appropriate ASCS county office.

	Maturity date	Final date for repayment
Barley: <sup>1</sup>	1970	1970
In Alaska, Idaho, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming.	May 31	June 1.
In all other States	Apr. 30	Apr. 30.
Corn:		
In all States	July 31	July 31.
Dry edible beans:		
In all States	Apr. 30 <sup>2</sup>	Apr. 30.
Flaxseed:		
In Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.	May 31	June 1.
In all other States	Apr. 30	Apr. 30.
Grain sorghum:		
In Oklahoma and Texas	June 30	June 30.
In all other States	July 31	July 31.
Honey:		
In all States	Apr. 30	Apr. 30.
Oats: <sup>1</sup>		
In Alaska, Idaho, Maine, Michigan, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming.	May 31	June 1.
In all other States	Apr. 30	Apr. 30.
Rice:		
In all States	Apr. 30	Apr. 30.
Rye:		
In all States	Apr. 30	Apr. 30.
Soybeans:		
In all States	June 30	June 30.
Wheat: <sup>1</sup>		
In Idaho, Minnesota, Montana, North Dakota, Oregon, Washington, and Wyoming.	May 31	June 1.
In all other States	Apr. 30	Apr. 30.

<sup>1</sup> This notice does not apply to loans on barley, grain sorghum, oats, and wheat with respect to which producers, prior to the above maturity dates, have given written notice to the ASCS county office through which they obtained such loans that they wish to have such maturity dates extended.

<sup>2</sup> Maturity date for loans may be extended at the producer's request to May 31, 1970; if extended, the final date of repayment is June 1, 1970.

(Secs. 4 and 5, 62 Stat. 1070, as amended; secs. 101, 105, 107, 301, 401, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1447, 1421, 1425)

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on March 16, 1970.

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

[F.R. Doc. 70-3422; Filed, Mar. 23, 1970;  
8:45 a.m.]

### GRAINS AND SIMILARLY HANDLED COMMODITIES

#### Notice of Final Date for Redemption of Warehouse-Storage Loans Made Under 1967 and 1968 Crop Price- Support Programs

Unless demand is made earlier by CCC, (1) extended warehouse-storage loans secured by 1967 crop grain sorghum, soybeans, and wheat, and 1968 crop grain sorghum and soybeans are due and payable on the date indicated, and (2) extended warehouse storage loans secured by 1967 crop barley and oats; 1968 crop barley, oats, and wheat with respect to which producers, prior to the maturity dates stated below, have not given written notice to the ASCS county office through which they obtained such loans that they wish to have the maturity dates extended, are due and payable on the dates indicated.

Unless on or before the final date for repayment specified below, such loans are repaid, title to the unredeemed collateral shall immediately vest in CCC without a sale thereof on the date next succeeding the final date for repayment specified below: *Provided*, That, CCC will not acquire title to any such commodity for which repayment has been mailed to the ASCS county office by letter post-marked (not patron postage meter date stamped) not later than the applicable maturity date indicated below. CCC shall have no obligation to pay for any market value which any unredeemed commodity may have in excess of the loan indebtedness; i.e., the unpaid amount of the note plus interest and charges. Nothing herein shall preclude making payment to a producer of any amount by which the settlement value of a pledged commodity may exceed the principal amount of the loan. The settlement value as used herein is the price-support value of the pledged commodity determined on the basis of the weight, grade, and other quality factors shown on the warehouse receipts or accompanying documents in accordance with the applicable support rate provided in the program regulations. Notwithstanding the foregoing provisions, if the producer has made a fraudulent representation in obtaining the loan or in settlement or deliveries under the loan, the producer shall remain personally liable for the amounts specified in the Warehouse Storage Note and Security Agreement and in the price-support program regulations. Amounts

due the producer will be paid by the appropriate ASCS county office.

	Maturity date	Final date for repayment
Barley:	1970	1970
In Alaska, Idaho, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming.	May 31.....	June 1.
In all other States.....	Apr. 30.....	Apr. 30.
Grain sorghum:		
In Oklahoma and Texas.....	June 30.....	June 30.
In all other States.....	July 31.....	July 31.
Oats:		
In Alaska, Idaho, Maine, Michigan, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming.	May 31.....	June 1.
In all other States.....	Apr. 30.....	Apr. 30.
Soybeans:		
In all States.....	July 31.....	July 31.
Wheat:		
In Idaho, Minnesota, Montana, North Dakota, Oregon, Washington, and Wyoming.	May 31.....	June 1.
In all other States.....	Apr. 30.....	Apr. 30.

(Secs. 4 and 5, 62 Stat. 1070, as amended; secs. 101, 105, 107, 301, 401, 405, 63 Stat. 1051, as amended; 15 U.S.C. 1421, 1425, 1441, 1447)

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on March 16, 1970.

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

[F.R. Doc. 70-3423; Filed, Mar. 23, 1970;  
8:45 a.m.]

### Packers and Stockyards Administration

#### ATKINS LIVESTOCK AUCTION ET AL.

##### Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below, it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, as amended (7 U.S.C. 202), and notice was given to the owners and to the public by posting notices at the stockyards as required by said section 302.

Name, location of stockyard, and date of posting

##### ARKANSAS

Atkins Livestock Auction, Atkins, Jan. 13, 1970.

MPA Livestock Association, Inc. (Marshall, Mo.) Imboden Concentration Point, Imboden, Feb. 18, 1970.

##### NEW YORK

Lewis County Livestock Market, West Lowville, Mar. 2, 1970.

##### SOUTH DAKOTA

Magness Huron Livestock Exchange, Inc., Huron, Feb. 25, 1970.

### TENNESSEE

McNairy Livestock and Auction Corp., Selmer, Feb. 26, 1970.

Done at Washington, D.C., this 10th day of March 1970.

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

[F.R. Doc. 70-3481; Filed, Mar. 23, 1970;  
8:47 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-351]

### GULF GENERAL ATOMIC, INC.

#### Notice of Application for and Proposed Issuance of Facility Export License

Please take notice that Gulf General Atomic, Inc., San Diego, Calif., has submitted an application dated January 6, 1970, for a license to authorize the export of a 2 megawatt thermal TRIGA Mark III nuclear research reactor to the Office of Supply, Government of the Republic of Korea for installation at the Atomic Energy Research Institute, Seoul, Korea.

Upon finding that the reactor proposed for export is within the scope of and consistent with the terms of the Agreement for Cooperation between the Governments of the United States of America and Korea and, unless within 15 days after the publication of this notice in the FEDERAL REGISTER, a request for a hearing is filed with the U.S. Atomic Energy Commission by the applicant, or a petition for leave to intervene is filed by any person whose interest may be affected by the proceeding, the Director of Regulation will cause to be issued to Gulf General Atomic, Inc., a facility export license and cause to be published in the FEDERAL REGISTER a notice of issuance of the license. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in the notice, the Secretary will issue a notice of hearing or an appropriate order.

Pursuant to the Atomic Energy Act of 1954, as amended, and Title 10, Chapter 1, Code of Federal Regulations, the Commission has found that:

(a) The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, Code of Federal Regulations, and

(b) The reactor proposed to be exported is a utilization facility as defined in said Act and regulations.

In its review of applications solely to authorize the export of production or utilization facilities, the Commission does not evaluate the health and safety characteristics of the facility to be exported.

A copy of the application, dated January 6, 1970, is on file in the Atomic Energy Commission's Public Document Room located at 1717 H Street NW, Washington, D.C.



Dated at Bethesda, Md., this third day of March 1970.

For the Atomic Energy Commission.

EBER R. PRICE,  
Director, Division of  
State and Licensee Relations.

[F.R. Doc. 70-3473; Filed, Mar. 23, 1970;  
8:46 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 21869]

JAPAN AIR LINES COMPANY, LTD.

### Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on May 5, 1970, at 10 a.m., d.s.t., in Room 630, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the prehearing conference report served on March 18, 1970, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., March 19, 1970

[SEAL] EDWARD T. STODOLA,  
Hearing Examiner.

[F.R. Doc. 70-3492; Filed, Mar. 23, 1970;  
8:48 a.m.]

## DELAWARE RIVER BASIN COMMISSION

### COMPREHENSIVE PLAN

#### Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Thursday, March 26, 1970, in Room 1306 of the State Office Building, Broad and Spring Garden Streets in Philadelphia, beginning at 2 p.m. The hearing will be on the following subjects:

I A seventh annual Water Resources Program as required and described in section 13.2 of the Delaware River Basin Compact. The proposed revisions relate to water supply and demand data and information about scheduled projects throughout the basin.

II Proposals to amend the Comprehensive Plan so as to include therein the following projects:

A. Village of Delhi: A sewage collection and treatment project for the village of Delhi, Delaware County, N.Y. The new facility will have a capacity of 515,000 gallons per day and will remove 88 percent of BOD. Treated effluent will discharge to the West Branch of the Delaware River.

B. Paulinskill Lake Water Co.: A well water supply project to augment water supplies of the Paulinskill Lake Water Co. in Sussex County, N.J. An average of 250,000 gallons per month will be withdrawn from five wells to serve customers in Paulinskill Lake, Hampton, and Stillwater Townships.

C. Bensalem Township Authority: An interim sewage treatment plan to meet needs in Bensalem Township, Bucks County, Pa. The facility will treat an average of 120,000 gallons per day and remove 99 percent of BOD. The sewage plant will be abandoned upon availability of permanent regional sewage treatment capacity. Treated effluent will discharge to Mill Creek, a tributary of Neshaminy Creek.

D. New Castle County: South Christina interceptor sewer, section 8, to abate stream pollution along the Christina River, New Castle County, Del. The interceptor will eliminate the Silverbrook and Cooch's Bridge Road pumping station, and relieve overloading conditions in the White Clay Creek interceptor. Sewage will be conveyed from a 2,400-acre area and the South Side area to the Wilmington sewage treatment plant.

Copies of the proposed revisions to the Water Resources Program may be obtained from the Commission upon request. Documents relating to the other items listed for hearing may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary to the Commission.

W. BRINTON WHITALL,  
Secretary.

MARCH 13, 1970.

[F.R. Doc. 70-3459; Filed, Mar. 23, 1970;  
8:45 a.m.]

## FEDERAL DEPOSIT INSURANCE CORPORATION

### BROKERED FUNDS

#### Statement of Policy

The Board of Directors of the Federal Deposit Insurance Corporation approved the following statement of policy at its offices in Washington, D.C., on the 13th day of February 1970.

The use of brokered funds has been responsible for abuses in banking and has contributed to some recent bank closings, with consequent losses to depositors, other creditors, and shareholders. Bankers are again urged to be on the alert to schemes which would expose depositors' and shareholders' funds to the risks involved in loans based on brokered "deposits." They should be especially wary of related out-of-territory loans which may appear attractive because of the amount of brokered money that will be placed with the bank if the loan is made.

The advertisement of excessive yields on deposits solicited for federally supervised banks (whether the premium is provided by the bank or by others), moreover, is prohibited by substantially

identical regulations issued by the Federal Deposit Insurance Corporation and the Board of Governors of the Federal Reserve System. To the extent that a bank takes any part in these transactions it is considered to be evading the purposes of the interest rate regulations. Where the bank pays a fee to a broker and knows or has reason to know that the fee is being shared with the depositor, the bank is also in violation of the interest rate regulations to the extent the yield to the depositor exceeds the maximum permissible rate.

The Corporation is concerned that such activities can result in "unsafe and unsound" situations and could adversely affect the overall condition of the bank. Examiners, therefore, have been instructed to continue to report all cases where banks are obtaining deposits at premium rates, whatever the source of the premium, and also to scrutinize any tie-in loans. Appropriate corrective action will be required of all banks where such deposits and loans are found.

By order of the Board of Directors,  
February 13, 1970.

FEDERAL DEPOSIT INSURANCE  
CORPORATION,

[SEAL] E. F. DOWNEY,  
Secretary.

[F.R. Doc. 70-3469; Filed, Mar. 23, 1970;  
8:46 a.m.]

## PREMIUMS NOT CONSIDERED PAYMENT OF INTEREST OR DIVIDENDS

### Statement of Policy

The Board of Directors of the Federal Deposit Insurance Corporation approved the following statement of policy at its offices in Washington, D.C., on the 13th day of February 1970.

Part 329 (12 CFR Part 329) of the Corporation's regulations prohibits the payment of interest on demand deposits by insured nonmember banks and provides maximum rates of interest or dividends which may be paid on time and savings accounts by insured nonmember commercial and mutual savings banks and by savings banks in Massachusetts not insured by this Corporation.

In applying these provisions on or after March 1, 1970, the Board of Directors will regard premiums (whether in the form of merchandise, credit, or cash) given to their depositors by insured nonmember banks and by savings banks in Massachusetts not insured by the Corporation as an advertising or promotional expense rather than a payment of interest or dividends if (a) the premium is given to a depositor only at the time of the opening of a new account or in addition to an existing account; (b) the premium is not given to any depositor on a recurring basis; and (c) the value of the premium or, in the case of articles of merchandise, the wholesale cost (excluding shipping and packaging costs) does not exceed \$5, except that the value or wholesale cost may be not more than \$10 if the amount of the deposit is \$5,000 or more.

By order of the Board of Directors,  
February 13, 1970.

FEDERAL DEPOSIT INSURANCE  
CORPORATION,

[SEAL] E. F. DOWNEY,  
Secretary.

[F.R. Doc. 70-3470; Filed, Mar. 23, 1970;  
8:46 a.m.]

### INFORMATION REGARDING COM- PUTATION OF INTEREST AND DIVIDENDS ON DEPOSITS

#### Statement of Policy

The Board of Directors of the Federal Deposit Insurance Corporation approved the following statement of policy at its offices in Washington, D.C., on the 13th day of February 1970.

Paragraph (f) of § 329.8 of the Corporation's regulations relating to payment of interest and dividends on deposits (12 CFR § 329.8), provides:

(f) *Accuracy of advertising.* No insured nonmember bank shall make any advertisement, announcement, or solicitation relating to the interest or dividends paid on deposits which is inaccurate or misleading or which misrepresents its deposit contracts.

Within the spirit of this provision and in order to avoid misunderstanding on the part of its customers, every insured nonmember bank should inform the holder of a time or savings account at the time of the opening of such account as to the method that will be used in computing and paying interest or dividends on the account, including any provision for nonpayment of interest or dividends on deposits made after the beginning of an interest or dividend payment period or withdrawn before the end of such period. In addition, if the bank subsequently makes a change in such method that will be less favorable to a depositor than the previous method, notice of such change should be mailed to each depositor at his last known address.

Paragraph (f) of § 329.8 was also made applicable to savings banks in Massachusetts not insured by the FDIC by paragraph (d) of § 329.9 of the Corporation's regulations (12 CFR § 329.9). Accordingly, the above interpretation is also applicable to such savings banks.

By order of the Board of Directors,  
February 13, 1970.

FEDERAL DEPOSIT INSURANCE  
CORPORATION,

[SEAL] E. F. DOWNEY,  
Secretary.

[F.R. Doc. 70-3471; Filed, Mar. 23, 1970;  
8:46 a.m.]

### FEDERAL MARITIME COMMISSION CITY OF LONG BEACH AND CRESCENT TERMINALS, INC.

#### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as

amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Leslie E. Still, Jr., Deputy City Attorney,  
City of Long Beach, Suite 600, City Hall,  
Long Beach, Calif. 90802.

Agreement No. T-2394 between the City of Long Beach (City) and Crescent Terminals, Inc. (Terminals) is a 10 year lease to Terminals of a certain area on Pier F in Long Beach, Calif., which Terminals will use for the operation of a public marine terminal. All charges assessed by Terminals shall conform as nearly as possible with charges published in the Port of Long Beach Tariff, Rates, rules, and regulations of Terminals shall be subject to review and control by City and Terminals shall make no changes in its rates, rules or regulations without the prior written approval of City. In lieu of filing a tariff with City, Terminals may elect to use and be bound by the Port of Long Beach tariff. Terminals does not have the exclusive right to perform stevedoring services upon the premises. As rental for the first 5 years, Terminals will pay City all applicable tariff charges with a minimum annual payment of \$281,692; thereafter the revenue earned from wharfage and dockage charges accruing from the operations of Terminals will be divided twenty-five percent (25%) to City and seventy-five percent (75%) to Terminals, and all other tariff charges will accrue to Terminals. The minimum obligation of Terminals will be subject to negotiation for each of the last five 12-month periods of the lease.

Dated: March 18, 1970.

By order of the Federal Maritime  
Commission.

FRANCIS C. HURNEY,  
Secretary.

[F.R. Doc. 70-3487; Filed, Mar. 23, 1970;  
8:47 a.m.]

### HUDSON SHIPPING CO., INC., AND CHARLES HAPPEL, INC.

#### Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed for approval by:

D. K. Allen, secretary, Hudson Shipping Co.,  
Inc., 20 Vesey Street, New York, N.Y. 10007.

Federal Maritime Commission Agreement No. FF 69-15 between Hudson Shipping Co., Inc. (Hudson), and Helen and Charles Happel, former stockholders of Charles Happel, Inc. (Happel), was filed to obtain Commission approval of the purchase by Hudson in September 1969 of all the outstanding shares of capital stock of Happel.

Hudson and Happel are New York corporations holding Independent Ocean Freight Forwarder Nos. 714 and 279, respectively. The purchase of Happel was consummated pursuant to a financial arrangement set forth in the agreement, and Happel continues to operate as a wholly owned subsidiary of Hudson.

Dated: March 18, 1970.

By order of the Federal Maritime  
Commission.

FRANCIS C. HURNEY,  
Secretary.

[F.R. Doc. 70-3488; Filed, Mar. 23, 1970;  
8:47 a.m.]

### U.S. ATLANTIC & GULF-JAMAICA CONFERENCE

#### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the

Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

C. D. Marshall, chairman, United States Atlantic & Gulf-Jamaica Conference, 11 Broadway, New York, N.Y. 10004.

Agreement No. 4610-15 among the parties to the United States Atlantic & Gulf-Jamaica Conference, modifies the Preamble of the basic agreement by deleting therefrom the words "from Portland, Maine to Houston, Texas inclusive" thereby expanding the conference scope east of Portland, Maine, and west of Houston, Tex., to embrace all Atlantic and Gulf ports of the United States.

Dated: March 19, 1970.

By order of the Federal Maritime Commission,

FRANCIS C. HURNEY,  
Secretary.

[F.R. Doc. 70-3489; Filed, Mar. 23, 1970;  
8:47 a.m.]

### TRANS-PACIFIC PASSENGER CONFERENCE

#### Notice of Rule Change Filed

Notice is hereby given that the following document has been filed with the Commission for information, pursuant to the Commission's Order of April 22, 1969, wherein the Commission approved Agreement No. 131-250.

Interested parties may inspect and obtain a copy of the document at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the document at the field offices in New York, N.Y.; New Orleans, La.; and San Francisco, Calif.

Comments on such documents, including requests for hearing, may, as prescribed in the Commission's Order of April 22, 1969, be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed rule change shall provide a clear and concise statement on the matters upon which they desire to adduce evidence. If a violation of the Shipping Act, 1916, is alleged, the statement shall set forth, with particularity, the acts and circumstances said to constitute such violation.

A copy of any such statement shall also be forwarded to the party filing the document (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of rule change filed by:

Mr. Ronald C. Lord, secretary, Trans-Pacific Passenger Conference, 2 Pine Street, San Francisco, Calif. 94111.

The Trans-Pacific Passenger Conference has filed an amendment to its Rule E-5, section B, paragraph 5, which is concerned with payment of override incentive commissions for promotional programs. Incentive override commissions of 2½ percent may be paid to travel agents under either or both of the following conditions:

(1) On the sale of Inclusive Tours (as previously provided under the Conference's rules).

(2) On the sale of a specific number of passages, promoted and booked for a specific voyage, provided that a written agreement between the Travel Agent and the Member Line concerned is executed prior to such promotion or sale.

Dated: March 18, 1970.

By order of the Commission,

FRANCIS C. HURNEY,  
Secretary.

[F.R. Doc. 70-3490; Filed, Mar. 23, 1970;  
8:47 a.m.]

### FEDERAL HOME LOAN BANK BOARD

[H. C. #63]

#### TRANSOGRAM CO., INC., WINTHROP LAWRENCE CORP., AND COLUMBIA FINANCIAL CORP.

#### Notice of Receipt of Application for Permission To Acquire Control of Mountain Savings and Loan Association

MARCH 19, 1970.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Transogram Co., Inc., New York, N.Y., which is controlled by Winthrop Lawrence Corp. which in turn is controlled by Columbia Financial Corp., for approval of acquisition of control of the Mountain Savings and Loan Association, Boulder, Colo., an insured institution, under the provisions of section 408

(e) of the National Housing Act, as amended (12 U.S.C. 1730a(e)), and § 584.4 of the Regulations for Savings and Loan Holding Companies, said acquisition to be effected by an exchange of stock of Transogram Co., Inc., for stock of Mountain Savings and Loan Association. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL]

JACK CARTER,  
Secretary,  
Federal Home Loan Bank Board.

[F.R. Doc. 70-3484; Filed, Mar. 23, 1970;  
8:47 a.m.]

### FEDERAL POWER COMMISSION

[Docket No. RI62-511]

GEORGE R. BROWN

#### Order Severing and Terminating Proceeding

MARCH 9, 1970.

George R. Brown (Brown) on November 28, 1969, filed a notice of withdrawal of his increased rate proposal, designated as Supplement No. 1 to his FPC Gas Rate Schedule No. 19, for his sale of natural gas to Florida Gas Transmission Co. from Texas Railroad District No. 4. In his notice, Brown states that said Supplement No. 1 was suspended in the above-entitled proceeding but has never been made effective subject to refund, and that he no longer desires to collect or receive the subject rate increase. Accordingly, Brown requests that he be permitted to withdraw the subject filing, that the suspension proceeding in Docket No. RI62-511 be severed from the Area Rate Proceeding (Texas Gulf Coast Area) in Docket No. AR64-2 et al., and that the proceeding in Docket No. RI62-511 be terminated. Good cause exists for granting Brown's requests.

The Commission orders: Supplement No. 1 to George R. Brown's FPC Gas Rate Schedule No. 19 is permitted to be and is considered withdrawn, the proceeding in Docket No. RI62-511 is severed from the proceeding in Docket No. AR64-2 et al., and the proceeding in Docket No. RI62-511 is terminated.

By the Commission,

[SEAL]

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-3475; Filed, Mar. 23, 1970;  
8:46 a.m.]

[Docket No. CP-66-110, etc.]

#### GREAT LAKES GAS TRANSMISSION CO. ET AL.

#### Notice Fixing Oral Argument

MARCH 16, 1970.

Great Lakes Gas Transmission Co., Dockets Nos. CP66-110, CP66-111, CP66-112; Michigan Wisconsin Pipeline Co.,

Docket No. CP66-109; Midwestern Gas Transmission Co., Dockets Nos. CP66-119, CP66-120, CP66-121; Northern Natural Gas Co., Docket No. CP66-212; Northern Natural Gas Transportation Co., Dockets Nos. CP66-213, CP66-214, CP66-215.

The Commission has before it the examiner's initial decision issued on December 31, 1969, the briefs on exceptions, and the briefs opposing exceptions. On February 26, 1970, Michigan Wisconsin Pipe Line Co. and Michigan Consolidated Gas Co. filed a joint motion for oral argument. On March 9, 1970, Trans-Canada Pipe Lines Ltd., filed a concurrence in the motion.

Take notice that an oral argument is scheduled to be heard by the Commission en banc commencing at 9:30 a.m., e.s.t., on April 15, 1970, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C. 20426.

All participants in this proceeding who desire to present oral argument shall notify the Secretary of the Commission in writing on or before March 31, 1970, of the amount of time desired for presentation of their respective oral arguments.

By direction of the Commission,

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-3476; Filed, Mar. 23, 1970;  
8:46 a.m.]

[Docket No. CP70-210]

### MOUNTAIN FUEL SUPPLY CO.

#### Notice of Application

MARCH 13, 1970.

Take notice that on March 9, 1970, Mountain Fuel Supply Co. (applicant), 180 East First Street, Salt Lake City, Utah 84111, filed in Docket No. CP70-210 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to install approximately 16.6 miles of 20-inch pipeline paralleling the existing 18-inch and 20-inch pipelines between Crossover No. 16 near Little America, Wyo., and Eakin Compressor Station (Wyoming); 7.6 miles of 20-inch pipeline paralleling the existing 20-inch line between Nightingale Compressor Station and Crossover No. 19 near Green River, Wyo.; and one 1,100-horsepower turbine-driven centrifugal compressor unit with all auxiliaries at the Nightingale Compressor Station.

Applicant states that the proposed facilities will enable it to meet the increase in firm peak load for the 1970-71 heating season resulting from growth within its own service area, and will increase the reliability of gas supplied from applicant's own sources in the event of failure in the pipelines to be looped.

The total estimated cost of the proposed facilities is \$1,665,000, which will

be financed by funds on hand and short-term bank borrowing.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 6, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-3477; Filed, Mar. 23, 1970;  
8:46 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[812-2646]

### E. I. DU PONT DE NEMOURS AND CO.

#### Notice of Filing of Application for Order Exempting Proposed Trans- action

MARCH 16, 1970.

Notice is hereby given that E. I. du Pont de Nemours and Co. ("applicant"), Wilmington, Del. 19898, a Delaware corporation, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order granting exemption from the provisions of section 17(a) of the Act with respect to applicant's proposed sale of 2,100 shares of the common stock of Wheaton Plastics Co. ("Wheaton") to Wheaton Glass Co. ("Wheaton Glass") for \$2,600,000. All interested persons are

referred to the application on file with the Commission for a full statement of the representations therein, which are summarized below.

Christiana Securities Co. ("Christiana"), a registered closed-end investment company, owns approximately 29 percent of the outstanding common stock of applicant, and applicant, in turn, owns 2,100 shares, or 17.5 percent, of the outstanding common stock of Wheaton. Under sections 2(a)(3) and 2(a)(9) of the Act, applicant is presumed to be controlled by Christiana; Wheaton is an affiliated person of Christiana; and Wheaton Glass is an affiliated person of Wheaton since both companies are under the common control of Wheaton family interests.

Wheaton, incorporated in New Jersey in 1953, with its headquarters in Millville, N.J., and its principal office and plant in Mays Landing, N.J., manufactures plastic bottles, containers, closures, bottle caps, and fittings. In 1960, as a means to gain access to technology in the plastic container business, applicant paid Wheaton \$750,000 for an option to acquire a 50 percent interest in Wheaton and loaned \$1 million to Wheaton. In March 1962, the loan of \$1 million was canceled and the option was terminated; in settlement of all its obligations to applicant in connection therewith, Wheaton issued to applicant at that time 2,100 shares of Wheaton common stock, representing a 17.5 percent interest in the outstanding common stock of Wheaton.

Applicant no longer has significant interest in investing in a specialized portion, the small bottle field, of the plastic container business. Negotiations for the sale of applicant's interest in Wheaton were commenced in mid-1968. On September 17, 1969, applicant and Mr. F. H. Wheaton, Jr., on behalf of Wheaton Glass, entered into an agreement for the sale by applicant to Wheaton Glass of the 2,100 shares of Wheaton common stock for \$2,600,000. Since no established market for the Wheaton stock exists, applicant requested Morgan Stanley & Co., investment bankers, to undertake an appraisal of the value of Wheaton common stock and supply its opinion as to a reasonable value for applicant's holdings of 2,100 such shares. On July 21, 1969, Morgan Stanley & Co. advised applicant that it considered that a value of between \$2,550,000 and \$2,850,000 for applicant's holdings of such shares would be fair and reasonable. Applicant considers the negotiated price of \$2,100,000 fair and reasonable, considering the limited opportunities for sale of securities of such a "family controlled" company and since its income from its investment in Wheaton is relatively minor because of Wheaton's policy of reinvesting essentially all of its earnings. Wheaton's net income per share for its fiscal years 1965-68 ranged from \$35.65 to \$52.66. For its fiscal year ending February 28, 1969, and for the 12 months ending February 1, 1970, net income per share was \$104.25 and \$150.17, respectively.

Section 17(a) of the Act prohibits an affiliated person of a registered investment company, or an affiliated person of such a person, from purchasing from such company, or any company controlled by such registered investment company, any security or other property, with certain exceptions, unless the Commission, upon application pursuant to section 17(b) of the Act, grants an exemption from the provisions of section 17(a) after finding that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of the registered investment company and the general purposes of the Act.

Notice is further given that any interested person may, not later than March 31, 1970, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 70-3462; Filed, Mar. 23, 1970;  
8:45 a.m.]

[70-4851]

**NEW ORLEANS PUBLIC SERVICE INC.  
AND MIDDLE SOUTH UTILITIES, INC.**

**Notice of Proposed Transfer by Subsidiary Company of a Portion of Earned Surplus to Common Capital Stock Account and Proposed Issuance of Common Stock to Holding Company**

MARCH 16, 1970.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South")

280 Park Avenue, New York, N.Y. 10017, a registered holding company, and its public utility subsidiary company, New Orleans Public Service Inc. ("New Orleans") 317 Baronne Street, New Orleans, La. 70160, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a)(2), 7, 9(a)(1), and 10 of the Act as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

New Orleans proposes to transfer \$1,729,000 from its earned surplus account to its common capital stock account. Contemporaneously with such transfer, New Orleans proposes to issue, and Middle South, which owns all the presently outstanding 5,763,000 shares of New Orleans' common stock, proposes to acquire, 172,900 additional shares of authorized common stock having an aggregate par value of \$1,729,000. Middle South will make no change in its investment account other than to restate the number of shares representing its investment in New Orleans.

As of December 31, 1969, the earned surplus of New Orleans amounted to \$15,445,098. During the 12 months ended on such date, dividends on New Orleans' preferred stock (all publicly held) amounted to \$964,740, and common stock dividends, amounting to \$5,186,700, were paid.

It is stated that the issuance of such common stock will permit New Orleans to convert into permanent capital a portion of its earned surplus.

The application-declaration states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. It is also stated that no special and separable expenses are anticipated in connection with the proposed transactions.

Notice is further given that any interested person may, not later than April 10, 1970, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission

may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 70-3463; Filed, Mar. 23, 1970;  
8:45 a.m.]

[File No. 13421]

**CONTINENTAL VENDING MACHINE  
CORP.**

**Order Suspending Trading**

MARCH 17, 1970.

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

*It is ordered*, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 18, 1970, through March 27, 1970, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 70-3464; Filed, Mar. 23, 1970;  
8:45 a.m.]

[File No. 500-1]

**TRANSCO INDUSTRIES, INC.**

**Order Suspending Trading**

MARCH 16, 1970.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Transco Industries, Inc., and all other securities of Transco Industries, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

*It is ordered*, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 17, 1970, through March 26, 1970, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 70-3465; Filed, Mar. 23, 1970;  
8:45 a.m.]

[File No. 500-1]

**UNDERWRITERS INVESTMENT CO.  
AND DREXEL INDUSTRIES, INC.****Order Suspending Trading**

MARCH 16, 1970.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Underwriters Investment Co. and Drexel Industries, Inc., and all other securities of Underwriters Investment Co. and Drexel Industries, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period March 17, 1970, through March 26, 1970, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.[F.R. Doc. 70-3466; Filed, Mar. 23, 1970;  
8:45 a.m.]**SMALL BUSINESS  
ADMINISTRATION****ROCKY MOUNTAIN AREA AND  
OFFICES THEREIN****Notice of Redesignation**

Notice is hereby given that the designation "Rocky Mountain Area" is

changed to "Region VIII." The Rocky Mountain Area Office located in Denver, Colo., also is hereby redesignated as the Region VIII Office. The regional offices in the States of Montana, North Dakota, South Dakota, Utah, and Wyoming under the former Rocky Mountain Area Office, are now under the jurisdiction of the Region VIII Office and are redesignated as district offices. Notice was given in the FEDERAL REGISTER published on February 5, 1970 (35 F.R. 2618) of the transfer of the former Omaha, Nebr., and Wichita, Kans., Regional Offices to the jurisdiction of Region VII regional office located in Kansas City and their redesignation as district offices.

Effective date: March 23, 1970.

HILARY SANDOVAL, Jr.,  
Administrator.[F.R. Doc. 70-3417; Filed, Mar. 23, 1970;  
8:45 a.m.]**INTERSTATE COMMERCE  
COMMISSION**

[Ex Parte No. 265]

**INCREASED FREIGHT RATES, 1970****Amendment 2 to Special Permission  
70-3700**

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 18th day of March 1970.

Upon further consideration of the matters and things involved in Special Permission 70-3700, entered by the Commission March 6, 1970, as amended March 16, 1970, and upon consideration of a petition dated March 17, 1970, filed by Edward A. Kaier and Thurmond A. Miller, attorneys for and on behalf of petitioners in Ex Parte No. 265, for modification of Special Permission No. 70-3700 so as to permit the filing of a supplement to Tariff of Increased Rates and Charges, X-265, for the purpose of applying increases set forth therein to charges for handling iron ore (not ground or hydrated) or iron sinter at lower lake ports from Hold to Rail of Vessel, and good cause appearing therefor:

It is ordered, That Special Permission No. 70-3700, entered and amended as aforesaid, be, and it is hereby, further modified and amended so as to provide for the filing of a supplement to the master tariff, X-265, providing for increases in charges for handling iron ore as set forth above as proposed in the petition of March 17, 1970.

It is further ordered, That, except as herein modified and amended, Special Permission No. 70-3700 shall be, and remain, in full force and effect.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.[F.R. Doc. 70-3497; Filed, Mar. 23, 1970;  
8:48 a.m.]**CUMULATIVE LIST OF PARTS AFFECTED—MARCH**

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