

FEDERAL REGISTER

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Agencies in this issue—

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Business and Defense Services Administration
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Commerce Department
Customs Bureau
Federal Aviation Administration
Federal Communications Commission
Federal Housing Administration
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
Housing and Urban Development Department
Indian Affairs Bureau
International Commerce Bureau
Interstate Commerce Commission
National Highway Safety Bureau
Oil Import Administration
Reclamation Bureau
Securities and Exchange Commission
Selective Service System

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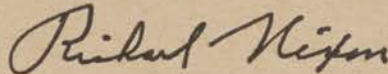
AMENDING THE SELECTIVE SERVICE REGULATIONS

By virtue of the authority vested in me by the Military Selective Service Act of 1967 (62 Stat. 604, as amended), I hereby prescribe the following amendments of the Selective Service Regulations prescribed by Executive Orders No. 10001 of September 17, 1948, No. 10008 of October 18, 1948, No. 10292 of September 25, 1951, No. 11098 of March 14, 1963, and constituting portions of Chapter XVI of Title 32 of the Code of Federal Regulations:

1. Paragraph (a) of Section 1628.2, *Registrants to Be Given Medical Interview*, is amended to read as follows:

"Whenever the local board is of the opinion that a registrant in Class I-A, Class I-A-O, or Class I-O has one or more of the disqualifying medical conditions or physical defects which appear in the list described in section 1628.1, it may order the registrant to present himself for medical interview at a specified time and place by mailing to such registrant a Notice to Registrant to Appear for Medical Interview (SSS Form 219)."

2. Section 1628.2 is further amended by revoking paragraphs (b) and (c).



THE WHITE HOUSE,
August 26, 1970.

[F.R. Doc. 70-11475; Filed, Aug. 27, 1970; 9:59 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of the Interior

Section 213.3112(f) is amended to show that specified Park Aid and Technician positions at salaries equivalent to GS-2 through GS-5 and Park Technician positions at salaries equivalent to GS-6 and GS-7 are excepted under Schedule A when filled on a temporary, intermittent, or seasonal basis for not to exceed 180 days a year. It is also amended to provide that the total number of Park Ranger and Park Technician positions, combined, filled at the GS-6 and GS-7 equivalent may not exceed 200. Effective on publication in the FEDERAL REGISTER, subparagraph (1) is amended and subparagraph (2) is added under paragraph (f) of § 213.3112 as set out below.

§ 213.3112 Department of the Interior.

(f) *National Park Service.* (1) Park Ranger positions (appropriate specializations) at salaries equivalent to GS-5 or GS-4 and those equivalent to grade GS-7 or GS-6 in which the duties are supervisory or are limited to a highly specialized part of the duties performed by career protective or interpretive personnel of the National Park Service. (The total number of Park Ranger and Park Technician positions at salaries equivalent to GS-7 and GS-6 excepted under this subparagraph and subparagraph (2) of this paragraph shall not exceed 200.) Employment under this subparagraph is limited to persons who meet the qualification standards for each salary level which have been agreed upon by the Commission and the Department. These standards include as a minimum the following number of previous seasons' experience in the National Park Service as a Park Ranger at a salary equivalent to the next lower grade:

- (i) For IGS-7: 2 seasons at IGS-6 Level.
- (ii) For IGS-6: 2 seasons at IGS-5 Level.
- (iii) For IGS-5: 2 seasons at IGS-4 Level.

Employment under this subparagraph shall be only for duty that is temporary, intermittent, or seasonal, and no person shall be employed by the same appointing office in the National Park Service under this subparagraph or a combination of this and any other excepting authorities in excess of 180 working days a year.

(2) Park Aid and Park Technician positions at salaries equivalent to GS-2 through GS-5 to perform technical and

practical work supporting the management, conservation, interpretation, development, and use of park areas and resources; and positions at salaries equivalent to GS-7 and GS-6 in which the duties are supervisory or are limited to a highly specialized part of the duties performed by career resources management, interpretive, or visitor service personnel of the National Park Service. (The total number of Park Technician and Park Ranger positions at salaries equivalent to GS-7 and GS-6 excepted under this subparagraph and subparagraph (1) of this paragraph shall not exceed 200.) Employment under this subparagraph is limited to persons who meet the qualification standards for each salary level which have been agreed upon by the Commission and the Department. These standards include as a minimum the following number of previous seasons' experience in the National Park Service as a Park Aid or Park Technician equivalent to the next lower grade:

- (i) For IGS-7: 2 seasons at IGS-6 level.
- (ii) For IGS-6: 2 seasons at IGS-5 level.
- (iii) For IGS-5: 2 seasons at IGS-4 level.
- (iv) For IGS-4: 1 season at IGS-3 level or its equivalent in experience.
- (v) For IGS-3: 1 season at IGS-2 level or its equivalent in experience.

Employment under this subparagraph shall be only for duty that is temporary, intermittent, or seasonal, and no person shall be employed by the same appointing office in the National Park Service under this subparagraph or a combination of this and any other excepting authorities in excess of 180 working days a year.

(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. 70-11432; Filed, Aug. 27, 1970; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

Treasury Department

Section 213.3305 is amended to show that the position of Deputy Special Assistant to the Secretary (Congressional Relations) is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (33) is added to paragraph (a) of § 213.3305 as set out below.

§ 213.3305 Treasury Department.

- (a) *Office of the Secretary.* * * *
- (33) One Deputy Special Assistant to the Secretary (Congressional Relations).

(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. 70-11435; Filed, Aug. 27, 1970; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that one position of Private Secretary to the Assistant to the Secretary of Defense (Telecommunications) is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (36) is added to paragraph (a) of § 213.3306 as set out below.

§ 213.3306 Department of Defense.

- (a) *Office of the Secretary.* * * *
- (36) One Private Secretary to the Assistant to the Secretary of Defense (Telecommunications).

(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. 70-11431; Filed, Aug. 27, 1970; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

National Labor Relations Board

Section 213.3341 is amended to show that one position of Chief Counsel to the Chairman is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (f) is added to § 213.3341 as set out below.

§ 213.3341 National Labor Relations Board.

- (f) One Chief Counsel to the Chairman.

(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. 70-11433; Filed, Aug. 27, 1970; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

Office of Economic Opportunity

Section 213.3373 is amended to show that the position of Associate Director

for Public Affairs is no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (15) of paragraph (a) of § 213.3373 is revoked.

(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. 70-11434; Filed, Aug. 27, 1970;
8:50 a.m.]

PART 711—LABOR-MANAGEMENT RELATIONS

On July 18, 1970, the following was published in the FEDERAL REGISTER as proposed rule making. The purpose of this new Part 711 is to set forth the procedures for processing and resolving matters that arise under section 6(a) of Executive Order 11491 which involve the Department of Labor. No adverse comments, objections, or suggestions on the proposal have been received by the Civil Service Commission. Accordingly, the following new Part 711 of the regulations of the Civil Service Commission is effective upon publication in the FEDERAL REGISTER.

Subpart A—Procedures Under Section 6(e) of Executive Order 11491

Sec.

- 711.101 Designation.
711.102 Controlling principles and procedures.
711.103 Operating responsibilities.

AUTHORITY: The provisions of this Part 711 issued under sec. 6(e) of E.O. 11491 (34 F.R. 17605).

Subpart A—Procedures Under Section 6(e) of Executive Order 11491

§ 711.101 Designation.

In accordance with section 6(e) of Executive Order 11491, the Chairman of the Commission designates the Vice Chairman of the Commission to perform the duties of the Assistant Secretary of Labor for Labor-Management Relations in matters arising under section 6 (a) and (b) of that order which involve the Department of Labor. In the absence of the Vice Chairman, the Chairman designates the remaining member of the Commission to perform these duties.

§ 711.102 Controlling principles and procedures.

(a) In carrying out the responsibilities described in § 711.101, the Vice Chairman or the Commissioner, as appropriate, and others acting in his behalf shall be governed by the basic principles and procedures as may be appropriate in the regulations of the Assistant Secretary of Labor for Labor-Management Relations to implement section 6 of Executive Order 11491. These regulations, which comprise Chapter II of Title 29 of the Code of Federal Regulations are incorporated herein by reference and are hereinafter referred to as the "regulations of the Assistant Secretary".

(b) Notwithstanding the provisions of paragraph (a) of this section, administration of the reporting and disclosure requirements of Subpart A of Part 204 of the regulations of the Assistant Secretary remain the responsibility of the Assistant Secretary. However, the Vice Chairman or the Commissioner, as appropriate, is responsible for receiving complaints of alleged violations of the standards of conduct and taking action thereon in accordance with the provisions of Subpart B of Part 204 of the regulations of the Assistant Secretary.

(c) A petition or complaint under this subpart shall be filed with the General Counsel, U.S. Civil Service Commission, Washington, D.C. 20415, utilizing the forms prescribed by the Assistant Secretary.

§ 711.103 Operating responsibilities.

(a) The Vice Chairman or the Commissioner, as appropriate, is responsible for taking the actions and making the decisions of the Assistant Secretary which are referred to in §§ 202.16, 203.25, 203.26, and 204.73 of the regulations of the Assistant Secretary.

(b) In addition to receiving petitions and complaints under this subpart, the General Counsel of the Commission is primarily responsible for providing such staff assistance as the Vice Chairman or the Commissioner, as appropriate, may need in order to carry out his responsibilities under this subpart. For example, he shall perform the duties of those officials of the Department of Labor who are described in §§ 201.15 and 201.16 of the regulations of the Assistant Secretary.

(c) The Vice Chairman or the Commissioner, as appropriate, and the General Counsel may request other employees of the Commission to assist in carrying out their responsibilities under this subpart; and, in accordance with section 6(c) of Executive Order 11491, they may request and use the services of employees of other agencies for this purpose.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 70-11436; Filed, Aug. 27, 1970;
8:50 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER C—FEDERAL RESERVE SYSTEM LABOR RELATIONS PANEL

PART 294—PROCEDURES FOR RESOLVING IMPASSES

Miscellaneous Amendments

§ 294.110 [Amended]

1. Effective immediately, paragraph (a) of § 294.110 is amended by deleting, following the words "The Panel", the following language: ", upon its own motion, or", and by deleting the comma following the words "bargaining agreement".

2. Effective immediately, § 294.200 is amended by deleting therein the following: "Upon motion of the Panel or upon suggestion of the mediator, or". As so amended, § 294.200 reads:

§ 294.200 Scope of Panel action.

At the request of a party to a proposed collective bargaining agreement, the Panel may consider negotiation impasses and may recommend procedures to the parties for the resolution of the impasse or may settle the impasse by appropriate action.

3a. These amendments are issued following further consideration by the Federal Reserve System Labor Relations Panel of its Procedures for Resolving Impasses, 12 CFR Part 294, and upon review of the mediation process as an aid to voluntary resolution of negotiation impasses. The Panel has concluded that the provision in § 294.110(a) permitting the Panel upon its own motion to appoint a mediator does not sufficiently further the collective bargaining process nor better position the Panel to assist the parties to consummate a collective bargaining agreement. Similarly, the Panel has determined that a corresponding provision in § 294.200, permitting the Panel upon its own motion to consider other impasse procedures, may result in undue reliance upon third party supervision.

b. In issuing Part 294 on July 24, 1970, which was published July 29, 1970 (35 F.R. 12102), the requirements of section 553, title 5, United States Code, with respect to notice, public participation, and deferred effective date were not followed by the Panel for reasons stated in that publication. Similarly, the requirements of section 553 have not been followed with respect to these amendments for the reasons set forth in the publication of July 29, 1970.

By order of the Federal Reserve System Labor Relations Panel, August 24, 1970.

[SEAL] PAUL M. METZGER,
Secretary.

[F.R. Doc. 70-11385; Filed, Aug. 27, 1970;
8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation
[Docket No. 69-CE-32-AD; Amdt. 39-1074]

PART 39—AIRWORTHINESS DIRECTIVES

Certain Models of Beech Airplanes

Amendment 39-907 (35 F.R. 305), AD 70-1-1 required inspection of the push rod assembly on certain models of Beech aircraft, located between the elevator bell crank and the elevator horn, on or before January 21, 1970. This airworthiness directive was required by reason of numerous reports of cracked, corroded, bent or nicked push rods on military versions of Beech Models 50 and 65 series

aircraft, and the subject models of Beech civil aircraft have either identical or similar elevator push rods. An analysis of the reports required by said AD indicate the necessity for repetitive inspections and replacement of the push rods as required. Accordingly, the aforementioned AD is being deleted and a new AD is being issued requiring within 50 hours' time in service after the effective date of this AD, the elevator push rods shall be inspected on those aircraft with more than 1,000 hours' time in service and if found defective shall be replaced. Further, the inspection shall be repeated in intervals not exceeding 500 operating hours thereafter. Inspection and replacement shall be in accordance with Beechcraft Service Instructions No. 0334-152, Revision 1, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provision of the Administrative Procedure Act is impracticable and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by deleting AD 70-1-1 and by the substitution of the following new AD:

BEECH. Applies to Models 50, B50, C50, D50, D50A, D50B, D50C, D50E, E50, F50, G50, H50, J50, 65, A65, A65-8200, 65-80, 65-A80, 65-A80-8800, 65-B80, 65-88, 65-90, 65-A90, 65-A90-1, 65-A90-2, 65-A90-3, 70 and B90 airplanes with 1,000 hours' or more time in service.

To prevent partial loss of elevator control, as the result of push rod failure due to cracks, corrosion, bending or nicks accomplish the following:

Within 50 hours' time in service after the effective date of this AD, if not already accomplished within the last 450 hours' time in service and thereafter at intervals not to exceed 500 hours' time in service, remove and inspect the elevator push rods in the above-mentioned model Beech airplanes. If cracks, corrosion, bending, or nicks are found, except as set forth in the note in Beechcraft Service Instructions No. 0334-152, Revision 1, replace with new or serviceable elevator push rods. Method of inspection or replacement shall be in accordance with Beechcraft Service Instructions No. 0334-152, Revision 1, or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment supersedes Amendment 39-907 (AD 70-1-1).

This amendment becomes effective September 1, 1970.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on August 21, 1970.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 70-11404; Filed, Aug. 27, 1970; 8:48 a.m.]

[Airworthiness Docket No. 70-SW-50; Amdt. 39-1072]

PART 39—AIRWORTHINESS DIRECTIVES

Mooney Model M-10

Amendment 39-1069 (35 F.R. 13008), AD 70-17-2, requires inspection for incorrect screws in the attachment of the rudder pedal shaft bellcranks to the nose wheel steering tie rod with reinstallation of the correct screws. After issuing Amendment 39-1069, the agency determined that incorrect references were given and that additional information was needed. Therefore, the AD is being amended to provide clarifying information.

Since this amendment provides a clarification only and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1069 (35 F.R. 13008), AD 70-17-2, is amended to read as follows:

MOONEY. Applies to Mooney Model M-10 Airplanes.

Compliance required before further flight after the effective date of this AD, unless already accomplished.

To detect the use of improper screws attaching the left and right rudder pedal shaft assemblies (P/N 720098-1 and 720098-501, respectively) to the nose wheel steering tie rods (P/N 720084 and 720088, respectively), accomplish the following inspection and rework as required or an equivalent approved by the Chief, Engineering and Manufacturing Branch, Southwest Region, FAA, Fort Worth, Tex.

- a. Remove seats and floorboard.
- b. Remove screws from left and right rudder pedal shaft assemblies attaching the nose wheel steering tie rods. The screws, nuts and washers should consist of:
 - (1) NAS 221-16 screws.
 - (2) AN 363-1032 nuts.
 - (3) AN 960-10 washers.
- c. Reinstall the correct hardware specified in b (1), (2), and (3) above.

NOTE: The M-10 Parts Catalog refers to AN 509-10R20 screws, left rudder pedal shaft assembly, P/N 720061, and right rudder pedal shaft assembly, P/N 620062, which are incorrect references.

d. Check the rudder and nose wheel rigging in accordance with the M-10 Service and Maintenance Manual number 10-S.M.-70 dated February 1970, prior to the reinstallation of the floorboard and seats.

This amendment becomes effective August 31, 1970.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on August 20, 1970.

GEORGE W. IRELAND,
Acting Director, Southwest Region.

[F.R. Doc. 70-11403; Filed, Aug. 27, 1970; 8:48 a.m.]

[Airspace Docket No. 70-WE-67]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the description of the Bremerton, Wash., control zone.

The instrument approach procedure for Kitsap County Airport, Bremerton, Wash., has been reviewed in accordance with the U.S. Standard for Terminal Instrument Procedures (TERPs). As a result of the review, it has been determined that the control zone extension must be increased from 2 to 3 miles each side of the 209° T (187° M) bearing from the Kitsap RBN. This amendment is necessary to provide controlled airspace for aircraft executing the prescribed instrument procedure while operating below 1,000 feet above the surface. Action is taken herein to reflect this change.

Since this action imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing in § 71.171 (35 F.R. 2054), the description of the Bremerton, Wash., control zone is amended by deleting all between " * * * longitude 122°45'35'' W.) * * * " and " * * * (latitude 47°29'48'' N., * * * " and substituting " * * * within 3 miles each side of the 209° bearing from the Kitsap RBN * * * " therefor.

Effective date. This amendment shall be effective 0901 G.m.t., October 15, 1970. (Sec. 307(a), Federal Aviation Act of 1958, as amended, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Los Angeles, Calif., on August 20, 1970.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 70-11405; Filed, Aug. 27, 1970; 8:48 a.m.]

[Airspace Docket No. 70-SO-56]

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

Alteration of Control Zone and Transition Area

On July 17, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 11517), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Beaufort, S.C., control zone and transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., November 12, 1970, as hereinafter set forth.

In § 71.171 (35 F.R. 2054), the Beaufort, S.C., control zone is amended to read:

BEAUFORT, S.C.

Within a 5-mile radius of Beaufort MCAS (lat. 32°28'40" N., long. 80°43'20" W.); within 3.5 miles each side of Beaufort MCAS TACAN 037° radial, extending from the 5-mile radius zone to 6.5 miles northeast of the TACAN; within 2.5 miles each side of the 042° bearing from Beaufort MCAS RBN, extending from the 5-mile radius zone to 8.5 miles northeast of the RBN. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

In § 71.181 (35 F.R. 2134), the Beaufort, S.C., transition area is amended to read:

BEAUFORT, S.C.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Beaufort MCAS (lat. 32°28'40" N., long. 80°43'20" W.); within 5 miles each side of Beaufort MCAS TACAN 037° radial, extending from the 8.5-mile radius area to 8.5 miles northeast of the TACAN.

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

Issued in East Point, Ga., on August 19, 1970.

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.

[F.R. Doc. 70-11406; Filed, Aug. 27, 1970; 8:48 a.m.]

[Airspace Docket No. 70-SO-49]

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

Designation of Transition Area

On July 17, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 11517), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Brookhaven, Miss., transition area.

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

Subsequent to publication of the notice, the geographic coordinate (lat. 31°36'-20" N., long. 90°24'00" W.) for Brookhaven Municipal Airport was obtained from Coast and Geodetic Survey. It is necessary to alter the transition area description by inserting the geographic coordinate for the airport. Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and action is taken herein to amend the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is

amended, effective 0901 G.m.t., November 12, 1970, as hereinafter set forth.

In § 71.181 (35 F.R. 2134), the following transition area is added:

BROOKHAVEN, MISS.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Brookhaven Municipal Airport (lat. 31°36'20" N., long. 90°24'00" W.).

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

Issued in East Point, Ga., on August 19, 1970.

GORDON A. WILLIAMS, JR.,
Acting Director, Southern Region.

[F.R. Doc. 70-11407; Filed, Aug. 27, 1970; 8:48 a.m.]

[Docket No. 10526; Amdt. 718]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 3260-3, 3260-4, or 3260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (358 F.R. 5610).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20590. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20590, or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$125 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.11 is amended by establishing, revising or canceling the follow-

ing L/MF-ADF(NDB)-VOR SIAPs, effective September 24, 1970:

Long Beach, Calif.—Long Beach (Daugherty Field); NDB (ADF) 1, Amdt. 21; Revised. Montague, Calif.—Siskiyou County Airport; ADF 1, Amdt. 10; Canceled. Long Beach, Calif.—Long Beach (Daugherty Field); VOR 1, Amdt. 7; Revised.

2. Section 97.15 is amended by establishing, revising, or canceling the following VOR/DME SIAPs, effective September 24, 1970:

Salinas, Calif.—Salinas Municipal Airport; VOR/DME-1, Amdt. 2; Canceled. Salinas, Calif.—Salinas Municipal Airport; VOR/DME-2, Amdt. 3; Canceled.

3. Section 97.17 is amended by establishing, revising, or canceling the following ILS SIAPs, effective September 24, 1970:

Long Beach, Calif.—Long Beach (Daugherty Field); ILS-12 (Back Course), Amdt. 3; Revised.

Long Beach, Calif.—Long Beach (Daugherty Field); ILS-30, Amdt. 22; Revised.

4. Section 97.23 is amended by establishing, revising, or canceling the following VOR-VOR/DME SIAPs, effective September 24, 1970:

Carlsbad, N. Mex.—Cavern City Air Terminal; VOR Runway 32L, Amdt. 6; Canceled.

Geneva, Ohio—Germack Airport; VOR-1, Amdt. 1; Canceled.

Jefferson, Ohio—Ashtabula-Jefferson Airport; VOR Runway 27, Amdt. 4; Canceled.

Price, Utah—Carbon County Airport; VOR Runway 36, Orig.; Established.

Pullman, Wash.—Pullman-Moscow Regional Airport; VOR Runway 5, Amdt. 4; Revised.

Salinas, Calif.—Salinas Municipal Airport; VOR Runway 13, Amdt. 5; Revised.

Shelbyville, Tenn.—Bomar Field; VOR Runway 36, Amdt. 7; Revised.

Salinas, Calif.—Salinas Municipal Airport; VOR/DME A, Orig.; Established.

Salinas, Calif.—Salinas Municipal Airport; VOR/DME Runway 13, Orig.; Established.

5. Section 97.25 is amended by establishing, revising or canceling the following LOC-LDA SIAPs, effective September 24, 1970:

Columbia, S.C.—Columbia Metropolitan Airport; LOC (BC) Runway 29, Amdt. 1; Revised.

Dayton, Ohio—James M. Cox Dayton Municipal Airport; LOC (BC) Runway 24L, Amdt. 9; Revised.

Montgomery, Ala.—Dannelly Field; LOC (BC) Runway 27, Amdt. 4; Revised.

6. Section 97.27 is amended by establishing, revising or canceling the following NDB/ADF SIAPs, effective September 24, 1970:

Camden, S.C.—Woodward Field; NDB-A, Amdt. 2; Revised.

Carlsbad, N. Mex.—Cavern City Air Terminal; NDB (ADF) Runway 32L, Orig.; Established.

Dayton, Ohio—James M. Cox Dayton Municipal Airport; NDB (ADF) Runway 6R, Amdt. 19; Revised.

La Junta, Colo.—La Junta Municipal Airport; NDB (ADF) Runway 8, Orig.; Established.

Montague, Calif.—Siskiyou County Airport; NDB (ADF)-A, Orig.; Established.

Montgomery, Ala.—Dannelly Field; NDB (ADF) Runway 9, Amdt. 10; Revised.

Price, Utah—Carbon County Airport; NDB (ADF) Runway 36, Amdt. 1; Canceled.

Wabash, Ind.—Wabash Municipal Airport; NDB Runway 27, Amdt. 1; Revised.

7. Section 97.29 is amended by establishing, revising, or canceling the following ILS SIAPs, effective September 24, 1970:

Dayton, Ohio.—James M. Cox Dayton Municipal Airport; ILS Runway 6R, Amdt. 20; Revised.

Denver, Colo.—Stapleton International Airport; ILS Runway 35, Amdt. 9; Revised.

Montgomery, Ala.—Dannelly Field; ILS Runway 9, Amdt. 15; Revised.

Oakland, Calif.—Metropolitan Oakland International Airport; ILS Runway 27R, Amdt. 23; Revised.

Oakland, Calif.—Metropolitan Oakland International Airport; Parallel ILS Runway 27R, Amdt. 1; Revised.

Oakland, Calif.—Metropolitan Oakland International Airport; ILS Runway 29, Amdt. 12; Revised.

Oakland, Calif.—Metropolitan Oakland International Airport; Parallel ILS Runway 29, Amdt. 1; Revised.

San Francisco, Calif.—San Francisco International Airport; ILS Runway 19L, Amdt. 5; Revised.

8. Section 97.31 is amended by establishing, revising, or canceling the following Radar SIAPs, effective September 24, 1970:

Memphis, Tenn.—International Airport; Radar-A, Amdt 17; Revised.

Montague, Calif.—Siskiyou County Airport; Radar-1, Orig.; Established.

Renton, Wash.—Renton Municipal Airport; Radar-1, Amdt. 1; Revised.

9. Section 97.33 is amended by establishing, revising, or canceling the following RNAV SIAPs, effective September 24, 1970:

Fullerton, Calif.—Fullerton Airport; RNAV Runway 24, Amdt. 2; Revised.

Lancaster, Calif.—Gen. Wm. J. Fox Airfield; RNAV Runway 24, Amdt. 2; Revised.

Palm Springs, Calif.—Palm Springs Municipal Airport; RNAV-A, Amdt. 2; Revised.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c), and 5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on August 18, 1970.

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 (35 F.R. 5610) approved by the Director of the Federal Register on May 12, 1969.

[F.R. Doc. 70-11339; Filed, Aug. 27, 1970; 8:45 a.m.]

Chapter II—Civil Aeronautics Board
SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-637; Amdt. 10]

PART 298—CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

General and Special Limitations on Exemption

Correction

In F.R. Doc. 70-11105 appearing at page 13426 in the issue of Saturday,

August 22, 1970, due to an inadvertent omission of material the third complete paragraph in the center column on page 13427 should be deleted and the following inserted in lieu thereof:

LAA also contends that five round trips per week is insufficient service to justify acquisition of permanent operating rights and that the Board should require minimum service of at least 10 round trips per week. We shall not adopt this suggestion. The fact that a market has not been served by a certificated carrier indicates that it is marginal and may only support marginal service. A 10 round-trip-per-week requirement may foreclose any service, to the detriment of the public. We shall, however, revise the rule to require that the air taxi operator conform to the definition of "commuter air carrier," i.e., perform at least five round trips per week between two or more points and publish flight schedules which specify the times, days of the week and places between which such flights are performed (§ 298.21(e)). This requirement will tend to assure that the required flights are being performed.

LAA also states that the regulations should preclude the possibility that the 30 days of minimum service can be "slipped by" the certificated carrier, and should require the air taxi operator to notify any helicopter carrier certificated for a pair of points at any time that the air taxi operator is going to provide five round trips per week on a regularly scheduled basis. It adds that the requirement of notice places only the most minimal burden upon the air taxi operator, since in each instance it need notify only one carrier, and at the same time can insure the certificated carrier some time to react to such competition. We consider that this suggestion is reasonable, and the rule will provide such notice to be filed with the Board and not later than 1 day before the air taxi operator commences service, and the notice shall be served on the certificated carrier (§ 298.21(e)). The notice will establish the time the air taxi operator commenced regularly scheduled service and thus minimize possible disputes as to whether it falls within the proviso.

Finally, LAA urges that the air taxi operator's rights should expire if it suspends service after inauguration by the certificated carrier. It states that as the regulation is worded, an air taxi operator acquires permanent operating rights once it has passed the initial test, i.e., provision of the minimum service for at least 30 days immediately prior to inauguration of certificated service. Thus, it adds, once the air taxi operator passes the test and the certificated service is inaugurated, the operator can suspend service, provide nonscheduled service, or reduce frequencies without endangering in any way its permanent operating rights in the market.

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[13th Gen. Rev. of the Export Regs. (Amdt. 8)]

MISCELLANEOUS AMENDMENTS TO CHAPTER

Parts 375, 377, and 379 of the Code of Federal Regulations are amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

Effective date: August 28, 1970.

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

PART 375—DOCUMENTATION REQUIREMENTS

In § 375.2 paragraphs (b)(1) and (e)(6) are amended to read as follows:

§ 375.2 Ultimate Consignee and Purchaser Statement.

(b) *Statements required from ultimate consignee and purchaser*—(1) *General*. The applicant shall furnish a statement from the ultimate consignee and purchaser named in the license application, certifying to certain facts relating to the proposed transaction. This statement shall be submitted on Form FC-842, Single Transaction Statement by Consignee and Purchaser, or on Form FC-843, Multiple Transactions Statement by Consignee and Purchaser (see Supplements S-6 and S-7 for facsimiles¹). In either instance the original of the form shall be submitted to the Office of Export Control (see paragraph (e)(7) of this section for proper number of copies of Form FC-843), and every item on the form must be completed. More detailed instructions are given in paragraph (e) of this section. Such statement is required by the Office of Export Control to assure that foreign consignees and purchasers are fully aware of their responsibility for the representations made to the Office of Export Control and for the disposition of the licensed commodities only in those foreign countries where the Office of Export Control has specifically authorized disposition.

¹ Forms FC-842 and FC-843 may be obtained from all U.S. Department of Commerce Field Offices (see list on page 1 under Field Office Addresses), and from the Office of Export Control (Attention: 852), U.S. Department of Commerce, Washington, D.C. 20230. Foreign importers may obtain copies of these forms from their U.S. exporter or from diplomatic and Consular offices.

(e) *Information required on form.* * * *

(6) *Validity period.* The original of a single transaction statement shall be submitted to the Office of Export Control with the first applicable license application. The period within which the statement may be submitted to the Office of Export Control is limited to 90 days after it is signed by the consignee or purchaser, whichever date is later. There is no specific time limit for submitting the multiple transactions statement to the Office of Export Control. However, the period during which such statement may be used to support license applications is limited to June 30 of the year following the year in which the statement is signed by the consignee and purchaser (unless an earlier termination date is specified on the form by the consignee and purchaser). For example, a statement signed any time between January 1, 1970, and December 31, 1970, could be used to support license applications filed on or before June 30, 1971. During its validity period, a multiple transactions statement will be deemed as supporting all exports of the specified commodities from the U.S. exporter to the named consignee and purchaser for which license applications are submitted to the Office of Export Control, including those that are based on export orders of less than \$500 and would therefore not be subject to this same requirement under the single transaction (FC-842) procedure.

PART 377—SHORT SUPPLY CONTROLS

§ 377.4 [Deleted]

Section 377.4, *Nickel products*, is deleted.

PART 379—TECHNICAL DATA

In § 379.4 the introductory text of subparagraph (1) of paragraph (e) is amended and a new subdivision (v) is added to read as follows:

§ 379.4 General License GTDR: Technical data under restriction.

(e) *Written assurance requirements—*

(1) *Requirement of written assurance for certain data, services, and materials.* No export of technical data of the kind described in subdivisions (i), (ii), and (iii) of this subparagraph may be made under the provisions of this General License GTDR until the exporter has received written assurance from the importer that neither the technical data nor the direct product² thereof is in-

tended to be shipped, either directly or indirectly, to Country Group W, Y, or Z except as provided in subdivision (iv) of this subparagraph. However, with respect to exports of technical data listed in subdivision (v) of this subparagraph, the written assurance shall state that neither the technical data nor the direct product thereof² is intended to be shipped, either directly or indirectly, to Country Group Y or Z or to Poland. The required assurance may be in the form of a letter or other written communication from the importer evidencing such intention or a licensing agreement which restricts disclosure of the technical data to use only in a country other than Country Group W, Y, or Z, and prohibits shipment of the direct product² thereof by the licensee to Country Group W, Y, or Z. An assurance included in a licensing agreement will be acceptable for all exports made during the life of the agreement. If such assurance is not received, this general license is not applicable and a validated export license is required. An application for such validated license shall include an explanatory statement setting forth the reasons why such assurance cannot be obtained. In addition, this general license is not applicable to any export of technical data of the kind described in subdivisions (i), (ii), and (iii) of this subparagraph if, at the time of export of the technical data from the United States, the exporter knows or has reason to believe that the direct product to be manufactured abroad by use of the technical data is intended to be exported or reexported directly or indirectly to Country Group W, Y, or Z.

(v) The written assurance set forth in this paragraph (e) (1) applies only to Country Groups Y and Z and to Poland, for exports of technical data relating to the following commodities:

(a) Catalysts usable in petroleum and chemical processing operations, except hydrocracking catalyst and catalyst usable in the ultrapurification of hydrogen (Export Control Commodity Nos. 51209, 51351, 51352, 51353, 51355, 51356, 51364, 51366, 51367, 51369, 51450, 51470, and 59992);

(b) Fractionating columns having, or having provisions for, 25 or more trays, and parts, n.e.c. (Export Control Commodity Nos. 71919 and 71980);

(c) Pipe valves specially designed for use in the processing of petroleum, petrochemicals, natural gas, or their fractions

process equipment designed and constructed by use of the technical data exported, but the aromatics produced by the reforming process equipment are not immediate or direct products of these technical data. However, if the technical data are a formula for producing aromatics, the aromatics, although they are immediate products of the data, are not included in this definition of direct product, since they are petroleum products. Conversely, if the technical data are a formula for producing either molecular sieves or catalysts, the foreign-produced molecular sieves and catalysts are included in the definition of direct product.

(Export Control Commodity No. 71992); and

(d) Pipe valves incorporating 90 percent or more tantalum, titanium, or zirconium, either separately or combined, and parts, n.e.c. (Export Control Commodity No. 71992).

[F.R. Doc. 70-11414; Filed, Aug. 27, 1970; 8:49 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

Reports of Compliance

The Commission announces the following amendment to Chapter I of Title 16 of the Code of Federal Regulations, as amended by 35 F.R. 10655. This amendment is effective on the date of its publication in the FEDERAL REGISTER.

Subpart G—Reports of Compliance

Section 3.61(c) is amended to read as follows:

§ 3.61 Reports of compliance.

(c) Any respondent subject to a Commission order may request advice from the Commission as to whether a proposed course of action, if pursued by it, will constitute compliance with such order. The request for advice should be submitted in writing to the Secretary of the Commission and should include full and complete information regarding the proposed course of action. On the basis of the facts submitted, as well as other information available to the Commission, the Commission will inform the respondent whether or not the proposed course of action, if pursued, would constitute compliance with its order. A request ordinarily will be considered inappropriate for such advice: (1) Where the course of action is already being followed by the requesting party; (2) where the same or substantially the same course of action is under investigation or is or has been the subject of a current proceeding, order, or decree initiated or obtained by the Commission or another governmental agency; or (3) where the proposed course of action or its effects may be such that an informed decision thereon cannot be made or could be made only after extensive investigation, clinical study, testing or collateral inquiry. Furthermore, the filing of a request for advice under this paragraph does not in any circumstances suspend or relieve a respondent from his obligation under the law with respect to his compliance with the order. He must in any event be in full compliance on and after the date the order becomes final as prescribed by

² The term "direct product" used in this sentence and in this context only is defined to mean the immediate product (including processes and services) produced directly by use of the technical data, except that petroleum or chemical products other than molecular sieves or catalysts are not included in this definition. The coverage of the term does not extend to the results of the use of such "direct product." An example of the direct product of technical data is reforming

statute referred to in paragraph (b) of this section. Advice to respondents under this paragraph will be published by the Commission in the same manner and subject to the same restrictions and considerations as advisory opinions under § 1.4 of this chapter.

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

Issued: August 21, 1970.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 70-11425; Filed, Aug. 27, 1970;
8:50 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 70-185]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Canada; Coastwise Transportation

On the basis of information obtained and furnished by the Department of State, it is found that the Government of Canada extends to vessels of the United States, in ports of Canada, privileges reciprocal to those provided in § 4.93 of the Customs Regulations. Therefore, vessels of the Government of Canada are permitted to transport coastwise empty cargo vans, empty lift vans, empty shipping tanks; equipment for use with cargo vans, lift vans, or shipping tanks; empty barges specifically designed for carriage aboard a vessel; empty instruments of international traffic exempted from application of the customs laws by the Secretary of the Treasury pursuant to the provisions of section 322(a), Tariff Act of 1930 (19 U.S.C. 1322(a)); and stevedoring equipment and material under the conditions specified in the applicable proviso to section 27, Merchant Marine Act, 1920, as amended (46 U.S.C. 883).

Accordingly, paragraph (b)(1) of § 4.93, Customs Regulations, is amended by the insertion of "Canada" in appropriate alphabetical order in the list of countries under that paragraph. Paragraph (b)(2) of § 4.93, Customs Regulations, is also amended by the insertion of "Canada" in appropriate alphabetical order in the list of countries under that paragraph.

(80 Stat. 379, sec. 27, 41 Stat. 999, as amended; 5 U.S.C. 301, 46 U.S.C. 883)

Effective date. This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

[SEAL] MYLES J. AMBROSE,
Commissioner of Customs.

Approved: August 17, 1970.

EUGENE T. ROSSIDES,
Assistant Secretary
of the Treasury.

[F.R. Doc. 70-11413; Filed, Aug. 27, 1970;
8:49 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

SUBCHAPTER C—DRUGS

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Thiabendazole

The Commissioner of Food and Drugs, having evaluated additional information on the new animal drug substance thiabendazole, concludes that the regulations regarding it should be amended to update the specifications.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 512, 701(a), 52 Stat. 1055, 82 Stat. 343-51; 21 U.S.C. 360b, 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), §§ 121.260(a) and 135c.7(b) are revised to read as follows:

§ 121.260 Thiabendazole.

(a) The additive conforms to N.F. XII specifications.

§ 135c.7 Thiabendazole.

(b) *Specifications.* Conforms to N.F. XII.

Notice and public procedure and delayed effective date are unnecessary prerequisites to promulgating these editorial changes.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Secs. 512, 701(a), 52 Stat. 1055, 82 Stat. 343-51; 21 U.S.C. 360b, 371(a))

Dated: August 19, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-11392; Filed, Aug. 27, 1970;
8:47 a.m.]

PART 135b—NEW ANIMAL DRUGS FOR IMPLANTATION OR INJECTION

PART 135g—TOLERANCES FOR RESIDUES OF NEW ANIMAL DRUGS IN FOOD

Zeranol

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (38-233V) filed by Commercial Solvents Corp. proposing (1) the safe and effective use of zeranol in beef cattle and feedlot lambs, (2) revised indications for use of the drug from "increase rate of gain and feed efficiency" to "increasing rate of gain and improving feed conversion", and (3) revised nomenclature for the drug from "zealanol" to "zeranol". The latter term has been published as the preferred nomenclature in "United States Adopted Names" (see 21 CFR 3.62). The supplemental application is approved.

The Commissioner further concludes that the existing tolerance providing for no detectable residues in edible tissues of beef steers should be amended to include cattle and sheep.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 135b and 135g are amended as follows:

1. Section 135b.12 is amended by revising the section heading and paragraphs (b)(2) and (f) to read as follows:

§ 135b.12 Zeranol.

(b) * * *
(2) Ultraviolet absorbance: A solution of zeranol in methanol having a concentration of 10 micrograms per milliliter exhibits three maxima at approximately 218, 265, and 304 μ .

(f) *Conditions of use.* It is used as follows:

	Amount	Limitations	Indications for use
1. Zeranol	One 12-milligram implant per dose.	For feedlot lambs; for subcutaneous ear implantation; discontinue use at least 40 days before slaughter.	For increasing rate of gain and improving feed conversion.
2. Zeranol	Three 12-milligram implants per dose.	For beef cattle (including suckling and weaned beef calves, growing beef cattle, feedlot steers, and feedlot heifers); for subcutaneous ear implantation; discontinue use at least 65 days before slaughter.	Do.

2. Section 135g.64 is amended:
a. By revising the section heading and the text in the opening paragraph to read as follows:

§ 135g.64 Zeranol.

No residues of zeranol (6-(6,10-dihydroundecyl- β -resorcylic acid- μ -lactone) may be found in the uncooked edible tissues of cattle and sheep as

determined by the following method of analysis:

b. By changing the term "zealanol" to "zeranol" in the text of the method of analysis as follows: In the heading of I; under II in K and P; under III in F 1 and 2; under IV in A and D; under V in E 12, 18, 20, and 24 and in F 1 and 2; under VI

RULES AND REGULATIONS

in two places in the introductory paragraph and in two places in the formula given; under VII in two places in A 1 and one place in B 2.

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

(Sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1))

Dated: August 20, 1970.

SAM D. FINE,
Associate Commissioner for
Compliance.

[F.R. Doc. 70-11393; Filed, Aug. 27, 1970;
8:47 a.m.]

CEPHALOGLYCIN DIHYDRATE

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), Parts 141, 145, 147, and 148w are amended as follows to provide for certification of cephaloglycin dihydrate capsules, sensitivity discs, and nonsterile bulk:

PART 141—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

1. Section 141.5(b) is amended by alphabetically inserting a new item in the table, as follows:

§ 141.5 Safety test.

(b) * * *

Antibiotic drug	Diluent (diluent number as listed in § 141.3)	Test dose		Route of administration as described in paragraph (c) of this section
		Concentration in units or milligrams of activity per milliliter	Volume in milliliters to be administered to each mouse	
.....
Cephaloglycin.....	5	120.0 mg.....	0.5	Oral.
.....

2. Section 141.110 is amended by alphabetically inserting a new item in the table in paragraph (a) and another in the table in paragraph (b), as follows:

§ 141.110 Microbiological agar diffusion assay.

(a) * * *

Antibiotic	Media to be used (as listed by medium number in § 141.103(b))		Milliliters of media to be used in the base and seed layers		Test organism	Suggested volume of standardized inoculum to be added to each 100 milliliters of seed agar	Incubation temperature for the plates
	Base layer	Seed layer	Base layer	Seed layer			
.....
Cephaloglycin.....	2	1	2l	4	A	0.2	32-35
.....

(b) * * *

Antibiotic	Working standard stock solutions					Standard response line concentrations	
	Drying conditions (method number as listed in § 141.501)	Initial solvent	Diluent (solution number as listed in § 141.102(a))	Final concentration units or milligrams per milliliter	Storage time under refrigeration	Diluent	Final concentrations, units or micrograms of antibiotic activity per milliliter
.....
Cephaloglycin.....	Not dried	Distilled water	100 µg	1 week	4	6.4, 8.0, 10.0, 12.5, 15.6 µg.....
.....

PART 145—ANTIBIOTIC DRUGS; DEFINITIONS AND INTERPRETATIVE REGULATIONS

3. Section 145.3 is amended by adding a new subparagraph to paragraph (a) and another to paragraph (b), as follows:

§ 145.3 Definitions of master and working standards.

(a) * * *

(40) *Cephaloglycin*. The term "cephaloglycin master standard" means a specific lot of cephaloglycin designated by the Commissioner as the standard of

comparison in determining the potency of the cephaloglycin working standard.

(b) * * *

(40) *Cephaloglycin*. The term "cephaloglycin working standard" means a specific lot of homogeneous preparation of cephaloglycin.

4. Section 145.4(b) is amended by adding the following new subparagraph:

§ 145.4 Definitions of the terms "unit" and "microgram" as applied to antibiotic substances.

(b) * * *

(43) *Cephaloglycin*. The term "microgram" applied to cephaloglycin means the cephaloglycin activity (potency) contained in 1.02564 micrograms of the cephaloglycin master standard.

PART 147—ANTIBIOTICS INTENDED FOR USE IN THE LABORATORY DIAGNOSIS OF DISEASE

5. Section 147.1 is amended by alphabetically adding a new item to the table in paragraph (c) (3) and another to the table in paragraph (d), as follows:

§ 147.1 Antibiotic sensitivity discs; tests and methods of assay; potency.

(c) * * *
(3) * * *

Antibiotic	Volume of suspension added to each 100 ml. of seed agar used for test	Suspension number	Medium	
			Base layer	Seed layer
Cephaloglycin (dihydrate)	1.0	10	E	A

(d) * * *

Antibiotic	Solvent	Standard curve (antibiotic concentration per disc)
Cephaloglycin (dihydrate)	50 percent methyl alcohol	15.0, 21.2, 30.0, 42.4, 60.0 µg.

6. Section 147.2(a) is amended by adding the following new subparagraph:

§ 147.2 Antibiotic sensitivity discs; certification procedure.

(a) * * *

(35) Cephaloglycin: 30 µg.

PART 148w—CEPHALOSPORIN

7. Part 148w is amended by adding the following two new sections:

§ 148w.3 Nonsterile cephaloglycin dihydrate.

(a) Requirements for certification—

(1) *Standards of identity, strength, quality, and purity.* Cephaloglycin dihydrate is the dihydrate form of 7-(D-α-aminophenylacetamido) cephalosporanic acid. It is a white to off-white powder. It is so purified and dried that:

(i) Its potency is not less than 900 micrograms of cephaloglycin per milligram on an anhydrous basis.

(ii) It passes the safety test.

(iii) Its moisture is not less than 8.2 and not more than 12 percent.

(iv) Its pH in an aqueous suspension containing 50 milligrams per milliliter is not less than 3.0 and not more than 5.5.

(v) Its cephaloglycin content is not less than 95 and not more than 104 percent on an anhydrous basis.

(vi) It gives a positive identity test for cephaloglycin dihydrate.

(vii) It is crystalline.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3(b) of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, safety, moisture, pH, cephaloglycin content, identity, and crystallinity.

(ii) Samples required: 10 packages, each containing approximately 500 milligrams.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Dissolve an accurately weighed sample in sufficient 0.1M potassium phosphate buffer, pH 4.5 (solution 4), to give a stock solution of convenient concentration. Further dilute the stock solution with solution 4 to the reference concentration of 10 micrograms of cephaloglycin per milliliter (estimated).

(2) *Safety.* Proceed as directed in § 141.5 of this chapter, except observe the mice for 7 days.

(3) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous suspension containing 50 milligrams per milliliter.

(5) *Cephaloglycin content.* Dissolve an accurately weighed sample (approximately 200 milligrams) in 40 milliliters of glacial acetic acid. Add 1 drop of crystal violet indicator (2 percent in acetic acid), and titrate the solution with standardized 0.1N perchloric acid (HClO₄). Calculate percent cephaloglycin as follows:

$$\text{Percent cephaloglycin} = \frac{\text{Milliliters of HClO}_4 \times \text{normality of perchloric acid} \times 405.4 \times 100}{\text{Sample weight in milligrams}}$$

(6) *Identity.* Proceed as directed in § 141.521 of this chapter, using the 0.5 percent potassium bromide disc prepared as described in paragraph (b) (1) of that section.

(7) *Crystallinity.* Proceed as directed in § 141.504(a) of this chapter.

§ 148w.4 Cephaloglycin dihydrate capsules.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Cephaloglycin dihydrate capsules are composed of cephaloglycin dihydrate and one or more suitable lubricants and diluents enclosed in a gelatin capsule. Each capsule contains cephaloglycin dihydrate equivalent to 250 milligrams of cephaloglycin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of cephaloglycin that it is represented to contain. Its moisture content is not more than 9 percent. The cephaloglycin used conforms to the standards prescribed by § 148w.3(a) (1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The cephaloglycin dihydrate used in making the batch for potency, safety, moisture, pH, cephaloglycin content, identity, and crystallinity.

(b) The batch for potency, moisture, and identity.

(ii) Samples required:

(a) The cephaloglycin dihydrate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 30 capsules.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Blend a representative number of capsules in a high-speed glass blender with sufficient 0.1M potassium phosphate buffer, pH 4.5 (solution 4), to give a stock solution of convenient concentration. Further dilute with solution 4 to the reference concentration of 10 micrograms of cephaloglycin per milliliter (estimated).

(2) *Moisture.* Proceed as directed in § 141.502 of this chapter.

Data supplied by the manufacturer concerning the subject antibiotic drugs have been evaluated. Since the conditions prerequisite to providing for certification of these drugs have been complied with and since not delaying in so providing is in the public interest, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: August 17, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-11325; Filed, Aug. 27, 1970;
8:45 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Subtitle A—Office of the Secretary, Department of Housing and Urban Development

PART 15—PRODUCTION OR DIS- CLOSURE OF MATERIAL OR INFOR- MATION

Subpart H—Production in Response to Subpenas or Demands of Courts or Other Authorities

In a notice of proposed rule making, published at 35 F.R. 9215 and 9216, June 12, 1970, the Department of Housing and Urban Development proposed to establish regulations governing the production of material or information in response to subpoenas or demands of courts or other authorities. Interested persons were invited to submit written comments, suggestions, or objections regarding the proposal.

No objections were received. The proposed regulations, including revision of the title of Part 15, are hereby adopted without change and are set forth below.

Concurrently, by separate document the Secretary is delegating his authority to the General Counsel to approve the production of material or disclosure of information relating thereto in response to subpoenas or demands of courts or other authorities, pursuant to Subpart H.

Effective date. These regulations are effective as of August 27, 1970.

GEORGE ROMNEY,
Secretary of Housing
and Urban Development.

1. The heading of Part 15 is revised to read as set forth above.

2. Subpart H is added to read as follows:

Subpart H—Production in Response to Subpenas or Demands of Courts or Other Authorities

- Sec.
- 15.71 Purpose and scope.
- 15.72 Production prohibited unless approved by the Secretary.
- 15.73 Procedure in the event of a demand for production or disclosure.
- 15.74 Procedure in the event of an adverse ruling.

AUTHORITY: The provisions of this Subpart H issued under 5 U.S.C. 301 and sec. 7(d), Department of HUD Act, 42 U.S.C. 3535(d).

Subpart H—Production in Response to Subpenas or Demands of Courts or Other Authorities

§ 15.71 Purpose and scope.

This subpart contains the regulations of the Department concerning proce-

dures to be followed when a subpoena, order, or other demand (hereinafter referred to in this subpart as a "demand") of a court or other authority is issued for the production or disclosure of (a) any material contained in the files of the Department, (b) any information relating to material contained in the files of the Department, or (c) any information or material acquired by any person while such person was an employee of the Department as a part of the performance of his official duties or because of his official status. For the purposes of this subpart, the term "employee of the Department" includes all officers and employees of the United States appointed by, or subject to the supervision of, the Secretary.

§ 15.72 Production prohibited unless approved by the Secretary.

No employee or former employee of the Department shall, in response to a demand of a court or other authority, produce any material contained in the files of the Department, or disclose any information relating to material contained in the files of the Department, or disclose any information or produce any material acquired as a part of the performance of his official duties or because of his official status, without the prior approval of the Secretary.

§ 15.73 Procedure in the event of a demand for production or disclosure.

(a) Whenever a demand is made upon an employee or former employee of the Department for the production of material or the disclosure of information described in § 15.71, he shall immediately notify the Secretary and either the General Counsel or the appropriate Regional Counsel. The "appropriate Regional Counsel" shall mean the Regional Counsel for the Regional Office having delegated authority over the project or activity with respect to which the information is sought. If possible, the Secretary shall be notified before the employee or former employee concerned replies to or appears before the court or other authority.

(b) If response to the demand is required before the instructions from the Secretary are received, the U.S. Attorney or such other attorney as may be designated for the purpose, will appear with the employee or former employee of the Department upon whom the demand has been made, and will furnish the court or other authority with a copy of the regulations contained in this subpart and inform the court or other authority that the demand has been or is being, as the case may be, referred for prompt consideration of the Secretary. The court or other authority shall be requested respectfully to stay the demand pending receipt of the requested instructions from the Secretary.

§ 15.74 Procedure in the event of an adverse ruling.

If the court or other authority declines to stay the effect of the demand in response to a request made in accordance with § 15.73(b) pending receipt of instructions from the Secretary, or if the court or other authority rules that the

demand must be complied with irrespective of the instructions from the Secretary not to produce the material or disclose the information sought, the employee or former employee upon whom the demand has been made shall respectfully decline to comply with the demand (United States ex rel. Touhy v. Ragen, 340 U.S. 462).

[F.R. Doc. 70-11360; Filed, Aug. 27, 1970;
8:45 a.m.]

Chapter II—Federal Housing Admin- istration, Department of Housing and Urban Development

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

SUBCHAPTER C—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

Subpart A—Eligibility Requirements

In § 203.4 paragraph (c) (2) is amended to read as follows:

§ 203.4 Approval of other institutions.

* * * * *

(c) *Special requirements—nonsupervised institutions.* * * * *

(2) That, except with the prior approval of the Commissioner, it will segregate escrow commitment deposits, work completion deposits, and all periodic payments under mortgages insured by the Commissioner, received by it on account of ground rents, taxes, assessments, and insurance premiums, and will deposit such funds in a special account or accounts with a financial institution whose accounts are insured by the Federal Deposit Insurance Corporation or by the Federal Savings and Loan Insurance Corporation and shall use such funds for no purpose other than that for which they were received.

* * * * *

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

SUBCHAPTER D—RENTAL HOUSING INSURANCE

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

In § 207.19 paragraph (c) (4) is amended to read as follows:

§ 207.19 Required supervision of private mortgagors.

* * * * *

(c) *Requirements incident to insurance of advances.* * * * *

(4) The Commissioner shall require assurance of completion of offsite public utilities and streets in all cases, except where a municipality or other public body has by agreement (acceptable to the Commissioner) agreed to install such

utilities and streets without cost to the mortgagor. Where such assurance is required, it shall be either in the form of a cash escrow deposit or the retention of a specified amount of mortgage proceeds by the mortgagee. If a cash escrow is used, it shall be deposited with the mortgagee or with an acceptable trustee or escrow agent designated by the mortgagee. If mortgage proceeds are used, the mortgagee shall retain under terms approved by the Commissioner, rather than disburse at the initial closing of the mortgage, a portion of the mortgage proceeds allocated to land in the project analysis. As additional assurance, the Commissioner may also require a surety company bond or bonds.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

SUBCHAPTER E—COOPERATIVE HOUSING INSURANCE

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Projects

Section 213.27(c) is amended to read as follows:

§ 213.27 Assurance of completion.

(c) The Commissioner shall require assurance of completion of offsite public utilities and streets in all cases, except where a municipality or other public body has by agreement (acceptable to the Commissioner) agreed to install such utilities and streets without cost to the mortgagor. Where such assurance is required, it shall be either in the form of a cash escrow deposit or the retention of a specified amount of mortgage proceeds by the mortgagee. If a cash escrow is used, it shall be deposited with the mortgagee or with an acceptable trustee or escrow agent designated by the mortgagee. If mortgage proceeds are used, the mortgagee shall retain under terms approved by the Commissioner, rather than disburse at the initial closing of the mortgage, a portion of the mortgage proceeds allocated to land in the project analysis. As additional assurance, the Commissioner may also require a surety company bond or bonds.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e)

SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Moderate Income Projects

Section 221.540(d) is amended to read as follows:

§ 221.540 Financial requirements.

(d) The Commissioner shall require assurance of completion of offsite public utilities and streets in all cases, except where a municipality or other public body has by agreement (acceptable to the Commissioner) agreed to install such utilities and streets without cost to the mortgagor. Where such assurance is required, it shall be either in the form of a cash escrow deposit or the retention of a specified amount of mortgage proceeds by the mortgagee. If a cash escrow is used, it shall be deposited with the mortgagee or with an acceptable trustee or escrow agent designated by the mortgagee. If mortgage proceeds are used, the mortgagee shall retain under terms approved by the Commissioner, rather than disburse at the initial closing of the mortgage, a portion of the mortgage proceeds allocated to land in the project analysis. As additional assurance, the Commissioner may also require a surety company bond or bonds.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715f)

SUBCHAPTER J—MORTGAGE INSURANCE FOR NURSING HOMES AND INTERMEDIATE CARE FACILITIES

PART 232—NURSING HOMES AND INTERMEDIATE CARE FACILITIES MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

Section 232.60(a) is amended to read as follows:

§ 232.60 Escrow for offsite utilities and streets.

(a) The Commissioner shall require assurance of completion of offsite public utilities and streets in all cases, except where a municipality or other public body has by agreement (acceptable to the Commissioner) agreed to install such utilities and streets without cost to the mortgagor. Where such assurance is required, it shall be either in the form of a cash escrow deposit or the retention of a specified amount of mortgage proceeds by the mortgagee. If a cash escrow is used, it shall be deposited with the mortgagee or with an acceptable trustee or escrow agent designated by the mortgagee. If mortgage proceeds are used, the mortgagee shall retain under terms approved by the Commissioner, rather than disburse at the initial closing of the mortgage, a portion of the mortgage proceeds allocated to land in the project analysis. As additional assurance, the Commissioner may also require a surety company bond or bonds.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 232, 73 Stat. 663; 12 U.S.C. 1715w)

SUBCHAPTER Q—MORTGAGE INSURANCE FOR NONPROFIT HOSPITALS

PART 242—NONPROFIT HOSPITALS

Subpart A—Eligibility Requirements

Section 242.59 is amended to read as follows:

§ 242.59 Funds and finances—offsite utilities and streets.

The Commissioner shall require assurance of completion of offsite public utilities and streets in all cases, except where a municipality or other public body has by agreement (acceptable to the Commissioner) agreed to install such utilities and streets without cost to the mortgagor. Where such assurance is required, it shall be either in the form of a cash escrow deposit or the retention of a specified amount of mortgage proceeds by the mortgagee. If a cash escrow is used, it shall be deposited with the mortgagee or with an acceptable trustee or escrow agent designated by the mortgagee. If mortgage proceeds are used, the mortgagee shall retain under terms approved by the Commissioner, rather than disburse at the initial closing of the mortgage, a portion of the mortgage proceeds allocated to land in the project analysis. As additional assurance, the Commissioner may also require a surety company bond or bonds.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 242, 82 Stat. 5999; 12 U.S.C. 1715z-7)

SUBCHAPTER V—LAND DEVELOPMENT INSURANCE

PART 1000—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

Subpart A—Eligibility Requirements

Section 1000.90(a) is amended to read as follows:

§ 1000.90 Escrow for offsite utilities and streets.

(a) The Commissioner shall require assurance of completion of offsite public utilities and streets in all cases, except where a municipality or other public body has by agreement (acceptable to the Commissioner) agreed to install such utilities and streets without cost to the mortgagor. Where such assurance is required, it shall be either in the form of a cash escrow deposit or the retention of a specified amount of mortgage proceeds by the mortgagee. If a cash escrow is used, it shall be deposited with the mortgagee or with an acceptable trustee or escrow agent designated by the mortgagee. If mortgage proceeds are used, the mortgagee shall retain under terms approved by the Commissioner, rather than disburse at the initial closing of the mortgage, a portion of the mortgage proceeds allocated to land in the project analysis. As additional assurance, the Commissioner may also require a surety company bond or bonds.

(Sec. 1011, 79 Stat. 464; 12 U.S.C. 1749j)

SUBCHAPTER W—GROUP PRACTICE FACILITIES
INSURANCEPART 1100—MORTGAGE INSURANCE
FOR GROUP PRACTICE FACILITIES

Subpart A—Eligibility Requirements

Section 1100.87 is amended to read as follows:

§ 1100.87 Funds and finances—offsite utilities and streets.

The Commissioner shall require assurance of completion of offsite public utilities and streets in all cases, except where

a municipality or other public body has by agreement (acceptable to the Commissioner) agreed to install such utilities and streets without cost to the mortgagor. Where such assurance is required, it shall be either in the form of a cash escrow deposit or the retention of a specified amount of mortgage proceeds by the mortgagee. If a cash escrow is used, it shall be deposited with the mortgagee or with an acceptable trustee or escrow agent designated by the mortgagee. If mortgage proceeds are used, the mortgagee shall retain under terms approved by the Commissioner, rather

than disburse at the initial closing of the mortgage, a portion of the mortgage proceeds allocated to land in the project analysis. As additional assurance, the Commissioner may also require a surety company bond or bonds.

(Sec. 1101, 80 Stat. 1255, 1274; 12 U.S.C. 1749aaa-1 et seq.)

Issued at Washington, D.C., August 24, 1970.

EUGENE A. GULLEDGE,
Federal Housing Commissioner.

[F.R. Doc. 70-11416; Filed, Aug. 27, 1970; 8:49 a.m.]

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
Florida	Charlotte	Punta Gorda	E 12 015 2620 01	Department of Community Affairs, 225 West Jefferson St., Tallahassee, Fla. 32303. State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32303.	Office of the City Clerk, City Hall, 326 West Marion Ave., Punta Gorda, Fla. 33950.	Aug. 28, 1970
Do.	Okaloosa	Unincorporated areas.	E 12 091 0000 01, et seq.	do	Office of the Clerk of the Circuit Court, Okaloosa County Courthouse, Crestview, Fla. 32536. Office of the Clerk of the Circuit Court, Okaloosa Island Authority Bldg., Fort Walton Beach, Fla. 32548.	Do.
Do.	Pinellas	Safety Harbor	E 12 103 2680 01	do	Office of the City Clerk, City Hall, 700 Main St., Safety Harbor, Fla. 33572.	Do.
Do.	Sarasota	Venice	E 12 115 3050 01	do	Office of the City Clerk, City Hall, 401 West Venice Ave., Venice, Fla. 33595.	Do.
Do.	Santa Rosa	Unincorporated areas.	E 12 131 0000 01, et seq.	do	Office of the Clerk of the Circuit Court, Santa Rosa County Courthouse, Milton, Fla. 32570.	Do.
Louisiana	Jefferson (Parish)	Grand Isle	E 22 051 0020 01	Louisiana Department of Public Works, Baton Rouge, La. 70804. Commissioner of Insurance, State of Louisiana, Post Office Box 44214, Capitol Station, Baton Rouge, La., 70804.	Office of the Town Clerk, Town Hall, Oleander Ave., Grand Isle, La. 70358.	Do.
Texas	Harris	La Porte	E 48 201 3800 01	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.	Office of the City Clerk, City Hall, 124 South Second St., La Porte, Tex. 77571.	Do.
Do.	do	Taylor Lake	E 48 201 6247 01	do	Village of Taylor Lake, 815 Timber Cove Dr., Seabrook, Tex. 77586.	Do.
Do.	Jefferson	Nederland	E 48 245 4840 01	do	City Office Building, 1400 Boston Ave., Nederland, Tex. 77627.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969; and designation of Acting Federal Insurance Administrator effective July 22, 1970, 35 F.R. 12360, Aug. 1, 1970)

Issued: August 27, 1970.

RICHARD W. KRIMM,
Acting Federal Insurance Administrator.

[F.R. Doc. 70-11362; Filed, Aug. 27, 1970; 8:45 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
Florida	Charlotte	Punta Gorda	T 12 015 2620 01	Department of Community Affairs, 225 West Jefferson St., Tallahassee, Fla. 32303. State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32303.	Office of the City Clerk, City Hall, 326 West Marion Ave., Punta Gorda, Fla. 33950.	Aug. 27, 1970.
Do.	Okaloosa	Unincorporated areas.	T 12 091 0000 01, et seq.	do.	Office of the Clerk of the Circuit Court, Okaloosa County Courthouse, Crestview, Fla. 32536. Office of the Clerk of the Circuit Court, Okaloosa Island Authority Bldg., Fort Walton Beach, Fla. 32548.	Do.
Do.	Pinellas	Safety Harbor	T 12 103 2680 01	do.	Office of the City Clerk, City Hall, 700 Main St., Safety Harbor, Fla. 33572.	Do.
Do.	Sarasota	Venice	T 12 115 3050 01	do.	Office of the City Clerk, City Hall, 401 West Venice Ave., Venice, Fla. 33595.	Do.
Do.	Santa Rosa	Unincorporated areas.	T 12 131 0000 01, et seq.	do.	Office of the Clerk of the Circuit Court, Santa Rosa County Courthouse, Milton, Fla. 32570.	Do.
Louisiana	Jefferson (Parish)	Grand Isle	T 22 051 0920 01	Louisiana Department of Public Works, Baton Rouge, La. 70804. Commissioner of Insurance, State of Louisiana, Post Office Box 44214, Capitol Station, Baton Rouge, La. 70804.	Office of the Town Clerk, Town Hall, Olander Ave., Grand Isle, La. 70358.	Do.
Texas	Harris	La Porte	T 48 201 3890 01	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.	Office of the City Clerk, City Hall, 124 South Second St., La Porte, Tex. 77571.	Do.
Do.	do.	Taylor Lake	T 48 201 6247 01	do.	Village of Taylor Lake, 815 Timber Cove Dr., Seabrook, Tex. 77886.	Do.
Do.	Jefferson	Nederland	T 48 245 4840 01	do.	City Office Building, 1400 Boston Ave., Nederland, Tex. 77627.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968); as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969; and designation of Acting Federal Insurance Administrator effective July 22, 1970, 35 F.R. 12360, Aug. 1, 1970)

Issued: August 27, 1970.

RICHARD W. KRIMM,
Acting Federal Insurance Administrator.

[F.R. Doc. 70-11363; Filed, Aug. 27, 1970; 8:45 a.m.]

Title 32A—NATIONAL DEFENSE,
APPENDIX

Chapter VI—Business and Defense
Services Administration, Department
of Commerce

[BDSA Order M-11A, Dir. 2, Amdt. 2 of
Aug. 28, 1970]

M-11A, DIR. 2—DOMESTIC REFINED
COPPER SET-ASIDE

Reserved Portion of Production
(Set-Aside)

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended direction, there was consultation with industry representatives, and consideration was given to their recommendations.

This amendment affects Direction 2 to BDSA Order M-11A, as amended November 14, 1969, by changing the reserved portion of production, as set forth in section 8 of that direction, from 14 percent to 13 percent.

Section 8 of Direction 2 to BDSA Order M-11A of November 14, 1969, is hereby amended to read as follows:

Sec. 8 Reserved portion of production
(set-aside).

From the date of opening his books in any month for the acceptance of rated orders for domestic refined copper, each producer of domestic refined copper shall reserve at least 13 percent of his average monthly production of domestic refined copper (as defined in section 2(i) of BDSA Order M-11A, Dir. 2, Amdt. 1, dated May 16, 1970) for the acceptance of such rated orders calling for delivery in the immediately following month until the quantity of domestic refined copper for which he has accepted such

rated orders is equal to at least the quantity thereof he is required to reserve, as indicated above; however, he need not accept such orders after the 10th day of that month even though he may not have accepted rated orders equivalent to the reserved quantity by that date: *Provided, however,* That DX rated orders must be accepted in accordance with the provisos contained in section 6 (2) and (5) of BDSA Order M-11A, Dir. 2, as amended November 14, 1969.

(Sec. 704, 64 Stat. 816, as amended, 50 U.S.C. App. 2154; sec. 1, Public Law 91-379, 82 Stat. 279)

This amendment shall become effective August 28, 1970.

BUSINESS AND DEFENSE SERVICES
ADMINISTRATION,
WILLIAM D. LEE,
Administrator.

[F.R. Doc. 70-11354; Filed, Aug. 27, 1970;
8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XVI—Selective Service System

PART 1628—PHYSICAL EXAMINATION

Registrants To Be Given Medical Interview

CROSS REFERENCE: For a document amending the Selective Service Regulations concerning physical examinations, see Title 3, Executive Order 11553, F.R. Doc. 70-11475, *supra*.

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGFR 70-49]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Radiotelephone on Drawbridges

1. On April 16, 1969, the Commandant, U.S. Coast Guard published in the FEDERAL REGISTER (34 F.R. 6539) a notice of proposed rule making to change the rules and regulations governing the operation of drawbridges in 33 CFR Part 117 to add a provision for requiring the installation of radiotelephone stations on drawbridges where it is determined that such equipment is essential to the operation of the drawbridge for navigation or safety.

2. Interested persons were given opportunity to submit written data, views, arguments, or comments as they desired within 60 days of date of publication. The 60-day period expired on June 15, 1969. However, by notice in the FEDERAL REGISTER on June 14, 1969 (34 F.R. 9395), the time for submission of written data, views, arguments, or comments was extended from June 15, 1969, to and including August 1, 1969.

3. All communications received in response to the proposal have been fully considered. In light of the comments received the proposal has been changed to provide for notice by the Commandant to the bridge owner and an opportunity to comment before the Commandant makes a final decision whether a radiotelephone station installation on a specified bridge is necessary. Further, the proposal has been changed to emphasize that the regulation is intended to apply only to a limited number of drawbridges.

The Commandant must find that installation and operation of a radiotelephone station on a specified drawbridge is necessary for navigation or safety. Operation of these stations is intended to facilitate the timely exchange of signal and information concerning requests for opening a draw, the ability of the drawtender to comply with that request, and for the exchange of infor-

mation generally concerning the drawbridge. Radiotelephone communications would supplement, but would not replace the sound or visual signals otherwise prescribed.

4. Accordingly, § 117.1 is amended by adding a new paragraph (e) to read as follows:

§ 117.1 General.

(e) The Commandant may require the owner or operator to install and operate a radiotelephone station or stations of appropriate characteristics on a drawbridge when he finds that for navigation or safety it is essential that in addition to the use of sound or visual signals prescribed a supplemental means be available by which vessels may communicate to confirm requests for opening of the draw as well as exchange information with the drawtender concerning the condition of the draw or governing its operation.

(1) The Commandant's determination is based on such factors as location and navigational clearance of the particular bridge, character and volume of marine traffic, configuration of the navigational channel, restrictions in channel approaches, currents in the approaches to or through the drawbridge, obstructions and conditions limiting visibility, and similar conditions affecting navigation or safety through or in the vicinity of the drawbridge.

(2) Each station shall be subject to the rules and regulations of the Federal Communications Commission or the Director of Telecommunications Management as applicable governing the assignment of operating frequencies, licensing, and operation of radiotelephone stations.

(3) When the Commandant proposes that a radiotelephone station, or stations, be installed and operated on a specific drawbridge, he gives written notice of the proposed requirement to the bridge owner (or operator as appropriate) who shall have 30 days in which to submit comments or objections to the proposal. If the Commandant determines that such installation is necessary the bridge owner (or operator) shall have a reasonable time, but normally not more than 6 months, in which to effect installation and commence operation.

(4) Radiotelephone communications pursuant to this section supplement the sound and visual signals prescribed elsewhere in this part for the operation of drawbridges in general or for specific bridges and do not alter any obligation with respect to their use. The provisions of this section are not intended to restrict the voluntary installation and operation of radiotelephone stations on drawbridges.

(Sec. 4, 34 Stat. 85, as amended, sec. 5, 28 Stat. 362, as amended, sec. 85, 63 Stat. 501, sec. 633, 63 Stat. 545, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 494, 499, 14 U.S.C. 85, 633, 49 U.S.C. 1655(g) (2); 49 CFR 1.4(a) (3) (v))

Effective date. This amendment shall become effective 30 days following the

date of publication in the FEDERAL REGISTER.

Dated: August 19, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 70-11411; Filed, Aug. 27, 1970; 8:49 a.m.]

[CGFR 70-71a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Green River, Ky.

1. The Illinois Central Railroad requested the Commander, Second Coast Guard District to revise the special operation regulations for its bridge across the Green River, Rockport, Ill. A public notice dated June 29, 1970 setting forth the proposed revision of the regulations governing these drawbridges was issued by the Commander, Second Coast Guard District and was made available to all persons known to have an interest in this subject. The Commandant also published these proposals in the FEDERAL REGISTER of June 11, 1970 (35 F.R. 9018).

2. Interested persons were afforded an opportunity to participate in this rule making procedure through the submission of comments. No comments were received. After consideration of all known factors in this case, the proposal is accepted. Accordingly 33 CFR 117.560 (g) (7) is revised to read as follows:

§ 117.560 Mississippi River and its tributaries and outlets; bridges where constant attendance of drawtenders is not required.

(g) * * *

(7) *Green River, Ky.* (i) Louisville and Nashville Railroad Co. bridges at Spottsville, Livermore, and Smallhouse. When the stage of the river permits a vertical clearance of 30 feet or more under the closed draws, as determined from gauges suitably marked to indicate the minimum clearance and attached to the upstream and downstream sides of the bridges, respectively, at least 8 hours' advance notice required. If for any reason the vessel is delayed and cannot arrive for passage at the time specified in the notice the authorized representative shall be promptly notified of the estimated delay for opening the draw. When the stage of the river does not permit a vertical clearance of 30 feet or more under the closed draw at any of the bridges, a drawtender shall be on duty and the draw opened on signal for the passage of a vessel requiring a clearance exceeding the clearance indicated on the gauge. The owner of the bridges shall arrange for ready telephone communication with the authorized representative at any time from the bridges or their immediate vicinity. Copies of these regulations shall be conspicuously posted at Green River Navigation Locks Nos. 1, 2, 3, and 4.

(ii) Illinois Central Railroad bridge at Rockport is operated automatically. When the stage of the river permits a

vertical clearance of 34 feet or more under the closed draw, as determined from gauges suitably marked to indicate the minimum clearance and attached to the upstream and downstream sides of the bridge, at least 8 hours' advance notice is required. If for any reason the vessel is delayed and cannot arrive for passage at the time specified, the authorized representative shall be promptly notified of the estimated delay for opening the draw. When the stage of the river does not permit a vertical clearance of 34 feet or more under the closed draw, the bridge will be normally opened and automatic closing for passing of trains will be in effect. The owner of the bridge shall arrange for ready telephone communication with the authorized representative at any time from the bridge or its immediate vicinity. Copies of these regulations and the automatic operating procedure shall be conspicuously posted at Green River Navigation Locks Nos. 1, 2, 3, and 4.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g) (2); 49 CFR 1.46(c) (5))

Effective date. This revision shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Dated: August 20, 1970.

T. R. SARGENT,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 70-11412; Filed, Aug. 27, 1970;
8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Wichita Mountains Wildlife Refuge, Okla.

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

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

OKLAHOMA

WICHITA MOUNTAINS WILDLIFE REFUGE

Public hunting of elk on the Wichita Mountains Wildlife Refuge, Okla., is permitted only in the Pinchot, Graham Flat, and Quanah-Elk Mountain pastures. This open area, comprising approximately 39,000 acres, is delineated on a map available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, 500 Gold Avenue SW., Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of elk on the Wichita Mountains Wildlife

Refuge subject to the following special conditions:

(1) No personnel of the Bureau of Sport Fisheries and Wildlife or of the Oklahoma Department of Wildlife Conservation are eligible to hunt.

(2) Except as provided in special condition (3) below, the applicable portions of the Quanah-Elk Mountain Pasture will be closed to all public use except elk hunting during hunt periods.

(3) Authorized hunters may retain approved, unloaded hunting rifles and camp overnight (in Camp Doris only) during those periods when the Quanah-Elk Mountain Pasture is closed to all other public use. Such camping hunters may be accompanied by, not to exceed, one camping companion who will be confined to Camp Doris during hunt periods unless authorized to assist with the removal of game by the Refuge Manager or his agent.

The provision of this special regulation supplements the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50 Code of Federal Regulations, Part 32 and are effective through December 19, 1970.

JULIAN A. HOWARD,
Refuge Manager, Wichita
Mountains Wildlife Refuge,
Cache, Okla.

AUGUST 14, 1970.

[F.R. Doc. 70-11394; Filed, Aug. 27, 1970;
8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 32]

WHEELER NATIONAL WILDLIFE REFUGE, ALA.

Hunting

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), the National Wildlife Refuge System Administration Act of 1966 (80 Stat. 927 as amended; 16 U.S.C. 668dd) and 74 Stat. 1052 (16 U.S.C. 670a et seq.), it is proposed to amend 50 CFR Part 32 by the addition of Wheeler National Wildlife Refuge, Ala., to the list of areas open to the hunting of big game as legislatively permitted. The Redstone Arsenal portion of the refuge will be opened to hunting only to those military and civilian personnel who have security clearance.

It has been determined that regulated hunting of big game may be permitted as designated on the Wheeler National Wildlife Refuge without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to the proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Section 32.31 is amended by the following addition:

§ 32.31 List of open areas; big game.

ALABAMA

Wheeler National Wildlife Refuge.

JOHN S. GOTTSCHALK,
Director, Bureau of
Sport Fisheries and Wildlife.

AUGUST 25, 1970.

[F.R. Doc. 70-11395; Filed, Aug. 27, 1970;
8:47 a.m.]

Oil Import Administration

[32A CFR Ch. X]

CRUDE OIL AND UNFINISHED OILS

Sale of Import Allocations in Districts I-IV and V

On August 11, 1970, the Director of the Office of Emergency Preparedness an-

nounced that, with the advice of the Oil Policy Committee, he had decided to recommend that the sale of allocations of imports of crude oil and unfinished oils, of licenses issued under such allocations, and of imported crude oil and unfinished oils be authorized. This decision was arrived at in accordance with the President's statement of February 20, 1970, instructing the Oil Policy Committee to " * * * consider both interim and long-term adjustments that will increase the effectiveness and enhance the equity of the oil import program * * * ."

The proposed revisions of Import Regulation 1 (which are subject to concurrence by the Director of the Office of Emergency Preparedness), and the corresponding prospective amendments to Proclamation 3279, are set forth below.

Interested persons are invited to submit written comments upon the proposal to the Administrator, Oil Import Administration, Department of the Interior, Washington, D.C. 20240, within a period of 30 days from the date of publication of the notice in the FEDERAL REGISTER. Each person who submits comments is asked to provide 15 copies.

RALPH W. SNYDER, JR.,
Acting Administrator,
Oil Import Administration.

PROPOSED AMENDMENTS OF OIL IMPORT REGULATION 1 (REVISION 5)

1. After the first sentence of section 6, add a new sentence, reading as follows: "(If an allocation of imports of crude oil and unfinished oils into Districts I-IV or District V or licenses issued thereunder are sold, the purchaser shall maintain records of imports under the new license or licenses, issued to the purchaser.)"

2. Amend paragraph (b) of section 7 to read as follows:

(b) Except for licenses for the importation of crude oil and unfinished oils issued under allocations made pursuant to sections 9, 10, 11, or 25 of this regulation, no license issued pursuant to this section may be sold, assigned, or otherwise transferred.

3. Amend section 9 of Oil Import Regulation 1 (Revision 5) by deleting paragraph (d). Amend section 10 by deleting paragraph (e). Amend section 11 by deleting paragraph (e). Amend section 25 by deleting paragraph (h).

Each of the paragraphs mentioned prohibit the sale of an allocation made pursuant to the section in which the paragraph appears.

4. Revise section 17 to read as follows:
Sec. 17 Exchanges and sales—crude oil and unfinished oils.

(a) (1) A person who imports crude oil or unfinished oils under an allocation made under sections 9, 10, 11, paragraph (a) of section 15 or section 25 of this regulation may exchange his imported crude oil either for domestic crude oil or for domestic unfinished oils or exchange

his imported unfinished oils either for domestic unfinished oils or for domestic crude oil. However, a person receiving an allocation under section 9 may be restricted in the exchange of imported unfinished oils, as provided in paragraph (c) of that section.

(2) A person who exchanges his imported oil shall, within 10 days of the execution of the exchange agreement, submit a report to the Administrator which shall:

(i) Identify, by name and address, the person with whom the exchange has been made;

(ii) State the type and quantity, in barrels, of imported crude oil or unfinished oils and the quantity and type of domestic crude oil involved in the exchange;

(iii) State the full monetary consideration, if any, paid or to be paid in the exchange;

(iv) State in full any additional terms or conditions related to the exchange; and

(v) Furnish such other information as the Administrator may require.

(b) (1) A person who receives an allocation under section 9, 10, 11, or 25 of this regulation may sell such allocation and any licenses issued thereunder or any crude oil or unfinished oils imported under such allocation. However, crude oil and unfinished oils entered, or withdrawn from warehouse, in Districts I-IV for consumption may be sold only in those districts and crude oil and unfinished oils entered, or withdrawn from warehouse, in District V may be sold only in that district. Allocations and licenses issued thereunder will continue to relate, after sale, only to the respective districts for which they were made or issued.

(2) A person selling his allocation or licenses issued thereunder or crude oil or unfinished oils imported under such allocation shall within 10 days of the sale submit a report to the Administrator which shall:

(i) Identify, by name and address, the person to whom such sale has been made;

(ii) If applicable, state the type and quantity, in barrels, of imports of crude oil and unfinished oils sold;

(iii) State the quantity, in barrels, of crude oil and unfinished oils which has been imported under seller's allocation before such sale;

(iv) State the full consideration paid or to be paid for such sale;

(v) State in full any additional terms or conditions related to such sale; and

(vi) The seller shall furnish such other information as the Administrator may require.

(3) Except with respect to a sale of crude oil or unfinished oils which prior to sale were entered, or withdrawn from warehouse, for consumption, the report required in subparagraph (2) of this paragraph must be accompanied by

licenses issued to the seller under which a quantity of oil remains to be imported sufficient to cover the quantity of imports sold. Upon receipt of the report and such licenses, the Administrator shall make an allocation of imports to the buyer in the amount of the quantity of imports sold and issue a license or licenses to the buyer thereunder. The Administrator shall reduce the seller's allocation by the quantity of imports sold and issue a new license to the seller for any remaining balance of imports.

PROSPECTIVE FURTHER AMENDMENTS OF
PROCLAMATION 3279

1. Amend paragraph (a) of section 1 to read as follows:

(a) In Districts I-IV, in District V, and in Puerto Rico, no crude oil, unfinished oils, or finished products may be entered for consumption or withdrawn from warehouse for consumption, and no foreign crude oil, unfinished oils, or finished products may be brought into a foreign trade zone in Districts I-IV, or in District V for processing within the zone, except (1) by virtue of a license which has been issued pursuant to an allocation made in accordance with regulations issued by the Secretary, and such entries, withdrawals, and shipments into foreign trade zones may be made only in accordance with the terms of such license, or (2) as authorized by the Secretary pursuant to paragraph (b) of this section, or (3) as to finished products, by or for the account of a department, establishment, or agency of the United States, which shall not be required to have such a license but which shall be subject to the provisions of paragraph (c) of this section, or (4) crude oil, unfinished oils, or finished products which are transported into the United States by pipeline, rail, or other means of overland transportation from the country where they were produced, which country, in the case of unfinished oils or finished products, is also the country of production of the crude oil from which they were processed or manufactured, or (5) as provided in paragraph (d) of this section.

2. Amend paragraph (b) (3) of section 3 to read as follows:

(b) * * *

(3) Such regulations shall permit, subject to such terms and conditions as the Secretary shall prescribe, the sale of allocations and licenses for the importation of crude oil and unfinished oils and the sale or exchange of crude oil and unfinished oils imported pursuant to such allocation and license.

3. Amend section 5 to read as follows:

Sec. 5. Persons who apply for allocations of crude oil, unfinished oils, or finished products, persons to whom such allocations have been made, and persons who, by purchase, acquire such allocations or licenses issued under such allocations shall furnish to the Secretary of the Interior such information and shall make such reports as he may require, by regulation or otherwise, in the discharge of his responsibilities under this proclamation.

[F.R. Doc. 70-11480; Filed, Aug. 27, 1970; 10:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration- [14 CFR Part 71]

[Airspace Docket No. 70-CE-79]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at Dodge City, Kans.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

Additional controlled airspace is required south of Dodge City Municipal Airport, Dodge City, Kans., to protect departing aircraft which must climb to avoid an Oil Burner Route located within close proximity to this airport. In addition, the criteria for the designation of control zones and transition areas have changed. Additionally, the Dodge City control zone and transition area must be amended to adequately protect aircraft using the controlled airspace and to bring these areas in conformance with the new criteria.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

(1) In § 71.171 (35 F.R. 2054), the following control zone is amended to read:

DODGE CITY, KANS.

Within a 5-mile radius of Dodge City Municipal Airport (lat. 37°45'45" N., long. 98°58'00" W.).

(2) In § 71.181 (35 F.R. 2134), the following transition area is amended to read:

DODGE CITY, KANS.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Dodge City Municipal Airport (lat. 37°45'45" N., long. 98°58'00" W.); and that airspace extending upward from 1,200 feet above the surface within a 12-mile radius of Dodge City Municipal Airport; within a 13-mile radius of the Dodge City VORTAC; and within 4½ miles east and 9½ west of the Dodge City VORTAC 341° radial extending from the 13-mile radius area to 18½ miles north of the VORTAC.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Kansas City, Mo., on August 11, 1970.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 70-11408; Filed, Aug. 27, 1970; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-CE-78]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Valparaiso, Ind.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

Two new instrument approach procedures have been developed for Porter County Airport, Valparaiso, Ind., utilizing a county owned navigational aid.

The present instrument approach procedure will be cancelled when the new procedures become effective. Accordingly, the Valparaiso, Ind., transition area must be altered to provide adequate airspace protection for aircraft executing these new procedures. IFR air traffic into and out of this airport will be controlled by the Chicago Air Route Traffic Control Center through the South Bend, Ind., Flight Service Station.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (35 F.R. 2134), the following transition area amended to read:

VALPARAISO, IND.

That airspace extending upward from 700 feet above the surface within a 6½-mile radius of Porter County Airport (latitude 47°27'10" N., longitude 87°00'20" W.)

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Kansas City, Mo., on August 11, 1970.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 70-11409; Filed, Aug. 27, 1970; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-EA-63]

TRANSITION AREA
Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Midland, Va., transition area.

A new VOR Runway 14 standard instrument approach procedure for Warrenton-Fauquier Airport, Midland, Va., requires designation of a 700-foot transition area to provide airspace protection for aircraft executing the standard instrument approach procedure.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted

in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Midland, Va., proposes the airspace action hereinafter set forth:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Midland, Va., transition area described as follows:

MIDLAND, VA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 38°35'15" N., 77°42'45" W. of Warrenton-Fauquier Airport, Midland, Va., and within 2 miles each side of the Casanova, Va. VORTAC 113° radial extending from the 5-mile radius area to the VORTAC.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; U.S.C. 1348), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on August 14, 1970.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 70-11410; Filed, Aug. 27, 1970; 8:48 a.m.]

National Highway Safety Bureau
[49 CFR Part 571]

[Docket No. 1-5; Notice 2]

BRAKE HOSES AND BRAKE HOSE ASSEMBLIES

Proposed Motor Vehicle Safety Standard

Federal Motor Vehicle Safety Standard No. 106 (33 F.R. 19707) specifies performance requirements for hydraulic brake hoses and hose assemblies for use in passenger cars and multipurpose passenger vehicles. On October 14, 1967, an advance notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 14279) establishing Docket No. 1-5 and requesting comments on the possible inclusion in Standard No. 106 of brake hoses and hose assemblies for use in trucks, buses, trailers, and motorcycles. The advance notice also requested comments concerning air brake and vacuum brake hoses and assemblies. Comments received in response to these requests have been evaluated. The National Highway Safety Bureau now proposes amending Standard No. 106 to extend the applicability of the standard to trucks, buses, trailers, and motorcycles; to specify additional requirements for hydraulic brake hoses and assemblies; and to include requirements

for air and vacuum brake hoses and hose assemblies.

The new performance specifications proposed for hydraulic brake hoses include requirements for resistance to ozone and water absorption, and brake fluid compatibility. Both are considered important factors in establishing brake hose life and strength characteristics. These requirements are derived from similar requirements in SAE Standard J1401 (Hydraulic Brake Hose). The proposed removal of protective armor from hydraulic brake hose in performing the whip test will result in a more stringent test for the hose. A pressure test for hydraulic brake hose assemblies would be required and would specify a pressure medium of air only, with a test pressure of 1,500 p.s.i.

The proposed requirements for air and vacuum brake hoses and hose assemblies are derived from similar requirements in SAE Standards J1402 (Air Brake Hoses) and J1403 (Vacuum Brake Hose) respectively, and the ASTM Methods therein referenced.

Because of the nature of brake hose testing, compliance cannot be demonstrated by conducting all tests on a single brake hose assembly. Under the proposed test procedures, a minimum of eight hydraulic brake hoses, 10 air brake hoses, and 11 vacuum brake hoses would be required for compliance testing purposes. After a constriction test, each hose would then be subjected to one or more additional tests. Failure of any single test would constitute noncompliance. The Bureau has never viewed retesting, as permitted by SAE brake hose standards, to be essential to demonstrate noncompliance. Manufacturers, however, as part of their quality control procedures should conduct retesting to determine whether continued failures exist such as to demand rejection of an entire lot.

This notice also proposes labeling requirements for brake hoses and hose assemblies consisting of a DOT symbol (to indicate conformance), hose type and size designation, day and year of manufacture, and code number assigned by DOT to permit identification of the manufacturer.

Interested persons are invited to submit comments on the proposed amendment. It is requested that comments be submitted which pertain to lead time and costs directly related to implementation of the amendment. The proposed effective date is July 1, 1971. Comments should identify the docket and notice number (Docket No. 1-5; Notice No. 2), and be submitted to Docket Section, National Highway Safety Bureau, Room 4223, 400 Seventh Street SW., Washington, D.C. 20591. It is requested, though not required, that 10 copies be submitted. All comments received by close of business November 24, 1970, will be considered. These comments will be available for examination in Room 4223 before and after the comment due date. Comments filed after the above date will be considered by the Bureau. The rulemaking action may, however, proceed at any time after that date, and comments received too

late for consideration in regard to the action will be treated as suggestions for future rule making. The Bureau will continue to file relevant material, as it becomes available, in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new materials.

In consideration of the foregoing, it is proposed that Stanford No. 106 of § 571.21 be amended as set forth below. This notice of proposed rule making is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407), and the delegations of authority at 49 CFR 1.51 (35 F.R. 4955) and 49 CFR 501.8 (35 F.R. 11126).

Issued on August 12, 1970.

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MOTOR VEHICLE SAFETY STANDARD No. 106

S1. *Purpose and scope.* This standard specifies requirements for motor vehicle brake hoses and hose assemblies to reduce brake failure from pressure loss due to hose leakage or rupture.

S2. *Application.* This standard applies to passenger cars, multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles, and to brake hoses and brake hose assemblies.

S3. *Definitions.*

S3.1 "Hydraulic brake hose" means a nonmetallic flexible hose for use in a hydraulic brake system of a motor vehicle.

S3.2 "Hydraulic brake hose assembly" means a hydraulic brake hose with or without armor equipped with permanently attached end fittings for use where a flexible connection is required in a motor vehicle hydraulic brake system.

S3.3 "Air brake hose" means a nonmetallic flexible hose for use in an air brake system of a motor vehicle.

S3.4 "Air brake hose assembly" means an air brake hose with or without armor equipped with couplings or end fittings.

S3.5 "Vacuum brake hose" means a nonmetallic flexible hose for use in a vacuum brake system of a motor vehicle.

S3.6 "Vacuum brake hose assembly" means a vacuum brake hose with or without armor equipped with couplings or end fittings.

S3.7 "Heavy-duty vacuum brake hose" means a vacuum brake hose intended for use in the braking systems of single vehicles with a gross vehicle weight rating in excess of 6,000 pounds, or as connecting or transmission lines in combinations of vehicles and systems thereof.

S3.8 "Oil-resisting heavy-duty vacuum brake hose" means a heavy duty vacuum brake hose intended for specific use as a manifold connection.

S3.9 "Light-duty vacuum brake hose" means a vacuum brake hose intended for service in conjunction with the power-braking system on passenger cars, multipurpose passenger vehicles and trucks with a gross vehicle weight rating of 6,000 pounds or less.

S3.10 "Rupture" means any failure which results in leakage or a separation of a brake hose from its couplings or end fittings.

S3.11 "P.s.i." means gage pressure in pounds per square inch as differentiated from absolute pressure.

S4. *Requirements.*

S4.1 *Hydraulic brake hoses and hose assemblies.*

S4.1.1 *Manufacture.* Hydraulic brake hose shall consist of a rubber inner tube of 1/8-inch, 3/16-inch, or 1/4-inch inside diameter, two braids of cotton, viscose rayon, or polyester cord imbedded in and bonded to the rubber, and a rubber outer cover. The cover shall be free from sulfur bloom. Inner tube of the hose shall be a nonblooming stock.

S4.1.2 *Hydraulic brake hose and hose assembly requirements.* When tested under the conditions specified in S5 and according to the procedures specified in S6.1, each hydraulic brake hose and hydraulic brake hose assembly shall meet the following requirements:

(a) *Constriction.* The time required for the gage plug to drop of its own weight a distance of 3 inches into the hydraulic brake hose assembly shall not exceed 5 seconds (S6.1.1a) or for those assemblies whose configurations preclude testing by the gage plug method, a steel ball of diameter equal to that of the applicable gage plug under 25±1 p.s.i. air pressure shall pass completely through the hose assembly in not more than 10 seconds (S6.1.1b).

(b) *Expansion and strength.* The maximum expansion of a hydraulic brake hose assembly at 1,000 p.s.i. and 1,500 p.s.i. shall not exceed the values specified in Table 1 (S6.1.2). Each hydraulic brake hose shall withstand 4,000 p.s.i. water pressure for 2 minutes without rupture, and shall not rupture at less than 5,000 p.s.i. (S6.1.3).

TABLE 1.—MAXIMUM EXPANSION OF FREE LENGTH BRAKE HOSE, cc/fl.

Hydraulic brake hose, inside diameter	Test pressure	
	1,000 p.s.i.	1,500 p.s.i.
1/4 inch	0.33	0.42
3/16 inch	0.55	0.72
1/8 inch	0.82	1.77

(c) *Fatigue life and pressure resistance.* A hydraulic brake hose assembly shall not rupture when run continuously on the flexing machine for 35 hours (S6.1.4), and shall withstand 1,500 p.s.i. air pressure for 30 seconds without rupture. (S6.1.5)

(d) *Tensile strength and pressure resistance.* A hydraulic brake hose assembly shall withstand a pull of 325 pounds, without rupture (S6.1.6), and shall withstand 1,500 p.s.i. air pressure for 30 seconds without rupture. (S6.1.5)

(e) *Water absorption, strength, tensile strength, and fatigue life.* Each hydraulic brake hose assembly, after immersion in water for 70 hours (S6.1.7) shall withstand 4,000 p.s.i. water pressure for 2 minutes without rupture and shall not rupture at less than 5,000 p.s.i. (S6.1.3); it shall then withstand a pull

of 325 pounds without rupture (S6.1.6) and shall not rupture when run continuously on a flexing machine for 35 hours. (S6.1.4)

(f) *Low temperature compatibility.* The outer cover of a hydraulic brake hose conditioned at -18 to -20° C./-65° to -70° F. for 72 hours shall show no signs of cracking when bent around a mandrel. (S6.1.8)

(g) *Brake fluid compatibility, constriction and strength.* After having been subjected to a temperature of 121° C.±3° C./250° F.±5° F. for 72 hours while filled with brake fluid conforming to Federal Motor Vehicle Safety Standard No. 116 (S6.1.9), each hydraulic brake hose assembly shall meet the constriction requirements of paragraph (a) of this section; it shall then withstand 4,000 p.s.i. water pressure for 2 minutes without rupture, and shall not rupture at less than 5,000 p.s.i. (S6.1.3)

(h) *Ozone resistance.* The outer cover of a hydraulic brake hose shall show no cracking when examined under 7 diameters magnification, after exposure to ozone. (S6.1.10)

(i) *End fitting corrosion resistance.* After 24-hour exposure to salt spray hydraulic brake hose assembly end fittings shall show no pitting, or base metal rust on the end fitting surface. (S6.1.11)

S4.1.3 *Brake hose labeling requirements.*

S4.1.3.1 (a) *Brake hose.* Each brake hose shall bear two (2) solid white stripes at least two-sixteenths inch in width placed circumferentially 180° apart on the longitudinal axis of the hose in an untorqued position, and shall be permanently labeled at 6-inch intervals, in the manner shown in the example below, in block capital letter and numerals of at least 3/16-inch high, with the date of manufacture, certification of compliance, manufacturer's code number, and designation indicating type of brake hose and specified diameter.

Example:

253-71	DOT	000	H2
(i)	(ii)	(iii)	(iv)

(i) "253-71" means that the hose was manufactured on the 253d day of 1971.

(ii) "DOT" is the certification by the hose manufacturer that the hose conforms to Federal Motor Vehicle Safety Standard No. 106.

(iii) "000" represents the hose manufacturer's code numbers (for code number assignment apply to the National Highway Safety Bureau, Washington, D.C. 20591).

(iv) "H2" means that the hose is hydraulic brake hose of 1/8-inch diameter. Use "H3" for 3/16-inch hose diameter and "H4" for 1/4-inch hose diameter.

S4.1.3.2 (b) *Brake hose assembly.* Each end fitting shall be permanently labeled (etched, embossed or stamped) in block capital letters and numerals at least 3/32-inch high with date of assembly of fitting to hose, certification of compliance, and assembler's code number,

as specified in paragraph (a) of this section.

S4.2 Air brake hoses and hose assemblies.

S4.2.1 *Manufacture.* (a) Air brake hoses and hose assemblies shall be manufactured and denominated as follows:

"Type A"—Hose shall be mandrel built having a tube and friction of oil resisting rubber, reinforced with cotton or synthetic cord or duck plies or a combination of both, and a cover of oil resisting compounds utilizing polymerized chloroprene as the basic material. Type A air brake hose assembly shall have reusable or permanent metal end fittings.

"Type B"—Hose shall be nonmandrel built having a tube and friction of oil resisting rubber, reinforced with cotton or synthetic cord or duck plies or a combination of both, and a cover of oil resisting compounds utilizing polymerized chloroprene as the basic material. Type B air brake hose assembly shall have reusable or permanent metal end fittings.

"Type C"—Hose shall be mandrel built having a tube of oil resisting rubber, reinforced with one braid of high tensile steel wire and a cover of oil resisting compounds utilizing polymerized chloroprene as the basic material. A cotton braid or other suitable material may be used to anchor the cover to the hose. Type C air brake hose assembly shall have permanent metal end fittings only.

"Type D"—Hose shall be mandrel built having a tube of oil resisting rubber, reinforced with two cotton braids separated by a high tensile steel wire braid. All braids shall be impregnated with an oil and age resisting compound. This hose shall not be used on any line where abrasion of the outer cover may be encountered in service. Type D air brake hose assembly shall have reusable metal end fittings only.

"Type E"—Hose shall be mandrel built having a tube of oil resisting rubber, reinforced with two cotton or synthetic braids separated by a wire braid. All braids shall be impregnated with an oil and age resisting compound. This hose shall not be used on any line where abrasion of the outer cover may be encountered in service. Type E air brake hose assembly shall have reusable metal end fittings only.

"Type F"—Hose shall be mandrel built having a tube of oil resisting rubber, reinforced with one 300 Series stainless steel braid and one fabric braid separated by an insulation layer of oil resisting rubber. The fabric braid shall be impregnated with an oil and age resistant compound. Type E air brake hose assembly shall have reusable or permanent metal end fittings.

The construction of Type F hose embodies a smooth bore tube of oil resisting material reinforced as described for the types of hose and having a cover of abrasive oil and age resistant compound, except on Types D, E, and F where the cover will be an impregnated cotton cover.

(b) *Reusable end fittings.* Reusable end fittings shall consist of a nipple inserted into the bore of the hose and an outer sleeve (socket, body, or shell) engaging the nipple. The wall of the hose shall be compressed between the nipple and sleeve. Reusable end fittings on Types A and B shall be of such design and construction that they may be used on all constructions of both types of hose.

(c) *Dichromate dip.* Zinc plated end fittings shall be dichromate dipped.

(d) *Sizes.* The hose shall conform to the dimensional requirements given in Table II.

(e) *Type C wire, outside diameter.* The outside diameter over the wire reinforcement of Type C shall conform to the following:

TYPE C, OD OVER WIRE	
ID, inch:	
1/4	7/16 ± 3/128
3/8	19/32 ± 3/128
1/2	23/32 ± 1/32

TABLE II—AIR BRAKE HOSE DIAMETER

Size, in.	Inside diameter tolerance, in.				Types A and B OD, in.		Type C OD, in.	Type D OD, in.	Type E OD, in.	Type F OD, in.		
	Type A	Type B	Type C	Types D, E and F	Min.	Max.	Min.	Max.	Min.	Max.		
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.		
3/16	±0.016	±0.023	±0.023	+0.026 -0.000	0.500	0.562	0.500	0.539	0.472	0.510	0.468	0.507
1/4	±0.016	±0.023	+0.023 -0.008	+0.031 -0.000	0.594	0.656	0.594	0.656	0.562	0.602	0.535	0.573
5/16	±0.016	±0.023	±0.023	+0.031 -0.000	0.656	0.719	0.656	0.695	0.598	0.636	0.593	0.632
3/8	±0.016	±0.023	+0.023 -0.008	+0.031 -0.000	0.719	0.781	0.750	0.812	0.742	0.789	0.714	0.758
13/32	±0.016	±0.023	±0.023	+0.031 -0.000	0.781	0.844	0.781	0.844	0.742	0.789	0.714	0.758
7/16	±0.016	±0.031	±0.031	+0.039 -0.015	0.844	0.906	0.875	0.937	0.898	0.945	0.808	0.854
1/2	±0.016	±0.031	±0.031	+0.042 -0.000	1.031	1.094	1.031	1.094	1.054	1.101	0.933	0.979
5/8	±0.016	±0.031	±0.031	+0.042 -0.000	1.344	1.406	1.344	1.406	1.304	1.351	1.101	1.147
5/8 Special	±0.016	±0.031	±0.031	+0.042 -0.000	1.344	1.406	1.344	1.406	1.304	1.351	1.101	1.147

¹ 3/16 in. size Types A and B may be single-ply reinforcement

S4.2.2 *Air brake hose and hose assembly requirements.* When tested under the conditions specified in S5 and according to the procedures specified in S6.2, air brake hoses and hose assemblies shall meet the following requirements:

(a) *Constriction.* A steel ball (of diameter as specified in Table III) under 25±1 p.s.i. air pressure shall pass completely through the hose assembly in not more than 10 seconds. (S6.2.1)

TABLE III—AIR BRAKE HOSE CONSTRICTION TEST

Hose, I.D. inch:	Minimum ball diameter, inch
1/4	0.1880
5/16	0.2500
3/8	0.3120
7/16	0.3750
1/2	0.4060
5/8	0.5310
3/4	0.6560
Special	0.5310

(b) *Air brake hose assembly end connections.* After 24-hours exposure to salt spray air brake hose assembly couplings or end fittings shall show no pitting, or base metal rust of the couplings or end fittings surface. (S6.2.2)

(c) *Aging.* An air brake hose shall show no cracks, charring or disintegration externally or internally when straightened after being bent over a form having the radius specified in Table IV. (S6.2.3)

TABLE IV.—AIR BRAKE HOSE AGING TEST

Types A to E	Air brake hose sizes, inside diameters, in.						
	1/4	5/16	3/8	7/16	1/2	5/8	3/4 Special
Length, in.	9	10	10	11	11	12	14
Radius of form in.	1 1/2	1 3/4	1 3/4	2	2	2 1/4	2 1/2
Type F	5/16	5/16	13/32	1/2	5/8		
Length, in.	9	11	12	15	19		
Radius of form, in.	1 1/2	2 25/16	2 1/4	3 1/4			

(d) *Low temperature compatibility.* The outer cover of an air brake hose shall show no signs of cracking after conditioning at -40° C./-40° F. for 72 hours, when bent around a mandrel.

(e) *Length change.* Types A, C, C and E air brake hose shall not contract in length more than 3 percent nor elongate more than 5 percent when tested under a pressure of 200 p.s.i.

Types B and F air brake hose shall not contract in length more than 7 percent when tested under a pressure of 200 p.s.i. and shall not elongate. (S6.2.5)

(f) *Ozone resistance.* The outer cover of an air brake hose shall show no cracking when examined under 7 diameters magnification after exposure to ozone. (S6.2.6)

(g) *Adhesion.* (Applicable only to Type A and Type B hose.) The load re-

quired by the machine method to separate the tube from the plies, the plies, and the cover from the plies shall be no less than 8 pounds. (S6.2.7)

(h) *Air pressure.* An air brake hose assembly shall show no leakage when tested under air pressure of 200 p.s.i. for 5 minutes. (S6.2.8)

(i) *Strength* (S6.2.9). Types A and B air brake hose shall not rupture when tested with hydrostatic pressure at 900 p.s.i. and Type F hose shall not rupture when tested with hydrostatic pressure at 1,000 p.s.i. Types C and D air brake hose shall not rupture when tested with hydrostatic pressure at the following specified pressure for the specified inside diameters:

	P.s.i.
3/16 and 1/4 in.	10,000
5/16 in.	9,000
3/8 and 13/32 in.	8,000
1/2 in.	7,000
5/8 in.	6,000

Type E air brake hoses shall not rupture when tested with hydrostatic pressure at the following specified pressure for the specified inside diameters:

	P.s.i.
3/16 and 1/4 in.	6,000
5/16 and 13/32 in.	4,000
1/2 in.	3,500
5/8 in.	3,000

(j) *Tensile strength.* Each 3/16-inch or 1/4-inch air brake hose assembly of Types A and B air brake hose shall withstand a pull of 250 pounds without separation from the end fittings or couplings, and without rupture of the hose. Each brake hose assembly other than the foregoing shall withstand a pull of 325 pounds without separation from the end fittings or couplings, or without rupture of the hose. (S6.2.10)

(k) *Volume increase.* The volume of a specimen of tube Types A, B, C, D, and E, air brake hose and cover Types A, B, and C; A specimen prepared from the inner tube and from the cover of an air brake hose shall not increase more than 100 percent. (S6.2.11)

S4.2.3 *Air brake hose labeling requirements.*

S4.2.3.1(a) *Air brake hose.* Each hose shall be permanently labeled as specified in section S4.1.3.1a, with a numeral indicating whether the outer cover is abrasive resistant, and with a letter indicating type of air brake hose.

Example:

253-71 DOT 000 1 A 7 E

(i) (ii) (iii) (iv)

(i) "1" designates an air brake hose whose outer cover is not abrasive resistant. "2" designates an air brake hose whose outer cover is abrasive resistant.

(ii) "A" means that the hose is an air brake hose.

(iii) "7" designates a 7/16-inch hose diameter. Indicate hose diameter in sixteenths of an inch. For the 13/32-inch hose size, use 6.5 (6 for 3/16 + 0.5 for 1/32 = 6.5).

(iv) "E" indicates Type E hose. S4.2.3(b) *Air brake hose assembly.* Each air brake hose assembly shall be permanently labeled as specified in section S4.1.3.1(b).

S4.3 *Vacuum brake hoses and hose assemblies.*

S4.3.1 *Manufacture.* Vacuum brake hose shall have the dimensional requirements as specified in Table V and Table VI and shall be manufactured with a smooth bore tube of flexible material, reinforced with cord or duck plies, or a combination of both, together with an abrasive, weather, and sunlight resistant cover. Covers for light duty vacuum and for oil resisting heavy duty vacuum brake hose shall be oil resistant. Zinc plated end connections shall be dichromate dipped.

TABLE V.—HEAVY-DUTY VACUUM BRAKE HOSE DIAMETERS

Heavy-duty vacuum brake hose size							
Inside diameter, in.	3/4	7/8	1	1 1/8	1 1/4	1 3/8	1 1/2
Tolerance:							
Plus	0.008	0.008	0.008	0.008	0.008	0.008	0.010
Minus	0.020	0.020	0.020	0.020	0.020	0.020	0.022
Outside diameter, in.	5/8	11/16	13/16	1 1/16	1 1/8	1 1/4	1 3/8
Tolerance:							
Plus	1/32	1/32	1/32	1/32	1/32	1/32	1/32
Minus	1/32	1/32	1/32	1/32	1/32	1/32	1/32

TABLE VII.—HEAVY-DUTY VACUUM BRAKE HOSE TEST REQUIREMENTS

Hose, inside diameter, in.	Aging		Bend		Deformation, collapsed ID (dimension D), in.	Strength, p.s.i.	Swell, diameter of ball, in.
	Specimen length, in.	Radius of form, in.	Specimen length, in.	Maximum collapse of OD, in.			
3/4	9	1 1/2	8	3/32	3/16	1200	3/16
7/8	10	1 3/4	12	3/32	3/32	1200	3/16
1	11	2	16	7/32	1/8	1000	13/32
1 1/8	12	2 1/4	22	7/32	3/32	1000	1 1/32
1 1/4	14	2 1/2	28	7/32	3/16	800	5/8
1 3/8	16	3 1/4	36	9/32	1/4	800	7/8

TABLE VIII.—LIGHT-DUTY VACUUM BRAKE HOSE TEST REQUIREMENTS

Hose, ID, in.	Aging		Bend		Deformation, collapsed ID (dimension D), in.	Strength, p.s.i.	Swell, ball diameter factor
	Specimen length, in.	Radius of form, in.	Specimen length, in.	Maximum collapse of OD, in.			
7/16	8	1 1/2	7	1/16	3/64	350	1/16
11/32	9	1 3/4	11	1/16	3/64	350	3/32
15/32	11	2	14	1/16	3/64	350	3/32

(d) *Low temperature compatibility.* The outer cover of a vacuum brake hose shall show no signs of cracking after conditioning at -40° C./-40° F. for 72 hours when bent around a mandrel. (S6.3.4)

(e) *Ozone resistance.* The outer cover shall show no cracking when examined under 7 diameters magnification after exposure to ozone. (S6.3.5)

(f) *Strength.* A vacuum brake hose shall not rupture at the hydrostatic pressure specified in Table VII for heavy-duty type and Table VIII for light-duty type. (S6.3.6)

TABLE VI.—LIGHT-DUTY VACUUM BRAKE HOSE DIAMETERS

Light-duty vacuum brake hose size			
Inside diameter, in.	7/16	1/2	13/16
Tolerance:			
Plus	0.028	0.028	0.028
Minus	0.032	0.032	0.032
Outside diameter, in.	5/16	11/16	13/16
Tolerance:			
Plus	0.032	0.032	0.032
Minus	0.032	0.032	0.032

S4.3.2 *General requirements.* Each vacuum brake hoses and each hose assembly when tested under the conditions specified in S5 and according to the procedures specified in S6.3, shall meet the following requirements:

(a) *Constriction.* A steel ball of diameter as specified in Table VII for heavy-duty vacuum brake hose and Table VIII for light-duty vacuum brake hose under 25±1 p.s.i. air pressure shall pass completely through the hose assembly in not more than 10 seconds. (S6.3.1)

(b) *Vacuum brake hose assembly end connections.* After 24 hours exposure to salt spray vacuum brake hose assembly end connections shall show no pitting or base metal rust of the connection surface. (S6.3.2)

(c) *Aging.* A vacuum brake hose shall show no cracks, charring, or disintegration externally or internally when straightened after being bent over a form having the radius specified in Table VII for heavy-duty type and Table VIII for light-duty type. (S6.3.3)

(g) *Vacuum.* The collapse of the outside diameter of a vacuum brake hose under internal vacuum of 26 inches of Hg. for 5 minutes shall not exceed one-sixteenth inch. (S6.3.7)

(h) *Bend.* The collapse of the outside diameter of a vacuum brake hose at the middle point of the test length when bent until the ends touch shall not exceed the values given in Table VII for heavy-duty type and Table VIII for light-duty type. (S6.3.8)

(i) *Swell.* A vacuum brake hose shall show no leakage in vacuum test under 26 inches of Hg. for 10 minutes, after

which there shall be no separation of the inner tube from the fabric reinforcement of the hose. The steel ball shall pass freely through the hose. (S6.3.10)

(j) *Adhesion*. The load required to separate the tube from the plies, the plies, and the cover from the plies shall be no less than 8 pounds. (S6.3.11)

S4.3.3 Additional requirements for heavy duty vacuum brake hose. In addition to meeting the requirements of S4.3.2, each heavy duty vacuum brake hose shall also meet the following requirements:

(a) *Deformation*. A heavy duty vacuum brake hose shall immediately return to at least 90 percent of the original outside diameter. The collapsed inside diameter (dimension D) shall be that specified in Table VII. The load required in the first compression shall be less than 70 pounds, and in the fifth compression it shall be greater than 40 pounds. (S6.3.9)

(b) *Cover tensile*. The cover shall have a tensile strength of no less than 1,200 p.s.i. (S6.3.12)

(c) *Cover elongation*. The cover stock shall have an elongation at break no less than 200 percent (not less than 2 inches or more than 6 inches). (S6.3.12)

(d) *Tube tensile*. The tube stock shall have a tensile strength of no less than 1,000 p.s.i. (S6.3.12)

(e) *Tube elongation*. The tube shall have an elongation at break of no less than 175 percent (S6.3.12)

S4.3.4 Additional requirements for light-duty vacuum brake hose. In addition to meeting the requirements of S4.3.2, each light-duty vacuum brake hose shall also meet the following requirements:

(a) *Deformation*. Each light duty vacuum brake hose shall immediately return to at least 90 percent of the original outside diameter. The collapsed inside diameter (dimension D) shall be that specified in Table VIII. The load required in the first compression shall be less than 50 pounds, and in the fifth compression it shall be greater than 20 pounds. (S6.3.9)

(b) *Swell*. Each hose shall meet the requirements of S4.3.2(j). (S6.3.10)

(c) *Cover tensile*. The cover stock shall have a tensile strength of no less than 800 p.s.i. (S6.3.12)

(d) *Cover elongation*. The cover stock shall have an elongation at break of no less than 200 percent (not less than 2 inches or more than 6 inches). (S6.3.12)

(e) *Cover volume increase*. The volume of specimen prepared from the cover of the hose shall not increase more than 50 percent. (S6.3.12)

(f) *Tube tensile*. The tube stock shall have a tensile no less than 700 p.s.i. (S6.3.12)

(g) *Tube elongation*. The tube stock shall have an elongation at break no less than 175 percent. (S6.3.12)

S4.3.5. Special requirements for oil resisting heavy-duty vacuum brake hose. The tube volume of a specimen of oil resisting heavy-duty vacuum brake hose prepared from the inner tube of the hose shall not increase more than 100 percent (S6.3.12). The brake hose itself shall meet each requirement of S4.3.2 and S4.3.3.

S4.3.6 Vacuum brake hose labeling requirements.

S4.3.6.1(a) *Vacuum brake hose*. Each vacuum brake hose shall be permanently labeled as specified in section S4.1.3.1(a) and with a numeral indicating type of vacuum brake hose.

Example:

DOT 000 1 V 6.5
(i) (ii) (iii)

(i) "1" indicates that hose is a light-duty vacuum brake hose. The numeral "2" indicates that hose is a heavy-duty vacuum brake hose. The numeral "3" indicates that hose is an oil resisting heavy-duty vacuum brake hose.

(ii) "V" means that the hose is a vacuum brake hose.

(iii) The numeral "6.5" indicates 13/32-inch hose size. Indicate hose diameter in sixteenths of an inch.

S4.3.6.1(b) *Vacuum brake hose assembly*. Each vacuum brake hose assembly shall be permanently labeled as specified in section S4.1.3.1(b).

S5. Test conditions.

S5.1 The temperature of the testing room shall be 24° C. ± 3° C./75° F. ± 5° F.

S5.2 Except for S6.1.8, S6.2.3, and S6.3.3 the test samples shall be stabilized at room temperature prior to testing.

S5.3 The hydraulic brake hose assemblies shall be at least 24 hours old.

S5.4 The vacuum brake hose samples shall be not less than 7 days old.

S6. Test procedures.

S6.1 *Hydraulic brake hoses and hose assemblies*. Eight (8) hydraulic brake

hose assemblies are required for these tests. The eight-brake hose assemblies shall be tested for construction (6.1.1). Each of the brake hose assemblies shall then be tested as follows:

(a) No. 1: Expansion Test (S6.1.2), Strength Test (S6.1.3).

(b) No. 2: Fatigue Life (S6.1.4), Pressure Test (S6.1.5).

(c) No. 3: Tensile Test (S6.1.6), Pressure Test (S6.1.5).

(d) No. 4: Water Absorption Procedure (S6.1.7), Strength Test (S6.1.3), Tensile Test (S6.1.6), Fatigue Life (S6.1.4).

(e) No. 5: Cold Test (S6.1.8).

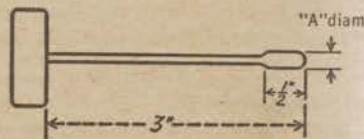
(f) No. 6: Brake Fluid Compatibility Test (S6.1.9), Constriction Test (S6.1.1), Strength Test (S6.1.3).

(g) No. 7: Ozone Resistance Test (S6.1.10).

(h) No. 8: Salt Spray Test (S6.1.11).

S6.1.1 Constriction Test. (a) With gage plugs as shown in Figure 1, measure the constriction of the brake hose assembly. Diameter "A" shall be 0.080-inch minimum for 1/8-inch hose, 0.165-inch minimum for 3/16-inch hose, and 0.120-inch minimum for 1/4-inch hose. Gage plugs shall weigh 2 ± 0.1 ounce. Hold the hose assembly vertically and insert "A" diameter portion into the end of the fitting. Permit the gage plug to drop of its own weight 3 inches into the hose assembly. Test both ends.

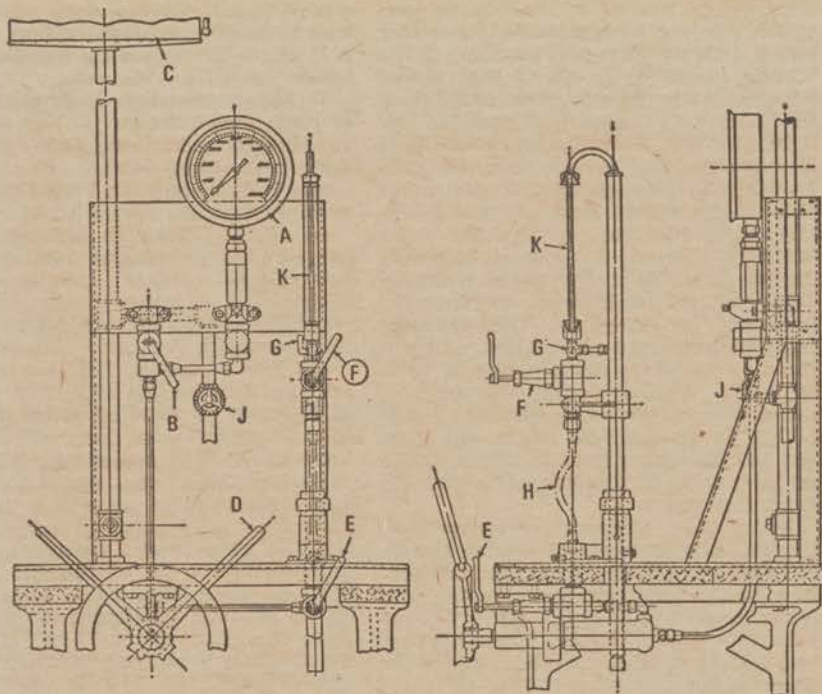
(b) Hold the brake hose assembly in a straight and vertical position. Pass a steel ball of diameter equal to diameter "A" of the applicable gage plug through the hose while under 25 ± 1 p.s.i. air pressure.



GAGE PLUG SHALL WEIGH 2 ± 0.1 OZ. DIMENSION "A" OF THE GAGE PLUG SHALL BE AS PRESCRIBED IN THE SPECIFICATIONS FOR THE HOSE

Fig. 1.—Gage Plug for Testing Constriction of Bore of Hose.

S6.1.2 Expansion test.



- A—PRESSURE GAGE OF 10,000-PSI CAPACITY.
- B—CONTROL VALVE FROM TANK C.
- C—PRESSURE-MEDIUM TANK (VENTED ON TOP).
- D—SCREW OPERATED MASTER CYLINDER.
- E—VALVE CONTROLLING LINE FROM MASTER CYLINDER TO HOSE.
- F—VALVE ABOVE HOSE.
- G—VALVE CONTROLLING FLOW INTO BURET.
- H—HOSE IN SLACK POSITION.
- J—FLUID LINE VALVE.
- K—BURET GRADUATED IN 0.1 CU CM.

Fig. 2.—Apparatus for Expansion and Bursting Strength Tests.

(a) Test apparatus shall consist essentially of the following and as shown in Figure 2: Source for required fluid pressures, pressure gages, piping, valves, fittings in which the hose assembly may be mounted vertically for application of pressure under controlled conditions, and a graduated buret for measuring the volume of liquid corresponding to the expansion of the hose under pressure. All piping and connections shall be smooth bore without recesses or offsets, so that all air may be freely removed from the system before running each test. Valves shall be capable of withstanding pressures involved without leakage. Apparatus shall be capable of applying pressure at a rate of increase of $25,000 \pm 10,000$ p.s.i. per minute.

(b) Apparatus shall be tested prior to use to determine its calibration correction factors established at pressures of 1,000 and 1,500 p.s.i., using double

walled, copper brazed steel tubing with a small diameter in place of the hose assembly. Subtract these calibration correction factors from expansion readings obtained on test specimens. The maximum permissible calibration correction factor shall be 0.08 cu. cm. at 1,500 p.s.i.

(c) Thread test specimen into position on apparatus so as to provide a leakproof seal. Do not twist. Maintain a hose in a vertical, straight position without tension while under pressure. Fill tank C with distilled water. When filled it shall be free of air and dissolved gases. Open valve B and turn crank D to left to allow maximum amount of water to flow into the master cylinder. Next open valves E, F, and G allowing water to run from tank C through buret K until no air bubbles are seen in the buret. Removal of air bubbles may be facilitated by moving the hose back and forth. Close valves B and F and raise pressure in hose

to 1,500 p.s.i. for not more than 10 seconds. After inspecting for leaks at the connections, release the pressure in the hose completely by opening valve F. Close valve. Adjust water level in buret K to zero by means of valve G. Turn crank D to the right until gage A shows a pressure of 1,000 p.s.i. Seal this pressure in hose by closing valve E, after which measure the expansion immediately by opening valve F and allowing water in the expanded hose to rise in the buret. As soon as the liquid level is constant, close valve F and take reading on buret K. Repeat this operation so that the final reading taken on buret K will be the total of three expansions. This reading, divided by 3, minus the calibration factor, is the final volumetric expansion of the hose at 1,000 p.s.i. Re-adjust water level in buret to zero as above and repeat procedure to obtain expansion at 1,500 p.s.i. If pressure in the hose should inadvertently be raised just prior to the expansion reading to a value above that specified, do not take a reading but release pressure and repeat procedure.

S6.1.3 Strength test. (a) Test apparatus shall consist of a pressure system in which the brake hose is so connected that controlled and measured fluid pressure may be applied internally. The pressure shall be obtained by pump or accumulator system and shall be measured with a calibrated gage. Provision shall be made by filling the hose with distilled water and allowing all air to escape through a relief valve prior to application of pressure. Pressure shall be applied at a rate of increase of $25,000 \pm 10,000$ p.s.i. per minute. The apparatus described in S6.1.2(a) may be used when it conforms to these requirements and the components are adapted to high-pressure work.

(b) Connect brake hose to pressure system and fill completely with water, allowing all air to escape. Close relief valve and apply pressure at the rate specified in (a) above until it reaches 4,000 p.s.i. Hold for 2 minutes. Then increase pressure until brake hose bursts. The maximum pressure noted on the calibrated gage is the bursting strength of the brake hose.

S6.1.4 Fatigue life (whip test). Test shall be conducted with free length as specified in Table IX and with protective armor removed.

TABLE IX.—HOSE LENGTHS

Straight length (free length between end fittings), in.	Slack, in.	
	1/2-in. hose	3/4-in. and 1-in. hose
8 to 15 1/2, inclusive.....	1.750 ±0.015	1.000 ±0.015
Over 15 1/2 to 19, inclusive.....	1.250 ±0.015
Over 19 to 24, inclusive.....	0.750 ±0.015

(a) Test apparatus shall provide the same motion to the specimens as the following: A moveable header consisting of a horizontal bar mounted at each end on vertically rotating disks through ball bearing with centers placed 4 inches

from disk centers, and an adjustable stationary header parallel to the moveable header in the same horizontal plane as the centers of the disks. The headers are each provided with four standard end connections equally spaced, approximately $3\frac{1}{2}$ inches on centers in which the hose assemblies are mounted in parallel. The disks are revolved at a speed of 800 ± 10 r.p.m., whereby the hose ends fastened to the moving header are rotated at this speed through a circle 8 inches in diameter while the opposite hose ends remain stationary. The end connections on the moveable header are tightly capped, while those on the stationary header are open to a manifold through which water pressure is supplied by means of a weight-operated plunger in a pressure cylinder. The hose assemblies are thereby subjected during test to a constant water pressure which shall be maintained between 225 and 235 p.s.i., as shown by a gage installed so as to read pressure in the manifold. A limit switch operated by the plunger weight must be used to stop the machine when the water pressure drops as in the case of rupture of the hose, since it is essential that the machine stop if the pressure drops or a hose assembly fails. A revolution counter and elapsed time indicator shall be provided.

(b) Equip the nonrotating header to permit attachment of each hose assembly with individual adjustment for length. When mounted in the whip test machine, the projected length of the hose assembly shall be less than the straight length by the amount indicated as slack in Table IX. The production from straight length to projected length on the machine shall be within the limits specified. Take the projected length parallel to the axis of the rotating head. Install brake hose assemblies in the apparatus without any twist. Apply water pressure and bleed all hose and passages to eliminate air pockets or bubbles. Start the motor rotating the moveable head and note the duration of the test. Failure of the brake hose by water leakage through a rupture, and consequent loss of pressure, constitutes a failure of the test. The machine shall be run continuously for 35 hours.

S6.1.5 *Pressure test.* Attach one end of the hose assembly to a source of air pressure and cap the open end. Submerge the hose assembly in water, using a suitable container for visual observation. Before applying pressure, wipe the hose assembly free of any surface bubbles formed during submersion. Apply an internal air pressure of 1,500 p.s.i. to the hose assembly and maintain for 30 seconds.

S6.1.6 *Tensile test.* (a) Use a tension testing machine conforming to the requirements of the Methods of Verification of Testing Machines (ASTM Designation: E4) and provided with a recording device to give the total pull in pounds. The hose assembly shall be so held that the hose and fittings shall have a straight center line corresponding to the direction of the machine pull.

(b) Assemble hose assembly in the fixture and mount in the testing machine. Apply a steady tension load at a speed such that the moving head of the testing machine travels at the rate of approximately 1 inch per minute until the total load reaches 325 pounds.

S6.1.7 *Water absorption procedure.* Remove cover of a hose assembly one-half inch to five-eighths inch from either side of the center (total 1 inch to $1\frac{1}{4}$ inch cover removed) so that the outer braid is exposed. Care must be taken during removal of the cover that the outer yarn is not injured, and that the hose not be elongated. The assembly shall be immersed in distilled water at room temperature for a period of 70 to 72 hours. Within 10 minutes after removal from water, begin tests S6.1.3, and S6.1.6, as appropriate. Begin whip test (S6.1.4) no sooner than 10 minutes, and no later than 30 minutes, after removal from the water.

S6.1.8 *Low temperature compatibility test.* After removal of chafing sleeves or extra appendages, condition the hose in a straight position and a mandrel in air in a cold box (-18 to $-20^{\circ}\text{C}/-65$ to -70°F .) for 72 hours. Then without removal from the cold box, bend the hose around a mandrel 360° in not more than 5 seconds. The mandrel diameter shall be 3 inches for $\frac{1}{8}$ -inch hose, and $3\frac{1}{2}$ inches for $\frac{3}{16}$ -inch and $\frac{1}{4}$ -inch hose.

S6.1.9 *Brake fluid compatibility procedure.* Fill a hose assembly with brake fluid conforming to Federal Motor Vehicle Safety Standard No. 116, and cap both ends. Place the assembly in an oven heated to $121 \pm 3^{\circ}\text{C}/250 \pm 5^{\circ}\text{F}$., for 72 hours. Within 10 minutes after removal from the oven, drain the brake assembly.

S6.1.10 *Ozone resistance test.* Bend brake hose of full circumference and approximately 25 cm./10 in. longer than the circumference of the required mandrel around the mandrel, the diameter of which shall be eight times the nominal outside diameter of the brake hose, and bind where the ends cross. If the hose collapses when bent around the mandrel, provide for internal support of the hose. Condition hose for 24 hours in air at room temperature, and then place hose on mandrel in an exposure chamber containing air mixed with ozone in the proportion of 50 ± 5 parts of ozone per 100 million parts of air by volume, for 70 hours. Ambient air temperature in chamber during test shall be $40^{\circ}\text{C}/104^{\circ}\text{F}$. Then examine cover of hose under 7 diameters magnification, ignoring areas immediately adjacent to or within area covered by binding.

S6.1.11 *Salt spray test.*—(a) *Apparatus.* The apparatus for this test shall be that described in Appendix I.

(b) *Material.* Material of construction shall be such that it will not affect the corrosiveness of the fog. Drops of solution which accumulate on the ceiling or cover of the chamber shall not be permitted to fall on brake hose. Drops of solution which fall from brake hose shall not be returned to the solution reservoir for respraying.

(c) *Position of hose during test.* The position of the hose assembly in the salt spray chamber during the test shall be such that the following conditions are met:

(i) A hose assembly shall be supported or suspended between 15° and 30° from the vertical and parallel to the principal direction of horizontal flow of fog through the chamber, based upon the dominant surface being tested.

(ii) Each hose shall be so placed as to permit free settling of fog on all assemblies.

(iii) Salt solution from one hose assembly shall not drip on any other hose assembly.

(d) *Salt solution.* Solution shall be 5 ± 1 parts by weight of sodium chloride in 95 parts of distilled water or water containing not more than 200 p.p.m. of total solids. The sodium chloride shall be substantially free of nickel and copper and shall contain on a dry basis not more than 0.1 percent of sodium iodine and not more than 0.3 percent of total impurities. The pH of the salt solution shall be such that when atomized at $35^{\circ}\text{C}/95^{\circ}\text{F}$. the collected solution shall be in the pH range of 6.5 to 7.2. Before the solution is atomized it shall be free of suspended solids. The pH measurement shall be made electrometrically at $25^{\circ}\text{C}/77^{\circ}\text{F}$. using a glass electrode with a saturated potassium chloride bridge, or colorimetrically using Bromthymol blue as indicator.

(e) *Air supply.* Compressed air supply to nozzle or nozzles for atomizing salt solution shall be free of oil and dirt and maintained between 10 and 25 p.s.i.

(f) *Condition in salt supply chamber.*

(i) Exposure zone of salt spray chamber shall be maintained at $35^{\circ}\text{C} \pm 2^{\circ}\text{C}/95^{\circ}\text{F} \pm 3^{\circ}\text{F}$. Temperature within the exposure zone of the closed cabinet shall be recorded at least twice a day at least 7 hours apart.

(ii) Place at least two clean fog collectors within the exposure zone so that no drops of solution from the hoses or other sources are collected. Collectors shall be placed in the proximity of hoses, one nearest to any nozzle and the other farthest from all nozzles. Fog shall be such that for each 80 sq. cm. of horizontal collecting area there will be collected in each collector from 1 to 2 ml. of solution per hour based on average run of at least 16 hours. The sodium chloride concentration of the collected solution shall be 5 ± 1 percent by weight. The pH of the collected solution shall be 6.5 to 7.2 and shall be made electrometrically or colorimetrically using Bromthymol blue as the indicator.

(iii) The nozzle or nozzles shall be so directed or baffled that none of the spray can impinge directly on the hose assemblies.

(g) *Continuity and cleaning.* (i) The test shall be continuous for a 24-hour period.

(ii) Remove salt deposit from surface of hoses by washing gently or dipping in clean running water not warmer than $0^{\circ}\text{C}/32^{\circ}\text{F}$. and then immediately dry.

S6.2 Air Brake Hoses and hose assemblies. Ten air brake hose assemblies are required for these tests. Each brake hose shall be tested for constriction (S6.2.1). Each hose shall then be tested for one of the 10 tests specified in S6.2.2-S6.2.11 inclusive.

S6.2.1 Constriction test. Hold the hose assembly in a straight and vertical position. Pass a steel ball (of diameter as specified in Table III) through the hose while under 25±p.s.i. air pressure.

S6.2.2 Salt spray test. Conduct S6.1.11 using an air brake hose.

S6.2.3 Aging test. Bend a specimen of brake hose, of the length prescribed

in Table X around a form of the dimensions specified in Table X and hold in place by a band or cord. Place the assembly for 70 hours in an air oven conforming to that described in the Method of Test for Accelerated Aging of Vulcanized Rubber by the Oven Method (ASTM Designation D573), and tested to 100+1° C./212+1.8° F. After removal from oven allow hose to cool to room temperature and then remove from the form. Then open hose out to a straight length and examine externally for cracks, charring, or disintegration. Cut specimen lengthwise and examine inner tube for signs of cracking.

TABLE X.—DIMENSIONS OF TEST SPECIMEN AND FORM OF AGING TEST

Inside diameter of hose		Duty type	Length of specimen		Dimensions of form (see Fig. 1)								
mm.	in.		mm.	in.	A		B		R		C (min)		
						mm.	in.	mm.	in.	mm.	in.	mm.	in.
AIR BRAKE HOSE													
4.76	3/16		228.6	9	114.3	4 1/2	76.2	3	38.1	1 1/2	12.7	1/2	12.7
6.35	1/4		228.6	9	114.3	4 1/2	76.2	3	38.1	1 1/2	12.7	1/2	12.7
7.94	5/16		254	10	120.7	4 3/4	88.9	3 1/2	44.5	1 3/4	19.1	3/4	19.1
9.53	3/8		254	10	120.7	4 3/4	88.9	3 1/2	44.5	1 3/4	19.1	3/4	19.1
10.32	1/2		254	10	120.7	4 3/4	88.9	3 1/2	44.5	1 3/4	19.1	3/4	19.1
11.11	7/16		279.4	11	127	5	101.6	4	50.8	2	19.1	3/4	19.1
12.70	1/2		279.4	11	127	5	101.6	4	50.8	2	19.1	3/4	19.1
15.88	5/8		304.8	12	139.7	5 1/2	114.3	4 1/2	57.2	2 1/4	25.4	1	25.4
15.88	5/8 special		355.6	14	152.4	6	127	5	63.5	2 1/2	25.4	1	25.4
VACUUM BRAKE HOSE													
5.56	7/32	Light	203.2	8	114.3	4 1/2	76.2	3	38.1	1 1/2	12.7	1/2	12.7
6.35	1/4	Heavy	228.6	9	114.3	4 1/2	76.2	3	38.1	1 1/2	12.7	1/2	12.7
8.73	1/2	Light	228.6	9	120.7	4 3/4	88.9	3 1/2	44.5	1 3/4	19.1	3/4	19.1
9.53	3/8	Heavy	254	10	120.7	4 3/4	88.9	3 1/2	44.5	1 3/4	19.1	3/4	19.1
11.91	1/2	Light	279.4	11	127	5	101.6	4	50.8	2	19.1	3/4	19.1
12.70	1/2	Heavy	279.4	11	127	5	101.6	4	50.8	2	19.1	3/4	19.1
15.88	5/8	Heavy	304.8	12	139.7	5 1/2	114.3	4 1/2	57.2	2 1/4	22.2	3/8	22.2
19.05	3/4	Heavy	355.6	14	152.4	6	127	5	63.5	2 1/2	25.4	1	25.4
25.4	1	Heavy	406.4	16	177.8	7	165.1	6 1/2	82.6	3 1/4	34.9	1 1/8	34.9

S6.2.4 Low temperature compatibility test. Condition a hose in a straight position and a mandrel in a cold box (-40° C./-40° F.) for 72 hours. Without removing the hose, bend it around the mandrel 360° in not more than 5 seconds. The mandrel shall have a diameter 10 times the outside diameter of the hose.

S6.2.5 Length change. Lay out the hose in a straight, horizontal position and apply a pressure of 0.7 kg./cm.²/10 p.s.i. Measure the original length at this pressure. Then increase the pressure to 14.1 kg./cm.²/200 p.s.i. without releasing the original pressure of 0.7 kg./cm.²/10 p.s.i. and make a final length measurement within 1 minute. An increase in the final length from the original length is an elongation. A decrease in the final length from the original length is a contraction.

S6.2.6 Ozone test. Conduct S6.1.10 using air brake hose.

S6.2.7 Adhesion test. The test shall be conducted using a power-driven apparatus of the inclination balance or pendulum type which fulfills the following requirements:

(i) The applied tension as measured and recorded is accurate within ±1 percent.

(ii) The recording head of the machine has a freely rotating mandrel with an outside diameter substantially the same as the inside diameter of the hose

specimen that is placed on it. The mandrel shall be mounted in such a way that its axis of rotation will be in the plane of the ply being separated from the ring and that the applied force will be normal to the tangent of the ring circumference at the line of separation.

(iii) The rate of travel of the power-actuated grip is a uniform 1 inch per minute.

(iv) The machine is to be operated without any device for maintaining maximum load indication. In a pendulum type machine, the weight lever swings as a free pendulum without engagement of pawls.

(v) The machine is autographic, giving a chart having the inches of separation as one axis and applied tension as the other axis of coordinates.

(vi) The machine is of such capacity that the maximum applied tension during the test is not more than 85 percent or less than 15 percent of the rated capacity.

Separate from the specimen by hand that layer of the specimen of which the adhesion is to be tested, sufficient to permit attaching the power-actuated clamp of the machine. Place the specimen snugly on the mandrel. With the mandrel attached to the recording head of the machine and the separated layer gripped symmetrically and firmly without twisting in the power-actuated clamp,

adjust the autographic mechanism and chart to zero and start the machine. Strip the separating layer from the specimen approximately at an angle of 90° to the tangent of the specimen surface, and continue the separation for a sufficient distance to indicate the adhesion value. The adhesion value shall be the minimum load over the portion of the chart corresponding to actual separation of the part being tested, or the minimum load recorded during actual separation of the parts being tested. The load shall be expressed in kg./mm. (lbs./in.) of width for separation at 25 mm./1 in. During test the mandrel shall rotate freely so as to maintain the line of separation at all times approximately in the same position.

S6.2.8 Air pressure test. Assemble a specimen of hose 45 cm./18 in. in length, with end fittings as for service, and connect to a source of air pressure. Then submerge the hose assembly entirely in water, using any suitable container for the water such that visual observation of the assembly is permitted. Then apply internal air pressure of 14.1 kg./cm.²/200 p.s.i. and maintain for 5 minutes.

S6.2.9 Strength test. (a) Apply hydrostatic pressure by means of a hydraulic pump or an accumulator system. Convert hose to waterline or pump and fill with water before applying pressure, allowing all air in hose to escape through a petcock. Then close petcock and apply pressure at a uniform rate of increase of approximately 70 kg./cm.² (2,000 p.s.i.)/min. (for hose with bursting strength specified above 140 kg./cm.²/2,000 p.s.i., apply pressure at 700 kg./cm. (10,000 p.s.i.)/min. or as rapidly as pump capacity will permit) until hose ruptures.

(b) Brake hose test specimen shall be at least 45 cm./18 in. in length for hose 76 mm./3 in. or less in inside diameter, and at least 60 cm./24 in. in length for larger hose, but in no case shall length exceed 90 cm./36 in.

S6.2.10 Tensile test. Use machine as in S6.1.6. The machine shall be operated at a speed of approximately 25 mm./1 in. per minute. The specimen of air brake hose, approximately 45 cm./18 in. in length, shall be so held in the testing machine that the hose and fittings have a straight centerline corresponding to the direction of the machine pull. The hose assembly shall be subjected to an increasing tension load until failure occurs either by separation of the specimen from the end fittings or by rupture of the hose structure.

S6.2.11 Volume increase. (a) Each test specimen shall be a rectangular rubber block 50×25 mm./2"×1", having a thickness not over 1.6 mm./1/16 in. It shall be cut from the brake hose and buffed on both faces only to extent necessary to insure smoothly buffed faces, except when the material is too thick, in which case the buffing shall be sufficient to reduce specimens to 1.6 mm./1/16 in. Three specimens shall be used for each test and the results averaged.

(b) Measure volume of each test specimen by water displacement method in which the specimen is accurately

weighed to nearest milligram in air (W_1) and in distilled water (W_2) at room temperature. When weighing in water take care that specimen is free from adhering air bubbles. If necessary it may first be wetted by being dipped in acetone and thoroughly rinsed with distilled water. After weighing, blot specimen dry with filter paper, completely immerse in ASTM No. 3 oil, and allow to stand for 70 hours at 212° F./100° C.

Cool specimen to room temperature by transferring to a clean, cool portion of test liquid for 30 to 60 minutes. Dip specimen quickly into acetone, blot lightly with filter paper, and place in a tared weighing bottle and weigh (W_3). Then remove it from bottle and weigh (W_4) in distilled water in immediate consecutive procedure to determine water displacement after test. Final weighing shall be completed within 5 minutes after removal of test specimen from test liquid.

(c) Calculate percentage increase in volume as follows:

$$\text{Percent increase} = \frac{(W_3 - W_4) - (W_1 - W_2)}{(W_1 - W_2)} \times 100$$

S6.3 Vacuum brake hoses and hose assemblies. Eleven vacuum brake hose assemblies are required for these tests. Each vacuum brake hose shall be tested for constriction (S6.3.1). Each hose shall then be tested respectively for one of its 11 tests specified in S6.3.2-S6.2.12 inclusive.

S6.3.1 Constriction test. Conduct S6.2.1 using vacuum brake hose.

S6.3.2 Salt spray test. Conduct S6.1.1 using vacuum brake hose.

S6.3.3 Aging test. Conduct S6.2.3 using vacuum brake hose.

S6.3.4 Low temperature compatibility test. Conduct S6.2.4 using vacuum brake hose.

S6.3.5 Ozone test. Conduct S6.1.10 using vacuum brake hose.

S6.3.6 Strength test. Conduct S6.2.9 using vacuum brake hose.

S6.3.7 Vacuum test. Assemble a specimen of vacuum brake hose 300 mm./12 in. long with end fittings so that one end may be completely closed against air leakage and the other end connected to a vacuum pump. Measure the outside diameter of the test specimen and subject it to a vacuum of 660 mm./26 in. of Hg. for 5 minutes. Connect a manometer or vacuum gage in the system to indicate the degree of vacuum actually maintained. At the end of the 5-minute period, while the hose is still under vacuum, again measure the outside diameter of the specimen so as to determine the minimum diameter at any cross section. Make the measurement with outside spring calipers and a steel scale graduated to 1 mm./ $\frac{1}{64}$ in. The difference between this measurement and the original outside diameter shall be the collapse of the hose outside diameter under vacuum.

S6.3.8 Bend test. Bend a specimen of vacuum brake hose, of the length prescribed in Table VII and Table VIII, in the direction of its normal curvature until its ends just touch as shown in Figure 3. Measure the outside diameter of the specimen at the middle section A

in the plane of the centerline before and after bending, using outside spring calipers and a steel scale graduated to 1 mm./ $\frac{1}{64}$ in. The difference between the two measurements shall be considered the collapse of the hose outside diameter on bending.

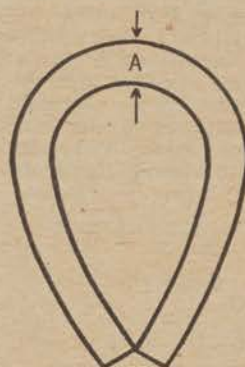


Fig. 3—Bend Test of Vacuum Brake Hose.

S6.3.9 Deformation test—(a) Apparatus. Test apparatus shall consist of a No. 3 arbor press or other suitable compression device for collapsing the diameter of hose specimens, a platform scale or other suitable means for weighing the load required to collapse the hose, and feeler gages for measuring the free distances between the inner tube faces of the collapsed hose. The weighing device shall have a capacity of at least 50 kg./100 lb. and shall indicate the applied loads on a dial or scale with an accuracy within ± 1 percent. The feeler gages shall be of sufficient length to be passed completely through the test specimens of

hose, which shall be a section cut to a length of 25 mm./1 in. and shall be of rectangular cross-section with dimensions as prescribed in Table XI.

(b) **Procedure.** Place test specimen longitudinally in the arbor press with the fabric laps, if any, on either side and not in the line of the applied pressure. Insert the weighing device in the press and place the specimen on it so that the load applied may be measured. Compress test specimen to the form shown in figure 4 with dimension D as prescribed in Table XI. Record the observed load required to compress specimen to specified dimension D. Then compress test specimen 4 additional consecutive times to the form shown in figure 4 with dimension D as prescribed in Table XI. Hold the specimen under load each time for 5 seconds and allow it to recover for approximately 10 seconds which shall elapse between load applications. While under each application of the load, measure dimension D by means of the proper feeler gage for the size of hose being tested. Record the observed load required in the fifth application to compress the specimen to the specified dimension D. The specimen shall fail the test unless the load is less than that specified on the first application and unless the load is greater than that specified on the fifth application.

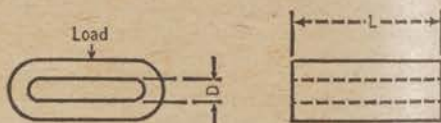


Fig. 4—Deformed Specimen of Vacuum Brake Hose.

TABLE XI.—DIMENSIONS OF TEST SPECIMEN AND FEELER GAGE FOR DEFORMATION TEST OF VACUUM BRAKE HOSE

Inside diameter of hose		Duty type	Specimen dimensions (see Fig. 5)				Feeler gage dimensions			
mm	in.		D		L		Width		Thickness	
			mm	in.	mm	in.	mm	in.	mm	in.
5.56	$\frac{3}{32}$	Light	1.19	$\frac{3}{64}$	25.4	1	3.18	$\frac{1}{4}$	1.19	$\frac{3}{64}$
6.35	$\frac{1}{4}$	Heavy	1.59	$\frac{1}{16}$	25.4	1	3.18	$\frac{3}{8}$	1.59	$\frac{1}{16}$
8.73	$\frac{11}{32}$	Light	1.98	$\frac{3}{64}$	25.4	1	4.76	$\frac{3}{16}$	1.98	$\frac{3}{64}$
9.53	$\frac{3}{8}$	Heavy	2.38	$\frac{3}{32}$	25.4	1	4.76	$\frac{3}{16}$	2.38	$\frac{3}{32}$
11.91	$\frac{19}{32}$	Light	1.98	$\frac{3}{64}$	25.4	1	6.35	$\frac{1}{4}$	1.98	$\frac{3}{64}$
12.70	$\frac{1}{2}$	Heavy	3.18	$\frac{1}{8}$	25.4	1	6.35	$\frac{1}{4}$	3.18	$\frac{1}{8}$
15.88	$\frac{5}{8}$	Heavy	3.97	$\frac{3}{32}$	25.4	1	6.35	$\frac{1}{4}$	3.97	$\frac{3}{32}$
19.05	$\frac{3}{4}$	Heavy	4.76	$\frac{3}{16}$	25.4	1	6.35	$\frac{1}{4}$	4.76	$\frac{3}{16}$
25.4	1	Heavy	6.35	$\frac{1}{4}$	25.4	1	6.35	$\frac{1}{4}$	6.35	$\frac{1}{4}$

S6.3.10 Swell test. (a) Cut a specimen of vacuum brake hose 300 mm./12 in. long. Measure the inside diameter and then fill the specimen with Reference Fuel A as described in the Method of Test for Change in Properties of Elastomeric Vulcanizates Resulting From Immersion in Liquids (ASTM Designation D471), enclosed by means of suitable cork stoppers to prevent loss by evaporation or leakage. Avoid putting Fuel A under greater than atmospheric pressure. Allow the filled hose to stand at room temperature for 48 hours, then remove the fuel and immediately test the hose specimen, in sequence, as described in paragraphs (b) to (d) of this section.

(b) Drop a steel ball through the specimen. If the ball does not pass freely, the

specimen fails the test. Diameter of steel ball shall be that specified in Table VII for Heavy Duty hose, and equal to the actual inside diameter measurement minus ball diameter factor in Table VIII for Light Duty hose.

(c) Next subject the specimen to a vacuum of 660 mm./26 in. of Hg. as prescribed in S6.3.6, except that no measurements of diameter are required and the vacuum shall be maintained for at least 10 minutes. If the hose leaks, the specimen fails the test.

(d) Cut the specimen lengthwise in two sections and examine for any signs of separation of the inner tube from the fabric. If there is separation, the specimen fails the test.

S6.3.11 *Adhesion test.* Conduct S6.2.7 using vacuum brake hose.

§ 6.3.12 *Tensile strength and elongation of tube and cover*—(a) *Apparatus.* Test apparatus shall consist of the following:

(i) *Bench marker.* The bench marker shall have two parallel straight marking surfaces ground smooth in the same plane. The surfaces shall be between 0.05 and 0.08 mm./0.002 and 0.003 in. in width and at least 15 mm./0.6 in. in length. The angles between the marking surfaces and the sides shall be at least 75°. The distance between the centers of the marking surfaces shall be within 0.08 mm./0.003 in. of the required distance.

(ii) *Stamp pad.* The stamp pad shall have plane unyielding surface (for example, hardwood, plate glass, or plastic). The ink shall have no deteriorating effect on the specimen and shall be of contrasting color to that of the specimen.

(iii) *Micrometers.* The dial micrometer used to measure the thickness of flat specimens shall be capable of exerting a pressure of 0.25±0.05 kg./cm.² (3.6±0.7 p.s.i.) on the specimens and measuring the thickness to within 0.025 mm. The anvil of the micrometer shall be at least 35 mm./1.4 in. in diameter and shall be parallel to the face of the contact foot.

(iv) *Testing machine.* Tension tests shall be made on a power-driven machine equipped with a suitable dynamometer and indicating or recording device for measuring the applied force within ±2 percent. If the capacity range cannot be changed during a test, as in the case of the pendulum dynamometer, the applied force at break shall be measured within ±2 percent, and the smallest tensile force measured shall be accurate to within 10 percent. If the dynamometer is of the compensating type for measuring tensile stress directly, means shall be provided to adjust for the cross sectional area of the specimen. The response of either an indicator or recorder shall be sufficiently rapid that the applied force is measured with the requisite accuracy during the extension of the specimen to rupture. If the tester is not equipped with a recorder, a device shall be provided that indicates after rupture the maximum force applied during extension. Testers equipped with a device to measure elongation automatically shall be capable of determining extensions within 5 percent of the original length. If elongation is measured manually, a scale capable of measuring each 10 percent elongation shall be provided.

(v) *Grips.* The tester shall have two grips, one of which shall be connected to the dynamometer, and a mechanism for separating the grips at a uniform rate of 50±5 cm. (20±2 in.)/min. for a distance of at least 75 cm./30 in. Grips for testing specimens shall be either wedged or toggle type designed to transmit the applied force over a large surface area of the specimen.

(vi) *Calibration of testing machine.* The testing machine shall be calibrated

in accordance with Procedure A of ASTM E4, Methods of Verification of Testing Machines.¹ If the dynamometer is of the strain-gage type the tester shall be calibrated at one or more loads daily, in addition to the requirements in sections 7 and 18 of Methods E4. Testers having pendulum dynamometers may be calibrated as follows: Place one end of a specimen in the upper grip of the testing machine. Remove the lower grip from the machine and attach it to the specimen. Attach to the lower grip a hook suitable for holding weights. Suspend a weight from the hook on the specimen to permit the weight assembly to rest on the machine grip holder. If the machine has a dynamometer head of the compensating type calibrate it at two or more settings of the compensator. Start the motor and run as in normal testing until the weight assembly is freely suspended by the specimen. If the dial or scale (whichever is normally used in testing) does not indicate the weight applied (or its equivalent in stress for compensating tester) within the specified tolerance, check the machine for excess friction in the bearings and all other moving parts. After eliminating as nearly as possible all the excess friction, recalibrate the machine as described in this paragraph. Calibrate the machine at a minimum of three points, using accurately known weight assemblies of approximately 10, 20, and 50 percent of capacity. Include the weight of the lower grip and hook as part of the calibration weight. If pawls and ratchet are used during the test, use them during the calibration. Friction in the head may be checked by calibrating with the pawls up.

(vii) *Apparatus for set test.* The testing machine described under (vi) or an apparatus similar to that shown in Figure 5 may be used. A stop watch or other suitable timing device which will register the time in minutes for at least 30 minutes shall be used. A scale or other device shall be provided for measuring set to within 1 percent.

(viii) *Test chamber for elevated temperature.* The test chamber shall conform with the following requirements:

Air shall be circulated through the chamber with a speed of 60 to 120 m. (200 to 400 ft.)/min. at the location of the grips and specimens, and maintained within 2° C./3.6° F. of the specified temperature.

A calibrated sensing device shall be located near the grips for measuring the actual temperature.

The chamber shall be vented to an exhaust system or the outside atmosphere to remove any toxic fumes liberated at high temperatures.

Provision shall be made for suspending specimens vertically near the grips for conditioning prior to test. The specimens must not touch each other or the sides of the chamber except for momentary con-

tact when agitated by the circulating air.

Suitable fast-acting grips for manipulation at high temperatures shall be provided to permit placing specimens in the grips without changing the temperature of the chamber.

The dynamometer shall be suitable for use at the temperature of test or thermally insulated from the chamber.

Provision shall be made for measuring elongation of specimens in the chamber. If a scale issued to measure the extension between benchmarks, the scale shall be located parallel and close to the grip path during extension and shall be controlled from outside the chamber.

(b) *Test specimens.* Test specimens shall be of sufficient length to permit their installation in the wedge or toggle grip used in the test. Benchmarks shall be placed on the specimens. To determine the cross sectional area of specimens in the form of tubes, the weight, length, and density of the specimen shall be determined. The cross sectional area shall then be calculated from these measurements as follows:

$$A = \frac{W}{DL}$$

where:

- A = Cross sectional area, cm.²,
- W = Weight in air, g.,
- D = Density, g./cm.³, and
- L = Length, cm.

To determine the cross sectional area in square inches, the area A in square centimeters shall be multiplied by 0.155.

(c) *Procedure*—(i) *Determination of tensile stress, tensile strength, and ultimate elongation.* Place specimens in the grips of the testing machine, using care to adjust it symmetrically in order that the tension will be distributed uniformly over the cross section. If tension is greater on one side of the specimen than on the other, the benchmarks will not remain parallel and maximum strength of the rubber will not be developed. Start the machine and note continually the distance between the center of the two benchmarks, taking care to avoid parallax. Record the stress at the elongation specified for the materials under test and at the time of rupture, preferably by means of an autographic or spark recorder. At rupture measure and record the elongation to the nearest 10 percent on the scale. If the stress and strain are not autographically recorded, predetermine the distance between the centers of the rollers for the elongation specified for the material under test by the following equation:

$$D = \frac{1}{2} \left[\frac{EM}{100} + C - G \right]$$

where:

- D = Distance between the roller centers of two grips,
- E = Specified elongation, percent,
- C = Inside circumference of the specimen,
- M = Mean circumference of the specimen, and

¹ ASTM Standards, Part 30 (1967).

G = Circumference of one grip roller (if each grip has two rollers, add twice the distance between the centers of the rollers on one grip).

Record the stress at the predetermined distance between the centers of the

rollers and at the time of rupture, preferably by means of an autographic or spark recorder. At rupture measure the distance between the centers of rollers to within 2.5 mm./0.1 in. and record.

Calculate the tensile strength by letting F in the above equation for tensile stress be equal to the force required to break the specimen. Tensile stress and tensile strength are expressed in either kilograms per square centimeter or pounds per square inch. One kg./cm.² is about 14.22 p.s.i.

Calculate the elongation as follows:

$$\text{Elongation, per cent} = \frac{L - L_0}{L_0} \times 100$$

where:

L = Observed distance between the benchmarks on the stretched specimen, and
 L_0 = Original distance between the benchmarks.

Calculate the maximum elongation by letter L in the above equation for elongation be equal to the distance between the benchmarks at the time of rupture. Calculate the tension set by substituting for L in the above equation, the distance between the benchmarks after the 10-minute retraction period.

APPENDIX

CONSTRUCTION OF APPARATUS

1. *Cabinets.* (a) The salt spray cabinet consists of the basic chamber, an air saturator tower, a salt solution reservoir, atomizing nozzles, specimen supports, provisions for heating the chamber, and suitable controls for maintaining the desired temperature.

(b) Accessories such as a suitable adjustable baffle or central fog tower, automatic level control for the salt reservoir, and automatic level control for the air saturator tower are pertinent parts of the apparatus.

(c) The cabinet is of sufficient size to test adequately the desired number of parts without overcrowding (i.e. no less than 15 cu. ft. capacity).

(d) The chamber may be made of inert materials such as plastic, glass, or stone, but most preferably is constructed of metal and lined with impervious plastics, rubber, or epoxy type materials or equivalent.

2. *Temperature control.* (a) The maintenance of temperature within the salt chamber can be accomplished by several methods. It is desirable to control the temperature of the surroundings of the salt spray chamber and to maintain it as stable as possible. This may be accomplished by placing the apparatus in a constant temperature room, or by surrounding the basic chamber by a jacket containing water or air at a controlled temperature.

(b) The use of immersion heaters in an internal salt solution reservoir or of heaters within the chamber is detrimental where heat losses are appreciable, because of solution evaporation and radiant heat on the specimens.

(c) All piping which contacts the salt solution or spray must be of inert materials such as plastic. Vent piping should be of sufficient size so that a minimum of back pressure exists and should be installed so that no solution is trapped. The exposed end of the vent pipe should be shielded from extreme air currents that may cause fluctuation of pressure or vacuum in the cabinet.

3. *Spray nozzles.* (a) Satisfactory nozzles may be made of hard rubber, plastic, or other inert materials. The most commonly used type is made of plastic. Nozzles calibrated for air consumption and solution atomized are available. The operating characteristics of a typical nozzle are given in Table A.

TENSION TESTING OF VULCANIZED RUBBER

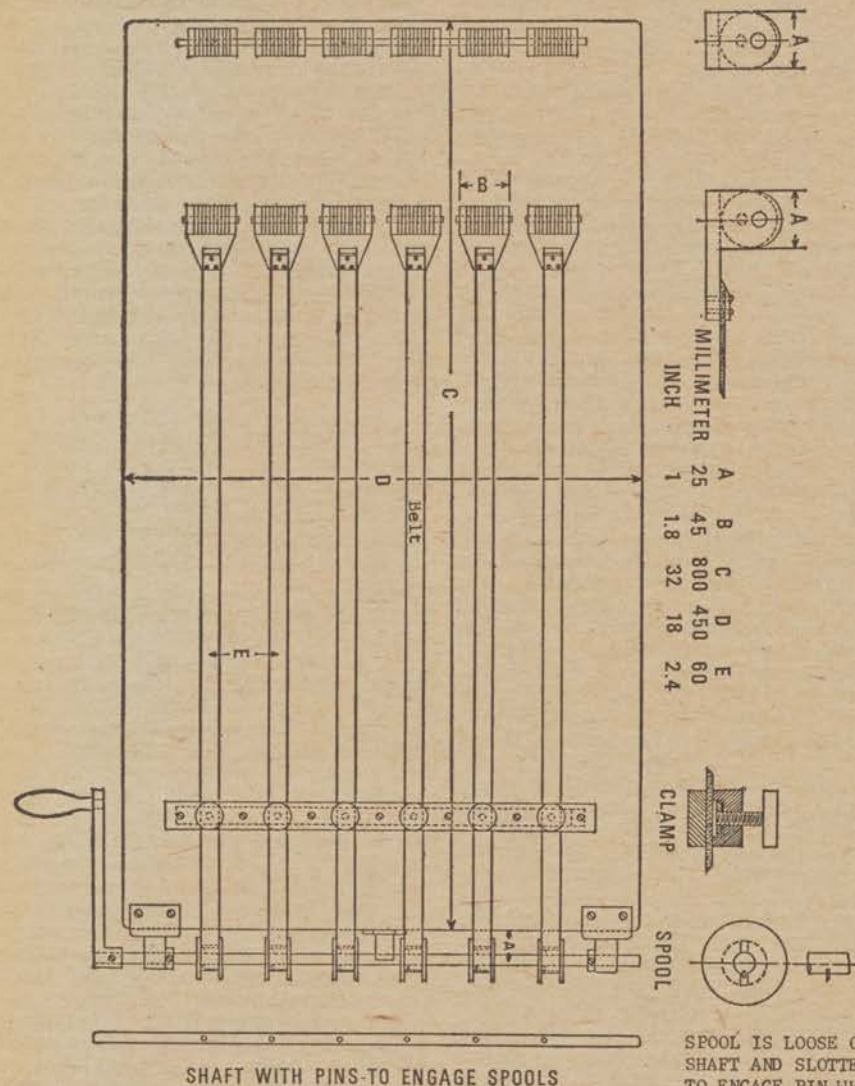


Fig. 5- Apparatus for Permanent Set Test

(ii) *Determination of set.* Place the specimen in the grips and adjust symmetrically. Separate the grips at a rate of speed as uniformly as practicable, requiring about 15 seconds to reach the specified elongation. Then hold the specimen at the specified elongation for 10 minutes, release quickly without being allowed to snap back, and allow to rest for an additional 10 minutes. At the end of the 10-minute rest period measure the distance between the benchmarks to the nearest 1 percent of original length.

(iii) *Set at break.* Set at break is the set determined on the specimen when

stretched to rupture. Ten minutes after the specimen is broken, fit the two pieces carefully together so that they are in contact over the full area of the break. Measure the distance between the benchmarks. The calculation is the same as that for tension set (see (i)).

(d) *Calculation.* Specimen: Calculate the tensile stress as follows:

$$\text{Tensile stress} = F/A$$

where:

F = Observed force, and

A = Cross sectional area of the unstretched specimen.

TABLE A.—OPERATING CHARACTERISTICS OF TYPICAL SPRAY NOZZLE

Siphon height, in.	Air flow, liters per min.				Solution consumption, ml per hr.			
	Air pressure, p.s.i.				Air pressure, p.s.i.			
	5	10	15	20	5	10	15	20
4	19	26.5	31.5	36	2100	3840	4584	5256
8	19	26.5	31.5	36	636	2760	3720	4320
12	19	26.5	31.5	36	0	1380	3000	3710
15	19	26.5	31.5	36	0	780	2124	2904

(b) Air consumption is relatively stable at the pressures normally used, but a marked reduction in solution sprayed occurs if the level of the solution is allowed to drop appreciably during the test. Thus, the level of the solution in the salt reservoir must be maintained automatically to ensure uniform fog delivery during the test.

(c) If the nozzle selected does not atomize the salt solution into uniform droplets, direct the spray at a baffle or wall to pick up the larger drops and prevent them from impinging on the test specimens. The nozzle selected shall produce the desired condition when operated at the air pressure selected. Nozzles are not necessarily located at one end, but may be placed in the center and can also be directed vertically up through a suitable tower.

4. Air for atomization. (a) The air used for atomization must be free of grease, oil, and dirt before use by passing through well-maintained filters. Room air may be compressed, heated, humidified, and washed in a water sealed rotary pump, if the temperature of the water is suitably controlled. Otherwise cleaned air may be introduced into the bottom of a tower filled with water, through a porous stone or multiple nozzles. The level of the water must be maintained automatically to ensure adequate humidification. A chamber operated according to this method will have a relative humidity between 95 and 98 percent. Since salt solutions from 2 to 6 percent will give the same results (though for uniformity the limits are set at 4 to 6 percent), it is preferable to saturate the air at temperature well above the chamber temperature as insurance of a wet fog. Table B shows the temperatures, at different pressures, that are required to offset the cooling effect of expansion to atmospheric pressure.

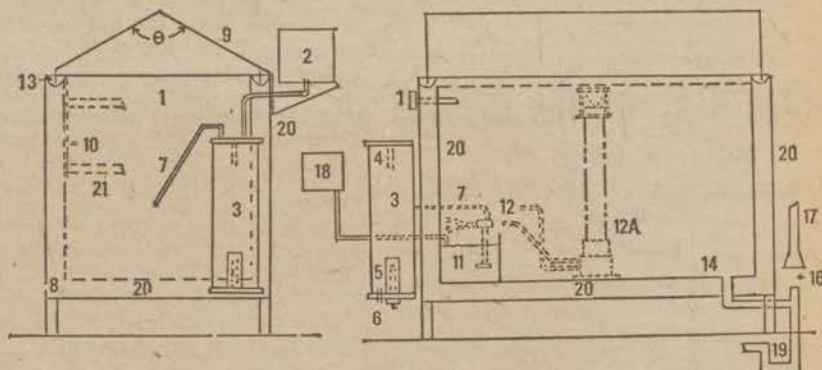
TABLE B.—TEMPERATURE AND PRESSURE REQUIREMENTS FOR OPERATION OF TEST AT 95° F.

	Air pressure, p.s.i.			
	12	14	16	18
Temperature, degree fahrenheit.	114	117	119	121

(b) Experience has shown that most uniform spray chamber atmospheres are obtained by increasing the atomizing air temperature sufficiently to offset heat losses, except those that can be replaced otherwise at very low temperature gradients.

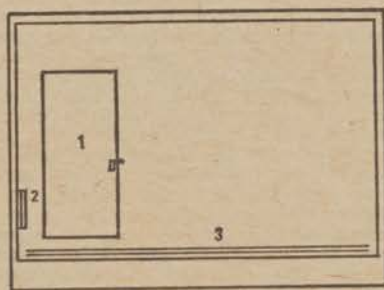
5. Types of construction. A modern laboratory cabinet is shown in Figure (1). Walk-in chambers are not usually constructed with a sloping ceiling due to their size and location. Suitably located and directed spray nozzles avoid ceiling accumulation and drip. Nozzles may be located at the ceiling, or 3 feet from the floor directed upward at 30° to 60° over a passageway. The number of nozzles depends on type and capacity and is related to the area of the test space. A 3- to 5-gallon reservoir is required within the chamber, with the level controlled. The major features of a walk-in type cabinet,

which differs significantly from the laboratory type, are illustrated in Figure (2). Construction of a plastic nozzle is shown in Figure (3).



- 0 - Angle of lid, 90 to 125 deg
- 1 - Thermometer and thermostat for controlling heater (Item No. 8) in base
- 2 - Automatic water leveling device
- 3 - Humidifying tower
- 4 - Automatic temperature regulator for controlling heater (Item No. 5)
- 5 - Immersion heater, non-rusting
- 6 - Air inlet, multiple openings
- 7 - Air tube to spray nozzle
- 8 - Strip heater in base
- 9 - Hinged top, hydraulically operated, or counterbalanced
- 10 - Brackets for rods supporting specimens, or test table
- 11 - Internal reservoir
- 12 - Spray nozzle above reservoir, suitably located and baffled
- 12A - Spray nozzle housed in dispersion tower located preferably in center of cabinet
- 13 - Water Seal
- 14 - Combination drain and exhaust. Exhaust at opposite side of test space from spray nozzle (Item 12), but preferably in combination with drain, waste trap, and force draft waste pipe (Items 16, 17, and 19).
- 16 - Complete separation between forced draft waste pipe (Item 17) and combination drain and exhaust (Items 14 and 19) to avoid undesirable suction or back pressure.
- 17 - Forced draft waste pipe.
- 18 - Automatic levelling device for reservoir
- 19 - Waste trap
- 20 - Air space or water jacket
- 21 - Test table or rack, well below roof area

Fig. 1.—Typical Salt Spray Cabinet



NOTE.—The controls are the same, in general, as for the laboratory cabinet (Fig. 1), but are sized to care for the larger cube. The chamber has the following features:

- (1) Heavy insulation,
- (2) Refrigeration door with drip rail, or pressure door with drip rail, inward sloping sill,
- (3) Low temperature auxiliary heater, and
- (4) Duck boards on floor with floor sloped to combination drain and air exhaust.

Fig. 2.—Walk-in Chamber, 5 by 8 ft and Upward in Overall Size

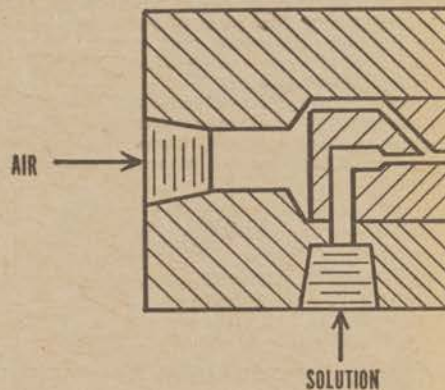


FIG. 3.—TYPICAL SPRAY NOZZLE.

[F.R. Doc. 70-10992; Filed, Aug. 27, 1970; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs
ROUND VALLEY RESERVATION,
CALIF.

Ordinance Legalizing Introduction, Sale, or Possession of Intoxicants

AUGUST 21, 1970.

In accordance with authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2, and in accordance with the Act of August 15, 1953, Public Law 277, 83d Congress, first session (67 Stat. 586), I certify that the following ordinance relating to the application of the Federal Indian Liquor Laws on the Round Valley Reservation, Calif., was adopted on July 21, 1970, by the Covelo Indian Community of the Round Valley Reservation, which has jurisdiction over the area of Indian country included in the ordinance, reading as follows:

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

Therefore, be it resolved that the introduction, sale, or possession of intoxicating beverages shall be lawful within the boundaries of the Round Valley Reservation under the jurisdiction of the Covelo Indian Community Council: *Provided*, That such introduction, sale, or possession is in conformity with the laws of the State of California.

Be it further resolved, that the Covelo Indian Community Council has the authority to regulate the place and length of time where intoxicants can be sold on the Round Valley Reservation.

Be it further resolved, that any tribal laws, resolutions, or ordinances heretofore enacted which prohibit the sale, introduction, or possession of intoxicating beverages are hereby repealed.

HAROLD D. COX,
*Acting Commissioner
of Indian Affairs.*

[F.R. Doc. 70-11396; Filed, Aug. 27, 1970;
8:47 a.m.]

Bureau of Reclamation

ARROWROCK RESERVOIR, BOISE PROJECT, IDAHO, AND BOISE NA- TIONAL FOREST, IDAHO

Order of Transfer of Administrative Jurisdiction of Land

By virtue of the authority vested in the Secretary of the Interior by section 7(c)

of the Act of July 9, 1965 (79 Stat. 217), and his delegation of authority to the Commissioner of Reclamation dated February 25, 1966, published March 4, 1966 (31 F.R. 3426), jurisdiction over the following described lands, aggregating some 1,560 acres which lie within or adjacent to exterior boundaries of the Boise National Forest, Idaho, and which were acquired by the Bureau of Reclamation in the development of the Arrowrock Reservoir, Boise Project, is hereby transferred to the Secretary of Agriculture for recreational and other National Forest System purposes:

BOISE MERIDIAN

T. 3 N., R. 5 E.,
Sec. 1, lot 11;
Sec. 2, lots 5, 6, 7 (SE $\frac{1}{4}$ SW $\frac{1}{4}$);
Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 10, lots 4, 5, 6, SW $\frac{1}{4}$ SW $\frac{1}{4}$; and that portion of lot 7 lying northerly of a line beginning at a point 121.6 feet north of the southeast corner of sec. 10; thence N. 62°48' W., 1,485 feet to a point on the west line of said lot 7.
Sec. 11, lots 1, 2, 3, 4, 7, 8, 9, 10, 11, W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$; and that portion of lot 12 lying north of a line beginning at a point on the north and south midsection line of said sec. 11, being 240 feet north of the south quarter corner of said sec. 11; thence east 130 feet; thence north 340 feet; thence N. 50°12' E., 1,157 feet to a point on the north line of said lot 12, and being 1,640 feet west of the east section line of said sec. 11.
Sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 15, lots 1, 2, 3, and 4;
Sec. 16, lot 1; and that portion of said sec. 16 more particularly described as follows:

Beginning at a meander corner of the west boundary of said sec. 16 on the south side of the Boise River; thence run 8.37 chains south along the west boundary of said sec. 16, to the southwest corner of said sec. 16; thence 15 chains east along the south boundary of said sec. 16; thence north 5 chains; thence east 5 chains; thence north 5 chains; thence east 10 chains; thence north 5 chains; thence east 5 chains; thence south 5 chains; thence east 5 chains; to the north and south midsection line of said sec. 16; thence east 5 chains; thence north 5 chains; thence west 5 chains; thence north 5 chains along the north and south midsection line of said sec. 16; thence east 5 chains; thence north 10 chains; thence east 5 chains; thence north 5 chains; thence east 5 chains; thence north 5 chains; thence east 20 chains along the east and west midsection line of said sec. 16; thence south 5 chains; thence east 5 chains; thence north 5 chains to the east quarter corner of said sec. 16; thence north 25.81 chains along the east boundary of said sec. 16 to a meander corner on the south side of the Boise River; thence in a southwesterly direction along the south bank of the Boise River to a meander corner of the west boundary of said sec. 16, the point of beginning. Beginning again at a meander corner on the west boundary of said sec. 16 on the north bank of the Boise River; thence north 7.03 chains along the

west boundary of said sec. 16; thence east 10 chains; thence north 15 chains; thence east 5 chains; thence north 5 chains; thence east 5 chains along the east and west midsection line of said sec. 16; thence north 5 chains; thence east 5 chains; thence north 10 chains; thence east 10 chains; thence north 5 chains; thence east 5 chains; thence north 20 chains along the north and south midsection line of said sec. 16 to the north quarter corner of said sec. 16; thence 20 chains east along the north boundary of sec. 16; thence south along the east boundary of said lot 3 to the meandered shoreline on the north side of the Boise River; thence in a southwesterly direction along the north bank of the Boise River to a meander corner on the west boundary of said sec. 16, the point of beginning.

Sec. 19: A parcel of land lying in and being a portion of E $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Beginning at a point on the north section line of said sec. 19, being 259.3 feet west of the quarter corner common to secs. 18 and 19; thence in a southerly direction at right angles to said section line a distance of 664 feet; thence to the left 20°0' a distance of 758 feet; thence to the right 20°0' a distance of 590 feet; thence to the right 134°0' a distance of 360 feet; thence to the left 84°0' a distance of 1,228 feet; thence to the left 50°0' a distance of 500 feet; thence to the right 90°0' a distance of 120 feet; thence to the right 90°0' a distance of 1,327 feet; thence to the right 57°0' a distance of 240 feet; thence to the left 47°0' a distance of 638 feet; thence to the left 10°0' a distance of 920 feet; thence to the right 90°0' a distance of 749 feet to the point of beginning.

Secs. 23, 24, 25, 26: A parcel of land located in lots 8 and 10, sec. 23; lot 3, sec. 24; lot 4, sec. 25; and NE $\frac{1}{4}$ NE $\frac{1}{4}$, sec. 26 as more particularly described as follows:

Commencing at a point on the east section line of said sec. 26, 8.11 chains, S. 0°03' E. of the northeast section corner of said sec. 26; thence S. 88°24' E., 8.94 chains; thence S. 60°35' E., 7.97 chains; thence S. 50°15' E., 5.32 chains; thence north 12.82 chains; thence N. 69°30' W., 8.28 chains to a point on the north section line of said sec. 25, 12.23 chains N. 89°58' E. of the north-west corner of said sec. 25; thence N. 57°15' W., 7.68 chains; thence N. 48°15' W., 7.60 chains to a point on the east section line of said sec. 23, 9.23 chains N. 0°02' W. of the southwest section corner of said sec. 23; thence N. 23°30' W. 7.20 chains; N. 7°30' E., 7 chains; thence N. 25°30' W. 6 chains; thence N. 48°30' W., 4 chains; thence N. 84°30' W., 6.30 chains; thence N. 48°30' W., 8.36 chains; thence S. 0°03' W., 12.86 chains; thence S. 41°28' E., 4.30 chains; thence S. 33°15' E., 5.24 chains; thence S. 19°05' E., 2.88 chains; thence S. 18°28' E., 4.01 chains; thence S. 1°42' E., 6.07 chains; thence S. 28°43' E., 4.46 chains to a point on the south section line of said sec. 23, 9.84 chains N. 89°47' W. of the southeast section corner of said sec. 23; thence S. 8°34' E., 5.23 chains; thence S. 63°46' E., 5.20 chains; thence S. 81°15' E. 4.46 chains to the point of beginning.

Sec. 36: A parcel of land more particularly described as follows:

Beginning at the north quarter corner of said sec. 36; thence running westerly along the north boundary of said sec. 36, 6.23 chains to a meander corner on the east side of the Boise River; thence in a southeasterly direction along the east bank of the South Fork of the Boise River to a meander corner on the east boundary of said sec. 36; thence 19.70 chains north along said east boundary to the east quarter corner of said sec. 36; thence 5 chains west along the east and west midsection line of said sec. 36; thence 5 chains south; thence 10 chains west; thence 5 chains north; thence 5 chains west along said east and west midsection line; thence 10 chains north; thence 5 chains west; thence 5 chains north; thence 5 chains west; thence 5 chains north; thence 5 chains west; thence 20 chains north to the north boundary of said sec. 36; thence 5 chains west along said north boundary of sec. 36 to the north quarter corner of said sec. 36, the point of beginning. Beginning again at the meander corner on the north boundary of said sec. 36 and on the west side of the river; thence running 11.35 chains west along said north boundary; thence 10 chains south; thence 5 chains west; thence 10 chains south; thence 5 chains east; thence 15 chains south; thence 5 chains east; thence 5 chains south to the east and west midsection line of said sec. 36; thence 25 chains south; thence 5 chains east; thence 15 chains south; thence 10 chains east along the south boundary of said sec. 36 to the south quarter corner of said sec. 36; thence 20 chains north along the north and south midsection of said sec. 36; thence 5 chains west; thence 15 chains north; thence 5 chains east to the north and south midsection line of said sec. 36; thence 5 chains east; thence 5 chains south; thence 5 chains east; thence 10 chains south; thence 5 chains east; thence 5 chains south; thence 5 chains east; thence 10 chains south; thence 5 chains east; thence 5 chains south; thence 20 chains east; thence 7.80 chains north along the east boundary of said sec. 36 to a meander corner on the south bank of the South Fork of the Boise River; thence in a north-westerly direction along the south bank of said South Fork of the Boise River to the meander corner on the north boundary of said sec. 36, the point of beginning.

Pursuant to said section 7(c) of the aforesaid Act of July 9, 1965, the above lands shall become National Forest Lands provided that all lands and waters within the Arrowrock Reservoir area needed or used for the operation of the project or for other Reclamation purposes shall continue to be administered by the Commissioner of Reclamation to the extent he determines to be necessary for such operation.

This order shall be effective upon publication in the FEDERAL REGISTER.

Dated: August 21, 1970.

ELLIS L. ARMSTRONG,
Commissioner of Reclamation.

[F.R. Doc. 70-11422; Filed, Aug. 27, 1970; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services
Administration

BOWLING GREEN STATE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00402-33-46500. Applicant: Bowling Green State University, Department of Biology, Bowling Green, Ohio 43402. Article: Ultramicrotome, Model LKB 8800. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article will be used for research concerning localization of enzymatic activity in pollen grains and sea urchin eggs. In the pollen grains, crystalline microbodies of demonstrable enzymatic activity have been demonstrated. The applicant will be attempting to localize specific enzymes in thin sections for electron microscopy as well as isolating the microbodies by ultracentrifugation and embedding the pellets. In both cases the use of water soluble methacrylates or water soluble vestopal will be required as embedding media.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness, etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00665-33-46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an identical foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult". The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of April 17, 1970, that cutting speeds in excess of 3.2 mm./sec. are pertinent to the applicant's research studies which involve sectioning of sea urchin egg or other soft specimens in soft, water soluble embeddings.

We, therefore, find that the Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-11380; Filed, Aug. 27, 1970; 8:46 a.m.]

JOHNS HOPKINS UNIVERSITY

Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Articles

The consolidated notice of decision as published in Volume 35, Number 146 (pages 12141-12142), of the FEDERAL REGISTER dated Wednesday, July 29, 1970, pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) is hereby amended to delete the following:

Docket No. 67-00065-33-46500. Applicant: The Johns Hopkins University, Baltimore, Md. 21205. Article: Reichert ultramicrotome, Model "Cmu2." Date of dental without prejudice to resubmission: May 11, 1967.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-11384; Filed, Aug. 27, 1970; 8:46 a.m.]

**MARQUETTE SCHOOL OF
MEDICINE, INC.**

**Notice of Decision on Application for
Duty-Free Entry of Scientific Article**

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00203-33-46040. Applicant: Marquette School of Medicine, Inc., 561 North 15th Street, Milwaukee, Wis. 53233. Article: Ultramicrotome, Model LKB 8800A, Ultratome III. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article will be used primarily for cutting ultrathin sections of cornea for electron microscopic examination. Corneal tissue is composed of dense collagenous stroma covered on one surface by four or five layers of epithelial cells and on the other by a single layer of mesothelial cells. Serial sections of extremely thin sections are required of complete cross-sections of this heterogeneous tissue and can only be produced with the article because of its wide range of cutting speeds and size of block that can be sectioned.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness, etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00665-33-46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an identical foreign article,

HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness, etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult". The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec. The applicant's research studies involve sectioning of corneal tissue including diseased and thickened corneas in complete cross section that requires a block of rather large size. This is a most difficult tissue to section properly without disruption or distortion, particularly with the longer size specimen, due to the great differences in tissue density encountered. In this connection HEW advises in its memorandum of April 28, 1970, that for successful work with the tissues described above, the widest possible choice of cutting speeds should be available and that the settings of the measurement of knife angle can be very critical. HEW further advises that extremely thin sections of this heterogeneous tissue are needed and that range of cutting speed is particularly pertinent.

We, therefore, find that the Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-11382; Filed, Aug. 27, 1970; 8:46 a.m.]

UNIVERSITY OF CALIFORNIA

**Notice of Decision on Application for
Duty-Free Entry of Scientific Article**

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00461-33-46500. Applicant: University of California, San Francisco Medical Center, Purchasing Department, 1438 South 10th Street,

Richmond, Calif. 94804. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article will be used to prepare a variety of tissues, such as peripheral blood cells, bone marrow, kidney, liver intestinal mucosa, muscle, skin biopsies, and cartilage, for electron microscopy. These materials from experimental animals and human biopsies, will be investigated for morphological variations of specific subcellular components, including mitochondria, rough and smooth endoplasmic reticulum, microtubules, fibrils, fat, fibers, and other inclusions. Very thin serial sections of known thickness must be cut consistently.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00665-33-46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an identical foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult". The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec.

We are advised by HEW in its memorandum of May 8, 1970, that a wide range of cutting speeds is pertinent to the applicant's research studies which require sectioning of specimens having

a wide range of tissue consistency from fat to fiber and, further, cutting speeds in excess of 3.2 mm./sec. are pertinent to the sectioning of the softer specimens.

We, therefore, find that the Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-11381; Filed, Aug. 27, 1970; 8:46 a.m.]

UNIVERSITY OF MISSOURI

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00485-60-46500. Applicant: University of Missouri, Department of Plant Pathology, Columbia, Mo. 65201. Article: Ultramicrotome, Model LKB 8800. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article will be used as an interdisciplinary research tool in the College of Agriculture Electron Microscope Facility. Members of several departments, including Food Science and Nutrition, Forestry, Plant Pathology, Horticulture, and Geology currently utilizing the facility are primarily concerned with fine structure in a wide range of biological specimens. One study concerns the ultrastructure of reproductive, sporulating and germinating stages in fungal development. Germinating structures are especially soft and delicate and require the utmost care in handling and embedding. Another study, ultrastructural defects in wood, presents special problems in embedding and ultrathin sectioning.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness, etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00665-33-46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an identical foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness, etc." requires a maximum range in cutting speed and, further, that "The Production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult". The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed of 0.09 to 3.2 mm./sec. We are advised by HEW in its memorandum of May 22, 1970, that cutting speeds in excess of 4 mm./sec. are pertinent to the applicant's research studies involving the sectioning of soft germinating fungal specimens.

We, therefore, find that the Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-11393; Filed, Aug. 27, 1970; 8:46 a.m.]

Office of the Secretary INTERAGENCY COMMITTEES

The following information on interagency committees chaired by the De-

partment of Commerce is published pursuant to the provisions of Bureau of the Budget Circular No. A-63.

A. Continuing interagency committees established by legislation, Executive order, or Presidential direction:

Federal Advisory Council on Regional Economic Development.
Industry Evaluation Board.
Interagency Committee on Export Expansion.
President's Cabinet Textile Advisory Committee.
President's "E" Award Committee.

B. Committees (otherwise established) in existence June 30, 1970 and continued for up to 2 years longer:

AEC/MA Liaison Committee.
Committee on USDA/ESSA Research in Meteorology and Climatology.
Executive Committee of Board on Geographic Names.
Executive Committee on Port Utilization and Control.
Federal Committee for Meteorological Services and Supporting Research.
Interagency Committee on Standards Policy.
Interagency Committee for World Weather Program.
Interdepartmental Committee for Applied Meteorological Research.
Interdepartmental Committee for Interama.
Interdepartmental Committee for Meteorological Services.
Interdepartmental Committee on the Radiation Preservation of Food.
Interdepartmental Screw Thread Committee.
Subcommittee on Industrial Security of the Interdepartmental Committee on Internal Security.

C. Committees established during fiscal year 1970:

Federal Advisory Council for the Coastal Plains Region.
Federal Advisory Council for the Four Corners Region.
Federal Advisory Council for the New England Region.
Federal Advisory Council for the Ozarks Region.
Federal Advisory Council for the Upper Great Lakes Region.

D. Committees abolished during fiscal year 1970:

Interagency Nickel Working Group.
Interagency Shoe Committee.
Marine Environmental Prediction Planning Staff.
Patent Advisory Panel.
Subcommittee on Import-Export Commodity Classifications of the Interagency Advisory Committee on Foreign Trade Statistics.

E. Committees (previously chaired by Commerce) no longer under the Department's purview:

Committee on Balance of Payments Information.
Joint Steering Committee for Joint Surface Effect Ship Program.

Dated: August 21, 1970.

LARRY A. JOBE,
Assistant Secretary
for Administration.

[F.R. Doc. 70-11398; Filed, Aug. 27, 1970; 8:47 a.m.]

[DESI 12368]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

o-ISOPROPOXYPHENYL METHYLCARBAMATE

Notice of Extension of Temporary Tolerance; Correction

In F.R. Doc. 70-9955 appearing at page 12360 of the FEDERAL REGISTER of August 1, 1970, the expiration date "July 24, 1971" in the third paragraph is corrected to read "April 23, 1971."

Dated: August 19, 1970.

R. E. DUGGAN,
*Acting Associate Commissioner
for Compliance.*

[F.R. Doc. 70-11386; Filed, Aug. 27, 1970;
8:46 a.m.]

NATIONAL STARCH AND CHEMICAL CORP.

Notice of Filing of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 0B2568) has been filed by National Starch and Chemical Corp., 1700 West Front Street, Plainfield, N.J. 07063, proposing that § 121.2526 *Components of paper and paperboard in contact with aqueous and fatty foods* (21 CFR 121.2526) be amended in paragraph (a)(5) to provide for the safe use of a mixture of (2-alkenyl) succinic anhydrides, where the average number of carbon atoms in the 2-alkenyl group is approximately 18, as a sizing agent in the manufacture of paper and paperboard for food-contact use.

Dated: August 19, 1970.

R. E. DUGGAN,
*Acting Associate Commissioner
for Compliance.*

[F.R. Doc. 70-11387; Filed, Aug. 27, 1970;
8:46 a.m.]

[DESI 9847]

HYDROCORTISONE ACETATE AND NEOMYCIN SULFATE INJECTABLE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following combination drug for parenteral use:

Neo-Cortef Sterile Injection Suspension containing hydrocortisone acetate and neomycin sulfate; by The Upjohn Company, 7171 Portage Road, Kalamazoo, Mich. 49002 (NDA 9-847).

The Food and Drug Administration concludes there is a lack of substantial evidence, within the meaning of the Federal Food, Drug, and Cosmetic Act, that this fixed combination is effective for all labeled indications in that such evidence is lacking to show that each ingredient of the combination drug contributes to the total effects it purports or is represented to have.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to amend the antibiotic drug regulations (21 CFR Part 148) to delete from the list of drugs acceptable for certification those that contain the above-listed combination intended for human use.

Prior to initiating such action, however, the Commissioner invites all interested persons who might be adversely affected by removal of this drug from the market to submit pertinent data bearing on the proposal within 30 days following the publication of this announcement in the FEDERAL REGISTER. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a)(5) of the regulations published as a final order in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety. Such data should be identified with the reference number DESI 9847 and addressed to the Special Assistant for Drug Efficacy Study Implementation (BD-201), Bureau of Drugs, Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852.

This announcement of the proposed action and implementation of the NAS-NRC reports for this drug is made to give notice to persons who might be adversely affected by removal of the drug from the market.

The firm listed above has been mailed a copy of the NAS-NRC report. Any interested person may obtain a copy of the report on this drug by writing to the Food and Drug Administration, Press Relations Staff (CE-200), 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050-51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: August 12, 1970.

SAM D. FINE,
*Associate Commissioner for
Compliance.*

[F.R. Doc. 70-11390; Filed, Aug. 27, 1970;
8:47 a.m.]

ISOPROTERENOL HYDROCHLORIDE FOR ORAL USE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drug:

Proterol Tablets; containing isoproterenol hydrochloride; marketed by Key Pharmaceuticals, Inc., 300 Northeast 59th Street, Miami, Fla. 33137 (NDA 12-368).

The drug is regarded as a new drug. The effectiveness classification and marketing status are described below.

A. Effectiveness classification. The Food and Drug Administration has considered the Academy report, as well as other available evidence, and concludes that isoproterenol hydrochloride is possibly effective when administered orally for heart block and Stokes-Adams syndrome.

B. Marketing status. 1. Holders of previously approved new-drug applications and any person marketing any such drug without approval will be allowed 6 months from the date of publication of this announcement in the FEDERAL REGISTER to obtain and to submit in a supplemental or original new-drug application data to provide substantial evidence of effectiveness for those indications for which this drug has been classified as possibly effective. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a)(5) of the regulations published as a final order in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

2. At the end of the 6-month period, any such data will be evaluated to determine whether there is substantial evidence of effectiveness for such uses. After that evaluation, the conclusions concerning the drug will be published in the FEDERAL REGISTER. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to withdraw approval of the new-drug applications for such drugs, pursuant to the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act. Withdrawal of approval of the applications will cause any such drugs on the market to be new drugs for which an approval is not in effect.

The above-named holder of the new-drug application for this drug has been mailed a copy of the NAS-NRC report.

Any interested person may obtain a copy of the report by writing to the office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 12368 and be directed to the attention of the following appropriate office and addressed (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Supplements (Identify with NDA number):
Office of Marketed Drugs (BD-200), Bureau of Drugs.

Original new-drug applications: Office of New Drugs (BD-100), Bureau of Drugs.
All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (BD-201), Bureau of Drugs.

Requests for NAS-NRC Report: Press Relations Office, Food and Drug Administration (CE-200), 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: August 12, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-11391; Filed, Aug. 27, 1970;
8:47 a.m.]

[DESI 6653]

p-NITROSULFATHIAZOLE FOR RECTAL USE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drug:

Nisulfazole Suspension containing p-nitrosulfathiazole, marketed by Breon Laboratories, Inc., subsidiary of Sterling Drug, Inc., 90 Park Avenue, New York, N.Y. 10016 (NDA 6-653).

The Food and Drug Administration has considered the Academy report, as well as other available evidence, and concludes there is a lack of substantial evidence within the meaning of the Federal Food, Drug, and Cosmetic Act that this drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to withdraw approval of the above-listed new-drug application.

Prior to initiating such action, however, the Commissioner invites the holder of the new-drug application for this drug, and any interested person who might be adversely affected by its removal from the market, to submit pertinent data bearing on the proposal within 30 days

after publication hereof in the FEDERAL REGISTER. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a) (5) of the regulations published as a final order in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

This announcement of the proposed action and implementation of the NAS-NRC report for this drug is made to give notice to persons who might be adversely affected by its withdrawal from the market. Promulgation of an order withdrawing approval of the new-drug application will cause any such drug on the market to be a new drug for which an approved new-drug application is not in effect and will make it subject to regulatory action.

The above-named holder of the new-drug application for this drug has been mailed a copy of the NAS-NRC report. Any interested person may obtain a copy of the report by writing to the office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 6653, directed to the attention of the following appropriate office, and addressed to the Food and Drug Administration:

Requests for NAS-NRC reports: Press Relations Office (CE-200), 200 C Street SW., Washington, D.C. 20204.

All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (BD-201), Bureau of Drugs, 5600 Fishers Lane, Rockville, Md. 20852.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: August 17, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-11388; Filed, Aug. 27, 1970;
8:47 a.m.]

[DESI 7663]

POTASSIUM AMINO BENZOATE ORAL PREPARATIONS

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study

Group, on Potaba Capsules, Envules, Powder, and Tablets containing potassium aminobenzoate marketed by Glenwood Laboratories, Inc., 83 Summit Street, Tenafly, N.J. 07670 (NDA 7663).

These drugs are regarded as new drugs. The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy report, as well as other available evidence, and concludes that:

1. Potassium aminobenzoate is possibly effective in the treatment of scleroderma, dermatomyositis, morphea, linear scleroderma, pemphigus, and Peyronie's disease.

2. The drug lacks substantial evidence of effectiveness for the treatment of rheumatoid arthritis, sarcoidosis, and pulmonary fibrosis.

B. *Marketing status.* 1. Within 60 days of the date of publication of this announcement in the FEDERAL REGISTER, the holder of any previously approved new-drug application for a drug described in paragraph A2 above is requested to submit a supplement to his application to provide for revised labeling, as needed, which deletes those indications for which such drug has been classified as lacking substantial evidence of effectiveness. Such supplement should be submitted under the provisions of § 130.9 (d) and (e) of the new-drug regulations (21 CFR 130.9 (d) and (e)) which permit certain changes to be put into effect at the earliest possible time. The revised labeling should be put into use within the 60-day period. Failure to do so may result in a proposal to withdraw approval of the new-drug application.

2. If any such preparation is on the market without an approved new-drug application, its labeling should be revised if it includes those claims for which substantial evidence of effectiveness is lacking as described in paragraph A2 above. Failure to delete such indications and to put the revised labeling into use within 60 days after the date of publication hereof in the FEDERAL REGISTER may cause the drug to be subject to regulatory proceedings.

3. Holders of previously approved new-drug applications for any drug described in this announcement and any person marketing such drug without approval will be allowed 6 months from the date of publication of this announcement in the FEDERAL REGISTER to obtain and submit in a supplemental or original new-drug application data to provide substantial evidence of effectiveness for those indications for which the drug is regarded as possibly effective. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a) (5) of the regulations published as a final order in the FEDERAL REGISTER of May 8, 1970 (35 F.R.

7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

4. At the end of the 6-month period, any such data will be evaluated to determine whether there is substantial evidence of the effectiveness of the drug for such uses. After that evaluation, the conclusions concerning the drug will be published in the FEDERAL REGISTER. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to withdraw approval of the new-drug applications for this drug pursuant to the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)). Withdrawal of approval of the applications will cause any such drug on the market to be a new drug for which an approval is not in effect.

The above named holder of the new-drug application for this drug has been mailed a copy of the NAS-NRC report. Any interested person may obtain a copy of the report by writing to the office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 7863 and be directed to the attention of the appropriate office listed below and addressed (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Supplements (Identify with NDA number):
Office of Marketed Drugs (BD-200), Bureau of Drugs.

Original new-drug applications: Office of New Drugs (BD-100), Bureau of Drugs.

All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (BD-201), Bureau of Drugs.

Requests for NAS-NRC Report: Press Relations Office, Food and Drug Administration (CE-200), 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: August 14, 1970.

SAM D. FINE,
Associate Commissioner
for Compliance.

[F.R. Doc. 70-11389; Filed, Aug. 27, 1970;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 22175; Order 70-8-98]

FRONTIER AIRLINES, INC.

Order Instituting Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 24th day of August 1970.

By application filed on May 11, 1970, Frontier Airlines, Inc. (Frontier), requests permission to use the Lawton/Fort Sill Municipal Airport at Lawton, Okla., for serving Duncan, Okla.

Frontier presently serves Duncan with CV-580 aircraft on two round-trip flights operating between Dallas and Oklahoma City via Duncan and Lawton/Fort Sill on segment 19 of route 73. Under the present proposal, the Duncan stop would be eliminated.

In support of its application, Frontier alleges, inter alia, that Duncan has consistently been a low traffic-generating point and has averaged only 2.29 passengers per departure during the most recent 12-month period; that Duncan is located less than 30 miles from Lawton and 70 miles from Oklahoma City, and is connected by good highways and convenient bus service; and that elimination of Duncan on its round-trip flight will result in a subsidy need reduction of \$97,000 for the year ending June 30, 1970.

The city of Duncan and the Duncan Chamber of Commerce filed an answer opposing Frontier's request, alleging, inter alia, that grant of Frontier's application would constitute a suspension of service at Duncan and deprive that point of air service which it needs and utilizes; and that the economic data supporting Frontier's application do not justify suspension of service at that city.¹ Frontier subsequently filed a reply to Duncan's answer.²

Upon consideration of the pleadings and all the relevant facts, we have decided to deny Frontier's application³ and institute an investigation to determine whether Frontier's certificate should be amended so as to either (1) delete Duncan from its certificate for route 73, or (2) redesignate Duncan and Lawton/Fort Sill as a hyphenated point, with service to be provided through the Lawton/Fort Sill airport.

We note that in the absence of a replacement service, Duncan will be without air service for the first time since 1954. Moreover, the community vigorously opposes the elimination of service to Duncan, and we believe that under all the circumstances it is appropriate to consider, on an evidentiary record, Duncan's contentions that there is sufficient traffic to support continued operations by Frontier.

Accordingly, it is ordered, That:

¹In addition, Duncan takes issue with Frontier's estimates of the financial results which would obtain by eliminating Duncan from its route.

²Frontier filed a motion requesting leave to file the reply. We will grant that motion.

³Under the circumstances which obtain here, we are not persuaded that the airport notice procedure is the appropriate vehicle by which to proceed. We have also considered granting Frontier authority to temporarily suspend service at Duncan; however, for the reasons stated herein, we do not feel that such action is warranted. In this connection we note that Frontier included economic data which would have been required if the application had been filed as a request for temporary suspension of service.

1. The motion of Frontier Airlines for leave to file an unauthorized document be and it hereby is granted;

2. The application of Frontier Airlines in Docket 22175 be and it hereby is denied; and

3. An investigation be and it hereby is instituted in Docket 22505 to determine whether the public convenience and necessity require that the certificate of Frontier Airlines for route 73 should be altered, amended, or modified so as to either (1) delete Duncan, Okla., or (2) redesignate Duncan and Lawton/Fort Sill, Okla., as a hyphenated point, with service to be provided through the Lawton/Fort Sill Municipal Airport.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL]

HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-11418; Filed, Aug. 27, 1970;
8:49 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GENERAL COUNSEL ET AL.

Delegation of Authority To Approve Production of HUD Material in Response to Subpenas

The General Counsel, the Deputy General Counsel, and the Deputy General Counsel for Legal Affairs each is authorized to exercise the power and authority of the Secretary of Housing and Urban Development to approve the production or disclosure of HUD materials or information by HUD employees or former employees in response to subpenas or demands of courts or other authorities, pursuant to HUD regulations set out in Subpart H of 24 CFR Part 15.

(Sec. 7(d) of the D/HUD Act of 1965, 42 U.S.C. 3535)

Effective date. This delegation of authority is effective as of August 27, 1970.

GEORGE ROMNEY,
Secretary of Housing and
Urban Development.

[F.R. Doc. 70-11359; Filed, Aug. 27, 1970;
8:45 a.m.]

CIVIL SERVICE COMMISSION

EXECUTIVE ASSISTANT, SMITHSONIAN INSTITUTION

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage for the single position of Executive Assistant, GS-301-15, office of the Assistant Secretary, Smithsonian Institution, Washington, D.C., on August 13, 1970.

Assuming other legal requirements are met, the Institution may pay the travel

and transportation expenses of an appointee to this position to first post of duty. The finding is self-canceling when the position is filled.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-11430; Filed, Aug. 27, 1970; 8:50 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Notice of Title Change in Noncareer Executive Assignment

By notice of November 17, 1967, F.R. Doc. 67-13608, the Civil Service Commission authorized the departments and agencies to fill by noncareer executive assignment, certain positions removed from Schedule C of Civil Service Rule VI by 5 CFR 213.3301a on November 17, 1967. This is notice that the title of one such position so authorized to be filled by noncareer executive assignment has been changed from Assistant to the Assistant Secretary of Renewal and Housing Assistance for Problems of the Elderly and Handicapped to Special Assistant for Problems of the Elderly and Handicapped.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-11429; Filed, Aug. 27, 1970; 8:50 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Office of Economic Opportunity to fill by noncareer executive assignment in the excepted service the position of Deputy Associate Director for Congressional, Governmental, and Private Sector Relations.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-11426; Filed, Aug. 27, 1970; 8:50 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Office of Economic Opportunity to fill

by noncareer executive assignment in the excepted service the position of Associate Director for Policy Planning and Rural Affairs, Office of Program Policy, Community Action Program.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-11427; Filed, Aug. 27, 1970; 8:50 a.m.]

SMALL BUSINESS ADMINISTRATION

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Small Business Administration to fill by noncareer executive assignment in the excepted service the position of Deputy Associate Administrator for Financial Assistance.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-11428; Filed, Aug. 27, 1970; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Mexican List 264]

MEXICAN STANDARD BROADCASTING STATIONS

List of New Stations, Proposed Changes in Existing Stations, Deletions, and Corrections in Assignments

Correction

In F.R. Doc. 70-10935 appearing at page 13409 in the issue for Friday, August 21, 1970, the first entry under the heading "Call letters" should read, "XELT (Correction of an omission: In operation with 500W-D/250W-N since 5.26.66. Increase in daytime power and change in class)."

FEDERAL MARITIME COMMISSION

COMPAGNIE FRANCAISE DE NAVIGATION

Order of Revocation of Certificates of Financial Responsibility

Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation No. P-27 and Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages No. C-1,030.

Whereas, Compagnie Francaise de Navigation, 4, Rue des Capucines, Paris, France, has ceased to operate the passenger vessel "Renaissance"; and

Whereas, Compagnie Francaise de Navigation has returned Certificate (Performance) No. P-27 and Certificate (Casualty) No. C-1,030 covering the "Renaissance" for revocation:

It is ordered, That Certificate (Performance) No. P-27 and Certificate (Casualty) No. C-1,030 covering the "Renaissance" be and are hereby revoked effective August 24, 1970.

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

By the Commission.

JOSEPH C. POLKING,
Assistant to the Secretary.

[F.R. Doc. 70-11374; Filed, Aug. 27, 1970; 8:45 a.m.]

HARRIS COUNTY HOUSTON SHIP CHANNEL NAVIGATION DISTRICT AND TERMINAL SERVICES HOUSTON, 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. Robert Eikel, Eikel & Goller, 205 Oil and Gas Building, Houston, Tex. 77002.

Agreement No. T-2445, between Harris County Houston Ship Channel Navigation District (District) and Terminal

Services Houston, Inc. (Terminal), is a month-to-month lease whereby District agrees to lease approximately 15.5 acres to Terminal for a public container marshaling yard to be used solely for the handling of containers and for no other purpose. Terminal's rates will be approved by the District and are presently governed by Item 65 in section 5 of District's current tariff. For use of District's premises and lease of the marshaling yard, Terminal will pay a monthly rental of 20 cents per ton (2,000 lbs.) for each container ton handled through the yard.

Dated: August 20, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-11399; Filed, Aug. 27, 1970;
8:47 a.m.]

PORT OF OAKLAND ET AL.

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. J. Kerwin Rooney, Port Attorney, Port of Oakland, 66 Jack London Square, Post Office Box 2064, Oakland, Calif. 94607.

Agreement No. T-2197-1 between the Port of Oakland (Port) and Japan Line, Ltd., Kawasaki Kisen Kaisha, Ltd., Mitsui O.S.K. Lines, Ltd., and Yamashita-Shinnihon Steamship Co., Ltd. (the

Lines), modifies the basic agreement which provides for the lease of a container crane located at the Seventh Street Terminal Area. The purpose of the modification is to increase the hourly rate for the use of the crane by secondary users.

Dated: August 19, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-11401; Filed, Aug. 27, 1970;
8:48 a.m.]

PORT OF SEATTLE AND SEA-LAND SERVICE, 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. T. P. McCutchan, Manager, Property Management Department, Port of Seattle, Post Office Box 1209, Seattle, Wash. 98111.

Agreement No. T-2005-5 between the Port of Seattle and Sea-Land Service, Inc., modifies the basic agreement which provides for the lease of property at Seattle, Wash., for use as a marine terminal. The purpose of the modification is to (1) provide for the acquisition of an additional container crane and related electrical systems and (2) adjust the monthly rental.

Dated: August 19, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-11400; Filed, Aug. 27, 1970;
8:48 a.m.]

TERMINAL SERVICES HOUSTON, 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 by:

Robert Eikel, Esquire, Eikel & Goller, 205 Oil and Gas Building, Houston, Tex. 77002.

Agreement No. 9889, between Texport Stevedore Co., Inc., Lykes Bros. Steamship Co., Inc., Furness, Withy & Co., Inc., Young & Co., and Strachan Shipping Co., provides:

The undersigned corporations hereby agree to form a corporation pursuant to the laws of the State of Texas, the purposes of which will include providing container handling operations for the Port of Houston, as a public facility, under a lease or contract with the Harris County Houston Ship Channel Navigation District for the use of the District facilities, the five undersigned corporations to own equal number of the issued shares of stock, either beneficially or directly.

Dated: August 20, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-11402; Filed, Aug. 27, 1970;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-9963 etc.]

FLORENCE S. CHERRY ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

AUGUST 19, 1970.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before September 11, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). 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. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions 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 all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

KENNETH F. PLUMB,
Acting Secretary.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-9963 E 7-27-70	Florence S. Cherry et al. (successor to Helen Gholson Cherry et al.), 1124 Lubbock National Bank Bldg., Lubbock, Tex. 79401.	Natural Gas Pipeline Co. of America, Camrick Southeast Gas Pool, Texas County, Okla.	16.0	14.65
G-16912 C 7-27-70	Skelly Oil Co., Post Office Box 1650, Tulsa, Okla. 74102.	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	13.0	15.025
G-18921 E 7-27-70	Mesa Petroleum Co. (Operator) et al. (successor to D. S. Marsalis, agent et al.), Post Office Box 2009, Amarillo, Tex. 79105.	Transwestern Pipeline Co., acreage in Ochiltree and Roberts Counties, Tex.	17.0	14.65
G-19967 E 7-27-70	do	Northern Natural Gas Co., Morrow Field, Hansford County, Tex.	15.5	14.65
G-19968 E 7-27-70	do	do	16.5	14.65
C161-1467 E 7-31-70	Domillon Oil & Gas Co. (successor to Eagle Oil Co.), c/o Murray E. Helmers, Esq., 407 West Missouri Ave., Midland, Tex. 71701.	United Fuel Gas Co., Granny's Creek Field, Clay County, W. Va.	18.0	15.325
C162-77 E 7-24-70	Robert L. Williams, d.b.a. Imperial Oil Co. (Operator) et al. (successor to Vernon E. Faulconer and John Roger McCoy d.b.a. Faulconer & McCoy), 780 Fourth National Bank Bldg., Wichita, Kans. 67202.	Cities Service Gas Co., Aetna Mississippi Pool, Barber County, Kans.	14.0	14.65
C162-1251 C 8-3-70	Texas Pacific Oil Co., Inc. (Operator) et al., 1700 One Main Pl., Dallas, Tex. 75250.	Arkansas Louisiana Gas Co., Wilburton Field, Pittsburg County, Okla.	15.0	14.65
C163-383 E 7-21-70	J. Gregory Merrion et al. (successor to Humble Oil & Refining Co.), Post Office Box 1541, Farmington, N. Mex. 87401.	El Paso Natural Gas Co., East Boundary Butte Field, Apache County, Ariz.	18.7	15.025
C164-951 E 8-3-70	Featherstone Farms, Ltd. (successor to Martha Featherstone), 1717 West Second, Roswell, N. Mex. 88201.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Arch Unit, Sweetwater County, Wyo.	15.6163	14.65
C165-757 E 8-3-70	do	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Patrick Draw Field, Sweetwater County, Wyo.	17.0	14.65
C168-699 (C171-73) E 7-28-70*	Texas Oil & Gas Corp. (successor to Phil W. Phillips), 2700 Fidelity Union Tower, Dallas, Tex. 75201.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	17.0	14.65
C168-650 C 7-30-70	Texas Oil & Gas Corp. (Operator) et al.	Cities Service Gas Co., acreage in Woods and Harper Counties, Okla.	17.0	14.65
C168-889 E 7-23-70	Richard W. Robbins, Jr. et al. (successor to Richard W. Robbins et al.), 423 North Main St., Pratt, Kans. 67124.	Northern Natural Gas Co., Guymon-Hugoton Field, Texas County, Okla.	12.0	14.65
C170-1032 C 8-5-70	Westrans Petroleum, Inc., 250 Park Ave., New York, N.Y. 10017.	Carnegie Natural Gas Co., Union and Clay Districts, Ritchie County, W.Va.	27.0	15.325
C171-65 (C166-176) F 7-23-70	B. J. Brown (successor to Skelly Oil Co. (Operator) et al.), 701 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.	Arkansas Louisiana Gas Co., Chismville Field, Logan County, Ark.	16.0	14.65
C171-66 (C168-509) F 7-23-70	B. J. Brown (successor to Texas Pacific Oil Co., Inc.).	do	16.0	14.65
C171-67 A 7-27-70	Cities Service Co., Post Office Box 300, Tulsa, Okla. 74102.	Arkansas Louisiana Gas Co., Panola Plant Outlet, Carthage Field, Panola County, Tex.	18.1	14.65
C171-68 A 7-30-70	Graham-Michaels Drilling Co., 302 G-M Bldg., 211 North Broadway, Wichita, Kans. 67202.	Michigan Wisconsin Pipe Line Co., Southwest and Northwest Cedar-dale Blocks, Woodward County, Okla.	20.0	14.65
C171-70 (C162-1441) F 7-28-70	Texas Oil & Gas Corp. (Operator) (successor to National Cooperative Refinery Association).	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	17.0	14.65
C171-71 (C161-306) F 7-28-70	Texas Oil & Gas Corp. (Operator) (successor to Midwest Oil Corp.).	do	17.0	14.65
C171-72 (C160-614) F 7-28-70	Texas Oil & Gas Corp. (Operator) (successor to Cal-Ray Petroleum Corp.).	do	17.0	14.65
C171-74 (C162-388) F 7-28-70	Texas Oil & Gas Corp. (successor to Jack M. Allen et al.).	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Mocane Field, Beaver County, Okla.	18.1	14.65
C171-75 (C160-124) F 7-27-70	Omega Oil Corp. (successor to Trader's Oil and Royalty), Post Office Box 188, Sequin, Tex. 78155.	South Texas Natural Gas Gathering Co., Carolina Tex Field, Webb County, Tex.	14.5	14.65
C171-76 (G-19019) F 7-27-70	do	South Texas Natural Gas Gathering Co., Henne-Winch-Farris Field, Jim Hogg and Webb Counties, Tex.	14.5	14.65
C171-77 A 7-31-70	Suburban Propane Gas Corp., Post Office Box 206, Whippany, N.J. 07981.	United Gas Pipe Line Co., Roanoke Field, Jefferson Davis Parish, La.	21.5	15.025

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[Docket No. CP70-305]

FALL RIVER GAS CO.

Notice of Petition To Amend

AUGUST 27, 1970.

Take notice that on August 26, 1970, Fall River Gas Co. (petitioner), Post Office Box 911, Fall River, Mass. 02722, filed in Docket No. CP70-305 a petition to amend the order of the Commission issued on July 17, 1970, to authorize the importation of certain volumes of liquefied natural gas (LNG) from Canada in addition to those volumes previously authorized by the aforementioned order, all as more fully set forth in its petition to amend which is on file with the Commission and open to public inspection.

Petitioner was authorized by the aforementioned order to import up to 1,200,000 gallons of LNG, which it proposed to purchase from Northern and Central Gas Corp., Ltd. (Northern and Central) at \$0.70 per Mcf, f.o.b. Montreal, Canada.

Petitioner states that this authorized importation has been completed, but that in light of certain operating problems encountered in the startup of its own liquefaction facility, it will not be able, as contemplated, to fill its storage tank with the combined input of 1,200,000 gallons of Canadian LNG and the estimated LNG volumes to be processed in its own liquefaction facilities from natural gas purchased from its pipeline supplier during the remaining nonheating period prior to the 1970-71 heating season.

The stated purpose of this petition to amend is to obtain authorization to import an additional 400,000 gallons of LNG to be purchased from Northern and Central at \$0.70 per Mcf, f.o.b. Montreal, Canada. Petitioner states that the importation of such additional volumes of LNG will be sufficient to fill its storage tank, and assure an adequate supply of natural gas to meet its customers' requirements during the 1970-71 heating season.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 14, 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). 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.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70-11469; Filed, Aug. 27, 1970;
9:49 a.m.]

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI71-78 B 7-30-70	Sun Oil Co., 1608 Walnut St., Philadelphia, Pa. 19103.	Natural Gas Pipeline Co. of America, Willamar Field, Willacy County, Tex.	(15)	-----
CI71-79 (CS87-40) F 7-29-70	Triton Oil & Gas Corp. (successor to L. & N. Production Co.), 2310 Republic National Bank Tower, Dallas, Tex. 75201.	El Paso Natural Gas Co., Big Lake Area, Reagan County, Tex.	14.5	14.65
CI71-80 A 7-30-70	Lloyd G. Jackson, agent, Post Office Box 498, Hamlin, W. Va. 25523.	United Fuel Gas Co., acreage in Logan County, W. Va.	18.0	15.325
CI71-81 A 7-29-70	Charley Cain, Inez, Ky. 41224.	United Fuel Gas Co., acreage in Martin County, Ky.	18.0	15.325
CI71-83 A 8-3-70	Imperial-American Management Co., 2100 First City National Bank Bldg., Houston, Tex. 77002.	Arkansas Louisiana Gas, Northwest Watonga Field, Blaine County, Okla.	17.0	14.65
CI71-84 (G-17206) F 7-29-70	Jerome P. McHugh, et al. (successor to El Paso Products Co.), 930 Petroleum Club Bldg., Denver, Colo. 80202.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	14.0536	15.025
CI71-85 A 8-3-70	McCulloch Oil Corp. to Texas, 501 Wall Towers, East Midland, Tex. 79701.	Arkansas Louisiana Gas Co., Mathers Ranch Anadarko Basin, Hemphill County, Tex.	17 20.5 18 21.5	14.65
CI71-86 A 8-3-70	McCulloch Oil Corp., 6151 West Century Blvd., Los Angeles, Calif. 90045.	Arkansas Louisiana Gas Co., Aledo Area, Anadarko Basin, Dewey County, Okla.	17 20.0 18 21.0	14.65
CI71-87 A 8-3-70	do.	Arkansas Louisiana Gas Co., Leddy Area, Anadarko Basin, Dewey County, Okla.	17 20.0 18 21.0	14.65
CI71-88 B 7-31-70	Shell Oil Co., One Shell Plaza, Houston, Tex. 77002.	United Gas Pipe Line Co., acreage in Lincoln and Pike Counties, Miss.	Depleted	-----
CI71-89 (G-11174) F 8-3-70	Texas Oil & Gas Corp. (Operator) (successor to, Gulf Oil Corp.).	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Laverne Field, Harper County, Okla.	15 17.0	14.65
CI71-90 A 8-3-70	Lone Star Producing Co., 301 South Harwood St., Dallas, Tex. 75201.	Natural Gas Pipeline Co. of America and Lone Star Gas Co., acreage in Hemphill County, Tex.	20 21.0	14.65
CI71-91 F 7-30-70 #	Colorado Oil & Gas Corp. (successor to Skelly Oil Co.), Box 749, Denver, Colo. 80201.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Greenwood Field, Morton County, Kans.	22 16.0	14.65
CI71-92 F 7-24-70	Phillips Petroleum Co. (successor to Atlantic Richfield Co.), Bartlesville, Okla. 74004.	Arkansas Louisiana Gas Co., Ada Field, Bienville Parish, La.	14.3533	15.025
CI71-93 (CI69-200) F 7-30-70	Sobio Petroleum Co. (Operator) et al. (successor to J. M. Huber Corp., agent and operator et al.), 970 First National Office Bldg., Oklahoma City, Okla. 73102.	Panhandle Eastern Pipe Line Co., Daisy Pool, Woodward County, Okla.	18.0	14.65
CI71-94 B 7-24-70	Geological Exploration Co. (Operator) et al., 201 Pinetree Rd., Longview, Tex. 75601.	Lone Star Gas Co., Hendershaw Field, Rusk County, Tex.	(2)	-----
CI71-95 A 7-27-70	Morris Gas Co., c/o R. H. Adkins, agent, Hamlin, W. Va.	United Fuel Gas Co., acreage in Logan County, W. Va.	18.0	15.325
CI71-96 (CI63-160) F 7-31-70	Franks Petroleum Inc. (successor to The California Co., a division of Chevron Oil Co.), Post Office Box 7665, Shreveport, La. 71107.	Texas Eastern Transmission Corp., West Bryceland Field, Bienville Parish, La.	18.75	15.025
CI71-97 B 8-4-70	Texas Oil & Gas Corp.	Transcontinental Gas Pipe Line Corp., Gueydon Field, Vermilion Parish, La.	Depleted	-----
CI71-98 B 8-4-70	Rhodes & Hicks Drilling Corp. et al.	Valley Gas Transmission, Inc., Maetze Field, Goliad County, Tex.	Depleted	-----
CI71-99 A 8-4-70	Robert J. Riedel, d.b.a. R & R Lease Service, Post Office Box 72, Plains, Kans. 67869.	Panhandle Eastern Pipe Line Co., acreage in Meade County, Kans.	216.0	14.65
CI71-101 B 8-5-70	Carter-Jones Drilling Co. (Operator) et al., Post Office Box 1597, Kilgore, Tex. 75662.	Lone Star Gas Co., Carthage Field, Panola County, Tex.	(2)	-----
CI71-102 A 8-3-70	Mrs. Helen C. Phillips, Post Office Box 1265, Portsmouth, Ohio 45662.	United Fuel Gas Co., acreage in Floyd County, Ky.	16.0	15.325

¹ By letter filed Aug. 3, 1970, Applicant advised willingness to accept certificate at 13 cents per Mcf in lieu of 13.0551 cents.

² Contract provides for rate of 16.015 cents per Mcf; however, Applicant states its willingness to accept certificate at the rate of 15 cents per Mcf.

³ Rate in effect subject to refund in Docket No. RI70-870.

⁴ Rate in effect subject to refund in Docket No. RI70-1143.

⁵ Rate in effect subject to refund in Docket No. RI68-208.

⁶ Application was erroneously assigned Docket No. CI71-73 as a partial succession. Docket No. CI71-73 is canceled and application will be processed as a petition to amend the certificate in Docket No. CI68-599.

⁷ Subject to upward and downward B.t.u. adjustment.

⁸ Contract provides for rate of 20 cents per Mcf; however, Applicant states its willingness to accept certificate at an initial rate of 17 cents per Mcf.

⁹ Rate in effect subject to refund in Docket No. RI68-634.

¹⁰ Rate in effect subject to refund in Docket No. RI69-69.

¹¹ Rate in effect subject to refund in Docket No. RI69-43.

¹² Rate in effect subject to refund in Docket No. RI63-62. Subject to upward and downward B.t.u. adjustment.

¹³ Successor in interest to Carter & Carter.

¹⁴ Successor in interest to Seas Oil Corp. (Operator) et al.

¹⁵ Conveyed interest to Pan American Petroleum Corp.

¹⁶ Rate in effect subject to refund in Docket No. RI64-460.

¹⁷ Wellhead deliveries.

¹⁸ Gathered deliveries.

¹⁹ Rate in effect subject to refund in Docket No. RI68-68. Subject to upward and downward B.t.u. adjustment.

²⁰ Includes 1 cent per Mcf gathering charge. Subject to upward and downward B.t.u. adjustment.

²¹ Partially succeeds Skelly Oil Co.'s FPG GRS No. 65.

²² Rate in effect subject to refund in Docket No. RI64-505. Subject to upward and downward B.t.u. adjustment.

²³ Purchaser proposes to remove its pipeline from interstate commerce.

²⁴ Subject to upward B.t.u. adjustment.

[F.R. Doc. 70-11319; Filed, Aug. 27, 1970; 8:45 a.m.]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.;
Temporary Reg. F-74]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the customer interest of the Federal Government in a telecommunications rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the Public Service Commission of Kentucky in a proceeding (Case No. 5354) involving telecommunications rates of the South Central Bell Telephone Co.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: August 21, 1970.

JOHN W. CHAPMAN, Jr.,
Acting Administrator of
General Services.

[F.R. Doc. 70-11415; Filed, Aug. 27, 1970;
8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2744]

METROPOLITAN LIFE INSURANCE CO. AND METROPOLITAN VARIABLE ACCOUNT B OF METROPOLITAN LIFE INSURANCE CO.

Notice of Filing of Application for Order and for Certain Exemptions

AUGUST 24, 1970.

Notice is hereby given that Metropolitan Life Insurance Co. (Metropolitan) and Metropolitan Variable Account B of Metropolitan Life Insurance Co. (Account B), 1 Madison Avenue, New York, N.Y. 10010 (hereinafter called Applicants), have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 54 Stat. 789, 15 U.S.C. section 80a (Act), for an order exempting Applicants from the provi-

sions of sections 17(f), 22(d), 27(a)(3), and 27(c)(2) of the Act.

Metropolitan established Account B on December 16, 1969, pursuant to the New York Insurance Law to allocate to Account B purchase payments, after certain deductions, received under individual variable annuity contracts designed to provide retirement payments to employees of public school systems and certain other tax-exempt organizations under annuity purchase arrangements meeting the requirements of section 403(b) of the Internal Revenue Code. Account B is an open-end, diversified management investment company registered under the Act. All interested persons are referred to the application as amended on file with the Commission for a statement of the representations therein which are summarized below.

Section 17(f)(3) provides that a registered management investment company may maintain its securities and similar investments in its own custody, but only in accordance with such rules and regulations or orders as the Commission may from time to time prescribe for the protection of investors. Rule 17f-2(b) provides, with certain exceptions, that all securities and similar investments must be deposited in the safekeeping of a bank or other company whose functions and physical facilities are supervised by Federal or State authority. Rule 17f-2(d) provides that no more than five persons shall have access to such investments.

Applicants request an order under the provisions of section 17(f)(3) of the Act in order to permit Metropolitan to maintain custody in its vault of the securities and similar investments held in Account B clearly identified as applicable to Account B, and to permit 10 duly authorized officers or responsible employees of Metropolitan, as well as representatives of the New York Insurance Department and members of the National Association of Insurance Commissioners duly designated zonal auditing committee to have access to such investments in Account B on the ground that adequate protection will be afforded to investors in Account B. With the exception of access to the securities and similar investments held in Account B by more than the number of persons specified in Rule 17f-2(d), Applicants represent that all other provisions of Rule 17f-2 will be met as if such investments were in a vault maintained by a bank.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus.

Applicants request an exemption from section 22(d) to permit the following practices:

(1) Make no sales charge with respect to any purchase payment made on the contract retirement date which consists of the proceeds of another annuity contract or life insurance contract issued by Metropolitan on the life of the annuitant under a variable annuity contract

funded by Account B and meeting the requirements of section 403(b) of the Internal Revenue Code.

(2) Distribute divisible surplus with respect to the contracts, all of which are issued on a participating basis. If any surplus is realized by Metropolitan from the aggregate deductions and charges made by it under the contracts during the accumulation period, Metropolitan may determine that a distribution of divisible surplus shall become payable under the contracts, which distribution may be made without deduction of a sales charge. Such distributions are commonly referred to as "dividends" and, under the terms of the contracts, any such distribution shall be made in such amount and manner and under such conditions as Metropolitan may determine. The most common methods of distributing divisible surplus are expected to be: (a) Payment in cash, (b) application to future purchase payments under the contract, and (c) by the crediting of additional accumulation units under the contract.

(3) Permit the beneficiary under a variable annuity contract funded by Account B to elect to have the proceeds payable upon the death of an annuitant applied to a variable annuity in lieu of a lump sum payment without deduction of a sales charge.

Applicants assert that no unfair discrimination would result from elimination of sales charge under the foregoing circumstances. In each instance, a sales charge will have been previously deducted under the contract or under another contract issued by Metropolitan.

Section 27(a)(3) of the Act makes it unlawful for any registered investment company issuing periodic payment plan certificates, or for any depositor or underwriter for such company, to sell any such certificate if the amount of sales load deducted from any one of the first 12 monthly payments exceeds proportionately the amount deducted from any other such payment or if the amount of sales load deducted from any subsequent payment exceeds proportionately the amount deducted from any other subsequent payment.

The proposed amount of sales load deduction from purchase payments received under a contract during each contract year is as follows:

Amount of payments during year:	Deduction (as percent of payments)
First \$10,000	8.0 percent.
Next \$40,000	4.5 percent.
Balance	2.5 percent.

Applicants request an exemption from section 27(a)(3) of the Act to permit such a schedule of sales load deductions or any similar schedule under which the percentage amount of sales load deducted from payments under contracts issued in connection with Account B may decrease within a contract year: *Provided*, That the percentage amount of sales load deducted from any payment under any such contract shall not exceed 9 percent of such payment. Applicants represent

that section 27(a)(3) of the Act was designed to lessen losses which might be incurred upon early termination of periodic payment plan certificates involving front-end load arrangements. Applicants further represent that their proposed sales deductions schedule does not involve a front-end load arrangement and that such a schedule cannot lead to the abuses intended to be curbed by section 27(a)(3).

Section 27(c)(2) prohibits a registered investment company or a depositor or underwriter for such company from selling periodic payment plan certificates unless the proceeds of all payments, other than the sales load, are deposited with a bank as trustee or custodian and held under an indenture or agreement containing, in substance, the provisions required by section 26(a)(2) and (3) for a unit investment trust. Section 26(a)(2) requires that the trustee or custodian segregate and hold in trust all securities and cash of the trust and places certain restrictions on charges which may be made against the trust income and corpus and excludes from expenses which the trustee or custodian may charge against the trust any payments to the depositor or principal underwriter, other than a fee not exceeding such reasonable amount as the Commission may prescribe for performing bookkeeping and other administrative services delegated to them by the trustee or custodian. Section 26(a)(3) governs the circumstances under which the trustee or custodian may resign. Applicants request an exemption from these requirements to permit the proceeds of all payments under the variable annuity contracts to be held by Metropolitan on the grounds that its status as a regulated insurance company, and its obligations as an insurance company to its variable annuity contract owners provide substantially the protection contemplated by these requirements.

Applicants have consented that the requested exemption may be made subject to the conditions (1) that the charges to variable annuity contract owners for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe, jurisdiction being reserved for such purpose, and (2) that the payment of sums and charges out of the assets of the Account shall not be deemed to be exempted from regulation by the Commission by reason of the requested order, provided that the Applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payments of sums and charges out of such assets other than charges for administrative services, and Applicants reserve the right in any proceeding before the Commission or in any suit or action in any court to assert that the Commission has no authority to regulate the payment of such other sums or charges.

Section 6(c) authorized the Commission to exempt any person, security or transaction or any class or classes of persons, securities, or transactions, from the provisions of the Act and rules promulgated thereunder if and to the extent

that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than September 10, 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 shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants 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 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 by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 70-11423; Filed, Aug. 27, 1970;
8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 80]

APPLICATION FOR RAILROAD CONTROL OF WATER CARRIER OF EXEMPT COMMODITIES

AUGUST 25, 1970.

The following applications are governed by the Interstate Commerce Commission's general rules governing notice of filing of applications and protests thereto. (49 CFR 1100.39 and 1100.40)

RAILROAD CONTROL OF WATER CARRIER OF EXEMPT COMMODITIES

Finance Docket No. 26310. By application filed August 17, 1970, the SOUTHERN RAILWAY COMPANY seeks an order under section 5(16) of the Interstate Commerce Act authorizing it to control the SOUTHERN REGION COAL TRANSPORT, INC., which operates exclusively as a contract carrier by water

transporting coal in bulk from docks of the PEABODY COAL COMPANY near Shawneetown, Ill., and Sturgis, Ky., on the Ohio River, to a transloader near Sheffield, Ala., on the Tennessee River, or, in the alternative, a finding that the transaction is not prohibited by section 5(14) of the act.

Any person wishing to object to the railroad's proposal should file its protest with the Secretary of the Interstate Commerce Commission within 15 days from the date of this publication.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[F.R. Doc. 70-11419; Filed, Aug. 27, 1970;
8:49 a.m.]

[Notice 579]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 25, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

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

No. MC-FC-72276. By order of August 19, 1970, the Motor Carrier Board approved the transfer to Chappell Freight Lines, Inc., Lakewood, Colo., of that portion of the operating rights in certificate No. MC-127602 issued February 17, 1969, to Denver-Midwest Motor Freight, Inc., Denver, Colo., authorizing the transportation of general commodities, with the usual exceptions, between Denver, Colo., and points in Sedgwick County, Colo., on the one hand, and, on the other, Chappell, Ogallala, and North Platte, Nebr. Earl H. Scudder, Jr., Post Office Box 2028, 605 South 14th Street, Lincoln, Nebr. 68501, attorney for applicants.

No. MC-FC-72291. By order of August 19, 1970, the Motor Carrier Board approved the transfer to Siuslaw Motor Transport Co., a corporation, Eugene, Ore., of the operating rights in certificate No. MC-38361 issued March 1, 1951, to R. H. McCullough, doing business as Siuslaw Motor Transport Co., Eugene, Ore., authorizing the transportation of general commodities, except those of unusual value, dangerous explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between points in Oregon, as follows: From Florence to the site of the Crown Zellerbach Company installation about 6 miles south of the junction of Westlake Road and U.S. Highway 101, serving all intermediate

points; from Florence to Sea Lion Caves, serving all intermediate points, and from Eugene to Florence, serving all intermediate points; from Springfield to Eugene, serving no intermediate points; from Mapleton to Camp Jackson, serving no intermediate points, and from Eugene to Mapleton, serving no intermediate points. Robert B. McConville, 505 Pioneer Trust Building, Salem, Oreg. 97301, attorney for applicants.

No. MC-FC-72299. By order of August 17, 1970, the Motor Carrier Board approved the transfer to Elizabeth Enzmann, Chicago, Ill., of the certificate of registration in No. MC-120674 (Sub-No. 1) issued April 20, 1965, to Lincoln Express and Freight Lines, Inc., Chicago, Ill., evidencing a right to engage in transportation in interstate or foreign commerce solely within the State of Illinois, corresponding in scope to the service authorized in certificate of public convenience and necessity No. 8566 MC-C

dated June 16, 1964, issued by the Illinois Commerce Commission, and reissued to Elizabeth Enzmann on March 4, 1970. Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432, attorney for applicants.

No. MC-FC-72309. By order of August 19, 1970, the Motor Carrier Board approved the transfer to Dee Gee Motor Freight, Inc., Chicago, Ill., of certificate of registration No. MC-98870 (Sub-No. 1) issued April 10, 1969, to Irene DeGuire, doing business as Dee Motor Freight, Chicago, Ill., evidencing a right to engage in transportation in interstate commerce as described in certificate of public convenience and necessity No. 1864MC dated November 17, 1954, transferred and reissued October 31, 1967, by the Illinois Commerce Commission. Harold A. Cowen, 1 North La Salle Street, Chicago, Ill. 60602, attorney for applicants.

No. MC-FC-72316. By order of August 19, 1970, the Motor Carrier Board approved the transfer to J. E. Lammert Transfer, Inc., Grand Island, Nebr., of the operating rights in certificates Nos. MC-110589 and MC-110589 (Sub-No. 2) issued May 26, 1949, and June 7, 1950, respectively, to John E. Lammert, doing business as J. E. Lammert Transfer, authorizing the transportation of malt beverages, in containers, from St. Paul, Minn., and Peoria, Ill., to McCook, Nebr., and empty malt beverage containers, on return; and malt beverages, from St. Paul and Minneapolis, Minn., to Grand Island and North Platte, Nebr., and empty malt beverage containers, on return. Donn K. Bieber, Box 311, Schuyler, Nebr. 68661, attorney for applicants.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[F.R. Doc. 70-11420; Filed, Aug. 27, 1970;
8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—AUGUST

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during August.

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