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Agencies in this issue-

Agricultural Stabilization and Conservation Service Agriculture Department Atomic Energy Commission Civil Service Commission Commodity Credit Corporation Consumer and Marketing Service Delaware River Basin Commission **Environmental Protection Agency** Federal Home Loan Bank Board Federal Insurance Administration Federal Maritime Commission Federal Power Commission Federal Reserve System Federal Trade Commission Food and Drug Administration General Services Administration Housing and Urban Development Department Interior Department Internal Revenue Service Interstate Commerce Commission Land Management Bureau Maritime Administration National Oceanic and Atmospheric Administration Post Office Department Public Health Service Small Business Administration

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SUBCHAPTER G-EMERGENCY OPERATIONS
[General Order 82, 23d Rev.]

PART 309—VALUES FOR WAR RISK INSURANCE

Miscellaneous Amendments

Sections 309.1—309.101 of this part are hereby revised to read as follows:

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309.1	Findings.
309.2	Scope.

BASIC VALUES

309.3	Vessels	built	during	g	or after	1939
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GENERAL PROVISIONS

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	ment and other considerations,
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VALUES FOR INDIVIDUAL VESSELS

309.101 Values effective July 1, 1970.

AUTHORITY: Sections 309.1 through 309.101 issued under sec. 304, 49 Stat. 1987, as amended, sec. 1209, 64 Stat. 775, as amended, 70 Stat. 984; 46 U.S.C. 1114, 1289.

FINDINGS AND SCOPE

§ 309.1 Findings.

The Ship Valuation Committee, Maritime Administration, has found that the values provided in this part constitute just compensation for the vessels to which they apply, computed in accordance with subsection 902(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1242), pursuant to section 1209(a), Merchant Marine Act, 1936, as amended (46 U.S.C. 1289(a)), and the authority delegated to the Maritime Administrator by the Secretary of Commerce in section 3 of (Commerce) Department Organization Order 25-2A (formerly Department Order 117-A) 31 F.R. 8087, 35 F.R. 115, and redelegated to the Ship Valuation Committee.

§ 309.2 Scope.

(a) Vessels included. (1) This part establishes values for self-propelled oceangoing iron and steel vessels (other than vessels excluded pursuant to paragraph (b) of this section) for which war risk insurance is provided by the Maritime Administration pursuant to Title XII, Merchant Marine Act, 1936, as amended (46 U.S.C. 1281-1294). The values established by §§ 309.1—309.101 represent the maximum amounts for

which the Maritime Administration will provide war risk hull insurance for damage to or actual or constructive total loss of the vessel and for which claims for damage to or actual or constructive total loss of such insured vessels may be adjusted, compromised, settled, adjudged, or paid by the Maritime Administration with respect to insurance attaching during the period July 1, 1970, to December 31, 1970, inclusive, under the standard forms of war risk hull insurance interim binder or policy prescribed by \$\$ 308.106 and 308.107 of this chapter (General Order 75, 2d Rev., as amended): Provided, however, That if there is a substantial change in market values during said period, the Maritime Administration reserves the right to revise the values provided for herein or determined pursuant hereto at any time during said

(2) It is contemplated that the next revised values will be published as soon as practicable after January 1, 1971, to be effective with respect to insurance attaching during the period January 1, 1971, to June 30, 1971, inclusive.

(b) Vessels excluded. The values established pursuant to \$\$ 309.3 through 309.5 do not apply to passenger vessels, lumber schooners, car ferries, seatrains, cable ships, bulk cement and ore carriers, vessels operated on the Great Lakes and inland waterways, fully refrigerated vessels, vessels of less than 1,500 gross tons, or any other vessels or class of vessels to which the Maritime Administration finds that the provisions of said sections would not be appropriate. Values for vessels excluded by this paragraph (b) shall be specifically determined by the Maritime Administration and set forth in § 309.101, revised, as provided therein.

(c) Fuel, stores, and supplies. Values for fuel, stores, and supplies shall be determined in accordance with \$\frac{1}{2}\$ 309.201 through 309.204 (General Order 100, 29 F.R. 2944, Mar. 4, 1964; 29 F.R. 3706, Mar. 25, 1964).

BASIC VALUES

§ 309.3 Vessels built during or after 1939.

(a) Basic values. The values of vessels built during or after 1939 shall be determined in accordance with this section, subject to the applicable adjustments provided in § 309.5.

(b) War-built vessels. (1) The values of the standard types of war-built vessels under U.S. flag listed in this subparagraph (1) which have the lawful right to engage in the coastwise trade of the United States (which are the current domestic market values of such vessels as determined by the Ship Valuation Committee) are as follows:

Standard-type vessel:	Value
EC2-S-C1	180,000
EC2-8-AW1	180,000
VC2-S-AP2	345,000
C1-M-AV1	145,000
CI-A and B (Steam)	220,000
C1-A and B (Diesel)	220,000
C2-S-B1	270,000
C3-S-A2	550,000
C4-S-B5	950,000
TI-M-BT	125,000
T2-SE-A1	500,000
T3-S-BZ1	805,000
T3-S-A1	480,000

(2) The values of the standard types of war-built vessels under U.S. flag listed in this subparagraph (2) which do not have the lawful right to engage in the coastwise trade of the United States (which are the current domestic market values of such vessels as determined by the Ship Valuation Committee) are as follows:

Standard-type vessel:	Value
VC2-S-AP2	\$230,000
T2-SE-A1	435,000

(3) The values of the standard types of war-built vessels under foreign-flag listed in this subparagraph (3) (which are in the lower of (i) the restricted world market values, or (ii) the domestic market values of comparable U.S.-flag vessels which do not have the lawful right to engage in the coastwise trade of the United States, as determined by the Ship Valuation Committee) are as follows:

Standard-type vessel:	Value
T2-SE-A1	 \$435,000
T3-S-A1	 400,000

(4) The values of the standard subtypes of war-built vessels listed in this subparagraph (4) shall be determined as follows:

(i) If the subtype vessel is under U.S. flag and has the lawful right to engage in the coastwise trade of the United States, by multiplying the basic value of the standard type vessel listed in sub-paragraph (1) of this paragraph by the factor shown opposite the subtype in the table set forth in this subparagraph (4), or

(ii) If the subtype vessel is under the U.S. flag but does not have the lawful right to engage in the coastwise trade of the United States, by multiplying the basic value of the standard type vessel listed in subparagraph (2) of this paragraph by the factor shown opposite the subtype in the table set forth in this subparagraph (4), or

(iii) If the subtype vessel is under foreign flag, by multiplying the basic value of the standard type vessel listed in subparagraph (3) of this paragraph by the factor shown opposite the subtype in the table set forth in this subpara-

graph (4).

NAME AND ADDRESS OF THE OWNER, TH	PARGE
Subtype:	Factor
VC2-S-AP3	100 %-VC2-S-AP2
C2-S-A1	80 % C2-S-B1
C2-S-AJ1	100 %—C2-S-B1
C2-S-AJ2	
C2-S-AJ3	100 %-C2-S-B1
C2-S-AJ5	
C2	
C2-S-E1	
C2-F	
C2-S	
C3	
C3-S-A1	
C3-S-A3	
C3-S-A4	
C3-S-A5	
C3-E	
C3-M	
C3-S-BH1	
C3-S-BH2	and the same of the same of
C4-B-A4	300 OF 201 34 TOO
T1-M-BT1	
T1-M-BT2	100 CF 750 CF A1
T2-SE-A2	100 %-12-5E-A1

(c) Other vessels. The value of a vessel built during or after 1939 which is not included in paragraph (b) of this section shall be the current domestic market value as determined by the Maritime Administration.

§ 309.4 Vessels built prior to 1939.

The values of vessels built prior to 1939 shall be specifically determined by the Maritime Administration and set forth in § 309.101.

GENERAL PROVISIONS

§ 309.5 Adjustments for condition, equipment and other considerations.

The basic values provided in § 309.3 shall be adjusted for individual vessels to the extent provided in paragraphs (a) to (c) of this section.

- (a) Adjustment for a vessel of substandard condition. If the Maritime Administration determined that a vessel is not in class or is in substandard condition for a vessel of her type or subtype and age, there will be subtracted from the basic value of such vessel, as determined pursuant to § 309.3, the amount estimated by the Maritime Administration as the cost of putting the vessel in class or the amount estimated by the Maritime Administration as the difference in value of the substandard vessel and a vessel in standard condition.
- (b) Special equipment. For any special equipment of material utility in the handling of cargo or utilization of the vessel, not otherwise included in determining the basic value pursuant to § 309.3, if the depreciated reproduction cost less construction subsidy, if any, of all such special equipment is in excess of \$50,000, an allowance in such amount as the Maritime Administration shall determine to be the fair and reasonable value of such equipment shall be added to the basic value.
- (c) Government installations. The values provided by §§ 309.1-309.101 shall not include any allowance for any special installations or equipment to the extent that their cost was borne by the United States.

§ 309.6 Definitions.

(a) Date vessel is built. The date a vessel is built is the date upon which the vessel is delivered by the shipbuilder.

(b) Deadweight tonnage. The deadweight tonnage of a vessel means her deadweight capacity established in accordance with normal Summer Freeboard as assigned pursuant to the International Load Line Convention, 1966, and shall be her capacity (in tons of 2,240 pounds) for cargo, fuel, fresh water, spare parts, and stores, but exclusive of permanent ballast.

- (c) Speed of vessel. The speed of a vessel means the speed determined in accordance with the formulae provided in Part 246 of this chapter (General Order 43. 3d Rev.).
- (d) Passenger vessel. A passenger vessel is a ship which carries more than 12 passengers.
- (e) Vessel. The stated valuation of a vessel in this part applies to a vessel in Class A-1 American Bureau of Shipping or equivalent, with all required certificates, including but not limited to marine inspection certificates of the U.S. Coast Guard, Department of Transportation, with all outstanding requirements and recommendations necessary for retention of class accomplished, without regard to any grace period; and so far as due diligence can make her so, tight, staunch, strong, and well and sufficiently tackled, appareled, furnished, and equipped, and in every respect seaworthy and in good running condition and repair, with clean swept holds and in all respect fit for service. A vessel in substandard condition is subject to § 309.5(a). The stated valuation of a vessel provided in this part does not include vessel stores and supplies, which consist of (1) Consumable Stores, (2) Subsistence Stores, (3) Slop Chest, (4) Bar Stock, and (5) Fuel, as defined in Maritime Administration Inventory Manual, Vessel Inventories, Part I, and Maritime Administration Inventory Books Forms MA-4736, A through K, which will be valued separately.

§ 309.7 Modifications.

The Maritime Administration reserves the right to exempt specific vessels from the scope of this part, or to amend, modify, or terminate the provisions hereof.

§ 309.8 Vessel data forms.

(a) To accompany application for insurance. Each application for war risk hull insurance submitted in accordance with § 308.101 of this chapter (General Order 75, 2d Rev., as amended) shall be accompanied by information relating to the vessel for use by the Maritime Administration in determining the value pursuant to this part. The information shall be submitted in duplicate on the applicable form prescribed in this section, copies of which may be obtained from the American War Risk Agency, 99 John Street, New York, NY 10038, or the Chief, Division of Insurance, Maritime Administration, Washington, DC 20235.

(b) Vessels of 1,500 gross tons or more.
Vessel data for all vessels of 1,500 gross

tons or more shall be submitted on Form MA-510.

(c) Vessels under 1,500 gross tons, Vessel data for all vessels under 1,500 gross tons shall be submitted on Form MA-511.

(d) Modification to vessels. Revised vessel data shall be submitted on the appropriate form prescribed above whenever a vessel undergoes a physical change which increases or decreases its value by five percent or more

VALUES FOR INDIVIDUAL VESSELS

§ 309.101 Values effective July 1, 1970.

(a) Vessels covered by §§ 309.3 through 309.5. (1) The Maritime Administration has found that the values established in accordance with §§ 309.3—309.5 constitute just compensation for the vessel to which they apply, computed as provided in sections 902(a) and 1209(a), Merchant Marine Act, 1936, as amended; and pursuant thereto has determined the values of the vessels covered by interim binders for war risk hull insurance, Form MA-184, prescribed by Part 308 of this chapter.

(2) The interim binders listed below shall be deemed to have been amended as of July 1, 1970, by inserting in the space provided therefor or in substitution for any value now appearing in such space the stated valuation of the vessels set forth below for the binders and vessels as designated. Such stated valuation shall apply with respect to insurance attaching during the period July 1, 1970, to December 31, 1970, inclusive: Provided, however, That if there is a substantial change in market values during said period, the Maritime Administration reserves the right to revise the values provided for herein or determined pursuant hereto at any time during said period: And provided further, That the Assured shall have the right within 60 days after date of publication of these §§ 309.1-309.101 or within 60 days after the attachment of the insurance under said binder, whichever is later, to reject such valuation and proceed as authorized by section 1209(a)(2), Merchant Marine Act, 1936, as amended.

Binder No.	Name of vessel	Official No.	Stated valua- tion (in thousands)
870	Achilles	981702	\$7,420
1660	Adabelle Lykes	291600	3,340
2144	Afoundria	244018	32,540
1426	African Comet	289281	2,965
720	African Crescent,	250561	.000
1683	African Dawn	291781	4, 110
725	African Lightning	251451	550
1558	African Mercury	290143	4, 050
1508	African Meteor	280792	3, 995
726	African Moon	251175	550
1607	African Neptune	290185	4, 050
730	African Planet	249860	550
-731	African Rainbow	250116	550
732	African Star	249351	-550
1656	African Sun	291025	4, 110
1751	Aimee Lykes	292614	3,340
2501	Alaskan Mail	517120	7,700
2452	Albany	509957	1, 275
1828	Allison Lykes	293817	3,340
1552	Alma Victory	248201	200
370	Almeria Lykes	208695	550
352	Aloha State	243297	550
2583	American Astronaut	520694	8, 385
1403	American Challenger	289669	4, 050
1618	American Champion	200524	4,050
1557	American Charger	200089	4,050
1652	American Chieftain	291020	4, 050
1972	American Condor	252347	550
4012	Armerican Comme	-	

Binder No.	Name of vessel	Official No.	Stated valus- tion (in thousands)	Binder No.	Name of vessel	Official No.	Stated valua- tion (in thousands)	Binder No.	Name of vessel	Official No.	Stated valua- tion (in thousands)
3670 1605	American Corsair	291629 290225	\$4,050 4,050	2227 2628	Connecticut	277291 251847	\$6, 045 550	962 585	F. S. Bryant	250827 244464	\$475 1,455
831	American Engle	278327	5,065	712	Copper State	244137	550	948	Garden State	248057	245
1760 534	American Forester	252524 248074	850 270	2795 1987	Coral Gem	248815 245625	270 245	2589 2421	Gateway City Genevieve Lykes	251806 513140	1,540 5,170
.1791 2646	American Hawk	243960 514261	550 8,385	2408 -713	Cortland	244878 248440	270	384 428	Gibbes LykesGolden Bear	245182 269028	270 2,725
2550	American Lark	318444	8,385	1305	Council Grove	247896 518063	1, 930 6, 905	355	Gopher State	244979 248912	550
2466 2485	American Legion	516464	8,385 8,385	2549 2490	C. V. Sea Witch C. V. Staghound	680644	8,903	2073 2708	Green Bay	247268	1, 275 270
2518 2740	American Lynx	521866	8,385 7,700	2626 2705	C. V. Staghound David D, Irwin	520743 242354	2,060	2408 886	Green Forest	508061 247760	1,310 635
1688	American Oriole	252304	350 245	212 2449	David E. Day	245889 249174	1, 685 270	2710 2036	Green Island	247079 248700	635 1, 275
2236 1924	American Pride	247253 207001	5, 120	221	Da Gama Delaware Getty	267997	3,040	950	Green Mountain State	247158	245
1989	American Reliance	298270 299371	5, 120	165 3(20)	Delaware Sun Del Mar	264853 251452	3, 100	2409 2712	Green Pert	519015 247322	1,310 550
1679 1902	American Robin	242941	550 4,040	332 1225	Del Oro	250983 286185	3,860	2405 2713	Green Springs Green Valley	248701 247950	1,310 635
2285	Americo	246798	270	324	Del Rio	284680	3,860	2407	Green Wave	508060	1,310
1485 1488	Amoco Connecticut	242851	1,435	327	Del Sol Del Sud	285171 251453	3, 860	1863 790	Gulf Banker,	205249 247309	3,470 1,385
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2209 418	Atlantic Trader	248007 247475	1,535	378 2086	Elimbeth Lykes	247822 200702	4,770	1903 803	Gulfsolar	296880 280233	3, 636 5, 140
1435	Australian Reef	247455	2,025	1917 1623	Elizabethport	297001 245537	3, 585 270	806	Gullipray	282848	5, 330
2040	Australian Reet	244020 500539	5, 120	705	Elwell Empire State	248212	270	1358 804	Gulftiger	287186 247707	0, 150 1, 480
2632 210	Austral Pilot	297353 267181	5, 120 1, 160	2451 830	Erna Elizabeth	249283 280193	270 5,890	1888 2779	Gulf Trader Halcyon Panther	296404 245922	2, 639 245
2566	Azalea City	243436	1,540	2593 2594	Esso Baltimore Esso Bangor	282272 264791	8, 775 3, 155	2335	Haleyon Tiger	245474 248748	245
707 980	Badger State	245136 245079	1,955	2505	Esso Boston	283784	8, 935	2423	Hampton Roads	277703	5, 890
347 708	Barbara Jane Bayou State	278103 254012	5, 635 270	2596 2597	Esso Dallas	264445 259248	2,880 2,460	412 2577	Harry Culbreath	247824 246617	270 275
949 1915	Bay State		1, 540	2508 2509	Esso Florence	256855 273362	8,070 6,000	1421 2543	Hawaiian	289119 249353	4, 375 2, 165
2482	Bennington	242406	500	2600 2601	Essp Gloucester	205336 297151	2, 975 13, 095	2644	Hawalian Builder	247386	550
607 608	Bethfior	256034 256539	1,500 1,500	2602	Esse Henston	206329	3, 275	2645 2646	Hawalian Citizen Hawalian Farmer	252149 245860	2, 915 550
419 2587	Biddeford Victory Bienville	248433 243438	230 1,540	2610	Esso Jamestown	275519 276270	6, 265	2648 2651	Hawalian Merchant Hawalian Rancher	248845 246204	550 550
710	Blue Grass State	253866	270	2604 2611	Esso Lima	289142 259357	2,445	2652 1445	Hawaiian Refiner	245594 248802	550
1816 1490	Brazos	247583	3, 125	2605	Esso Newark	264231	2, 850	965	H. D. Collier	248737	500
3414 2858	Briton Lykes	288699 239271	3,340	2606 2607	Esso New Orleans Esso New York	268216 259610	13, 355 2, 500	873 634	Helen H	245029 243804	1,948 1,890
2550 353	Buckeye Pacific	251767	550	2008 1808	Esso Scranton	245839 277935	5, 590	638 1373	Hess Petrol	244735 248244	1,800 1,915
2567	Buckeye State	244577 245244	550 245	2009 354	Esso Washington Evergreen State	273896 257827	6, 085 550	689	Hess Trader	246104	1,870
1348	California Bear	287232 266977	4,375	-842	Exbrook	249173	418	1913	Hess Voyager	296863 266233	1, 170
19 297	Californian.	243882 249239	2, 920 2, 165	849 850	Exchester	248120 248747	418	431 2622	Hong Kong Bear Rong Kong Mall	264428 520632	2,455 7,700
1949	Californian	294750	3,560	853 858	Exford Expeditor	249454 251971	418 418	706	Hoosier State	247762 242636	950
1974 2390	Canterbury Falcon	297570 247500	4,745 270	860 861	Export Adventurer	284024	3, 160	176 2387	Houston	245542	2, 105 3, 735
1370	Cartigry Carbide Seadrift	247452 241851	2,000 1,700	-863	Export Aide Export Ambassador	283936 284516	3, 160 3, 160	2306 2542	Howell Lykes	507344 244463	4,965 1,070
2735	Carbide Tems City	242532	1,700	863 1296	Export Banner	283150 286124	3, 160 4, 030	2472 2578	Hurricane	267262 248489	550 275
500	Catawba Ford	252478 245620	550 795	1354 1372	Export Builder	286965 287381	4,030	2534	Idaho	518434	6, 675
3600 1931	C. E. Dant Chancellorsville	290362 244460	4,375 1,890	1401	Export Buyer	288076	4, 030	968 249	Idaho Standard	245463 246848	500 196
373 1753	Charles Lykes	248487 292782	270	1726 1771	Export Challenger	292227 292669	4, 230 4, 275	677 432	Illinois	264957 282568	2, 455 270
2574	Chatham	252493	3,340 270	1712 1601	Export Courier	291731 280047	4, 220 4, 135	2526	Indian Mail	517717	7,700
243 807	Cherry Valley	242704 242531	194 500	864	Exporter	249062	418	1787 387	Inger	248011 280564	2,715 3,070
1408 2575	China Bear Choctaw	258604	8,005 270	2726 2588	Fairisle	245627 242078	1,540	414	James McKay	247997 270296	2,725 2,725
1788	Christopher Lykes	293220	3,340	2216 2457	Falmouth	249072 246807	275 270	1418	Japan Mall	287976	4,200
1813 1814	Cities Service Baltimore. Cities Service Miami	272077	8, 150 4, 885	2576	Fanwood	252355	270	1304 1285	Jean Lykes	287103 274440	3, 215 5, 170
1815	Cities Service Norfolk Citrus Packer	272839	4,980 550	153 1409	Flying Clipper	282733 252991	970 270	2516	Jeff Davis	247992	550 270
2214 2410	City of Alma	247592	275	1480 1470	Flying Cloud	247000 241026	270 248	970 973	J. H. MacGaregill J. H. Tuttle	248896 242955	500 520
2714	Claiborne	242775	276 500	1479 1474	Flying Enterprise II	245734	270 248	. 967	J. L. Hanna	248531	300
2237 2578	Colorado.	245104	0,675	2265	Flying Foam	239905	550	2579 389	John E, Waterman John Lykes	249234 282772	3,079
2540 2877	COMBBBB	254.7 (5.15)	1,900	1471 584	Flying Hawk	240632 244935	248 1,540	390 586	Joseph Lykes Julesburg	281326 243523	3, 070 1, 635
materia.	Columbia Baron	248842 245377	245 270	1211 247	Fort Hoskins	248735 245880	1,985	415	Kenneth McKay	247581	270
2479							3.756	2624	Kentuckian	247095	635
2561 2414	Columbia Eagle	247080	270	180	Fort Worth	247276	3,600	\$08	Keystoner	206730	1,210
2561	Columbia Beaver Columbia Eagle Columbia Tiger Columbia Trader	247080 252445	270 245						Keystoner Keystone State Keytanker		

Add Color Back Color	Binder No.	Name of vessel	Official No.	Stated valua- tion (in thousands)	Binder No.	Name of vessel	Official No.	Stated valua- tion (in thousands)	Binder No.	Name of vessel	Official No.	Stated valua- tion (in thousands)
200 190				\$495 2, 725		Northwestern Victory Oceanic Tide				Santa Clara	506249	\$4,970 4,970
Section Content Cont	2565	Korean Mail	518517	7,700	2614	Ogden Wabash		11,400		Santa Cruz		4,970
Land Dodn	2515	Lafayette	252476	550	1375	Oregon.	287875	4,375	2287	Santa Eliana	251812	550
Section Person	13	Leland I. Dosn	284217	7,850	1947	Oregon Mail	296779	4,685	900	Banta Flavia	242762	270
200 1.0		Leslie Lykes	287416	3, 215 5, 170	2465	Overseas Alice				Santa Juana		6,970 270
2007	392	Lipscomb Lykes	248807	550	1827	Overseas Anna	260619	2,970		Santa Lucia		6,970
Date	267	Longview Victory	247077	245	2344	Overseas Carrier	243503	1,765	211	Santa Maria	263781	1,000
Design Company Compa	393	Los Angeles Louise Lykes	247582	270		Overseas Dinny	244215	270	1678	Santa Mariana	291811	6,295
Description Computer Comput		Louise Lykes		4,770 5,100		Overseas Eva				Santa Mercedes		6,725
170 170	226	Louisiana Getty	246173	3,270		Overseas Explorer	297748	1,970	893	Santa Victoria		220
2000 Marian Crock	179	Lyons Creek	245450	735		Overseas Natatie	245644	550	1970	Seamar	294729	3,560
Mallery Lykes	2089	Maiden Creek	248998	275		Overseas Rebecca	281777	8,595	2291	Seatrala Delaware	245682	31,630
Margaret Lykens		Mallory Lykes	504977	4,770 23,000		Overseas Rose		550		Seatrain Florida	503326 262558	5, 325 860
Section Sect		Margaret Lykes	298555	3, 340	2343	Overseas Traveler	289436			Seatrain Louisiana		5 305
Marine Dow' Chem.		Transporter.			2537	Overseas Vivian	518125	11, 130	2329	Scatrain Maryland	245283	5, 325
Marging Penals	-15	Marine Dow Chem	267278	4,970		Pasadena	248894	2, 240	. 68	Seatrain New York	231905	255
Marine Texan.		Marine Electric				P. C. Spencer	2010003	2,610		Seatrain Puerto Rico Seatrain San Juan		5, 325 3, 629
Marine Velory School 1,126 309 Ponn Challenger 20018 1,100 200 Sentral Washington, 20000 1,100 100	1812	Marine Texan		4,940	2121	Pecos	243929	550	69	Seatrain Savannah		255 435
Maryland Truder	93	Marine Victory	247680	1, 125	339	Penn Challenger	280318	6, 105	2357	Seatrain Washington	245460	5, 325
1840 1840		Marjorie Lykes	247178	1,555		Pennmar	205108	3,560		Shirley Lykes	2800383	2,340
1799 Mayo Lykes 2022/4 3, 340 1008 Penn Transporter 284874 1, 670 2464 3464 2465 2467 24		Marymar	294780	3,500		Penn Sailor	275391	1,455		Sierra	247831	550 245
969 M. F. Lowbardt. 340225 200 1197 Philippine Bear. 257083 6, 006 1271 Shuckiir Teass. 220700 9 525 Merriman. 25570 255 Merriman. 25570 200 1197 Philippine Bear. 25708 6, 006 1271 Shuckiir Teass. 25700 9 52 Merriman. 25570 9 9 9 9 Merriman. 25570 9 9 9 9 Merriman. 25570 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9	1789	Mayo Lykes	293224	3,340	1008	Penn Transporter	248437	1,070	2464	Silver Falcon	248065	230 245
1685 M. 1687	969	M. E. Lombardi	290228	255	1367	Philippine Bear	287683	5,005	1714	Sinclair Texas	201990	9,955
2630 Michigan		Metapan				Philippine Mail	288086 252346	4, 290		Sister Katingo Socony Vacuum	277936 268801	3, 230
1539 M. Dari	2630	Michigan	521550	6,675	1653	Pioneer Commander	290905	4, 850	982	Solon Turman	285889	3, 215 550
188 Mobile Aero 278471 5, 315 177 Primere Crussder 222038 4, 600 407 8teel Advocate, 246731 50 Mobilgan 271488 4, 500 3212 Planeer Moon 287838 4, 500 407 8teel Age, 246731 50 50 50 50 50 50 50 5	2033	Missouri,	248885	1,480	1715	Pioneer Contractor	291968	4,650	357	Sooner State	247139	270
180 180	188	Mobile Aero	278471	5, 315		Pioneer Crusader	202039	4,050	1010	Steel Admiral	252403	550
2848 Mobillian 28688 Mob 1938 Point Bur 284203 500 441 Steel Approache. 222918 501 Mobil Lube. 275951 4, 66 199 Portunat. 291730 3, 560 442 Steel Architect. 247128 50 2444 Mobil Architect. 267128 50 2444 Mobil Prevent. 267128 50 2444 Mobil Prevent. 27496 4 850 4 850 2445 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8		Mobil Fuel				Pioneer Moon				Steel Auvocate	230403	550 550
244 Mobit Meridian 299479 5,736 5,53 1555 Potomiae 319680 1,789 443 Steel Artisan 241833 1,240 2406 Mohawk 248613 1,240 500 President Arthur 264704 2,725 446 Steel Director 244978 2005 Mona Pass 2399 435 501 President Buchanan 229017 2,725 447 Steel Executive 248813 2,40 2005 Mona Pass 2390 435 501 President Buchanan 229017 2,725 448 Steel Director 244978 2005 Mona Pass 2390 435 501 President Buchanan 229017 2,725 448 Steel Director 244978 2005 Mona Pass 2390 435 501 President Buchanan 229017 2,725 448 Steel Director 244978 2005 2006 2007	2483	Mobilian		550	1953	Point Sur-	243263	590	441	Steel Apprentice	252498	\$50 \$50
193 Mobil Power 274906 4 850 499 President Adams 266607 2,725 445 Steel Director. 244978 5.2 24046 Mohaw 249613 1,240 509 President Arthur 264704 2,725 445 Steel Director. 244978 5.2 2405 Mona Phase 23801 4,33 501 President Buchanan 239117 2,725 447 Steel Executive 249618 5.2 2406 Montpolev Victory 238819 8,700 200 247 President Buchanan 239117 2,725 447 Steel Executive 248618 5.0 2476 Montpolev Victory 238819 8,700 290 President Fillmore 513399 8,500 490 2476 Montpolev Victory 238119 4,600 2390 President Grant 511256 580 481 2496 Montpolev Victory 238119 4,600 2390 President Grant 511256 580 2497 Moramacargo 292118 4,600 231 President Harding 238417 580 482 2496 Montpolev Victory 238418 4,600 231 President Harding 238417 580 580 481 2496 Montpolev Victory 238418 4,600 231 President Harding 238418 580	2442	Mobil Meridian	280479	8,725	1,505	Potomac	248800	1,780	443	Steel Artisan	247833	650
248013 1,240 500 President Arthur 24707 2,725 446 Steel Director 244078 2,725 2440 244078 2,725 2447 24408 2,725 2447 24408 2,725 2447 24408 2,725 2447 24408 2,725 2447 24408 2,725 2447 24408 2,725 2447 24408 2,725 2447 24408 2,725 2447 24408 2,725 2447 24408 2447 24488 2447 24488 2447 24488 2447 244888 24488 24488 24488 24488 24488	193	Mobil Power	274966	4, 850		President Adams	200007	2,725	445	Steel Designer	247832	550
2499 Montana. 2797 Montpolle Victory. 288(1) 3, 760 2447 President Fillmore. 2417 Elegant Fillmore. 2417 President Victory. 288(1) 3, 760 2447 President Fillmore. 2418(1) 3, 760 2447 President Fillmore. 2418(1) 4, 600 655 President Gardield. 2517 Montpolle Victory. 288(1) 4, 600 655 President Gardield. 2517 Montpolle Victory. 288(1) 4, 600 655 President Harding. 2817(2) 4, 600 655 Mormachay. 2834(1) 3, 755. 2418 President Harding. 2817(2) 4, 600 455 Bete Rover. 2835(2) 4, 600 655 Mormachay. 2834(1) 3, 755. 2418 President Harding. 2817(2) 4, 600 455 Bete Rover. 2835(2) 400 600 Mormachay. 2835(2) 4, 600 600 President Harding. 2835(2) 4, 600 455 Bete Rover. 2835(2) 400 600 Mormachay. 2835(2) 4, 600 600 President Harding. 2835(2) 4, 600 455 Bete Rover. 2835(2) 400 600 Mormachay. 2835(2) 4, 600 600 President Harding. 2835(2) 4, 600 455 Bete Rover. 2835(2) 4, 600 4		Mohawk				President Arthur		2, 725 2, 725		Steel Director		550 550
2006 Mormacura 2007 20	2495	Montana	517617	6,673	503	President Coolidge	267733	2,725	448	Steel Fabricator	251781	550 550
267 Mormachay 28344 3,75 248 President Harding 28475 468 452 Steel Navigator 248846 50 266 Mormachape 284185 3,830 500 President Harding 24724 8,83 465 Steel Rover 252500 267 Mormachape 284185 3,830 500 President Hayes 254446 2,725 445 Steel Sulaver 248788 269 Mormachape 284186 3,830 500 President Hayes 254448 2,725 445 Steel Sulaver 248788 260 Mormachape 248786 400 344 President Lincolin 285111 5,305 438 Steel Sulaver 248798 267 Mormachape 248850 245 2415 President Machania 268711 5,305 438 Steel Traveler 247194 267 Mormachape 248850 245 2416 President Machania 268711 5,305 468 Steel Vavyer 24895 267 Mormachape 248850 245 2416 President Machania 268711 5,305 469 Steel Worker 24734 267 Mormachape 248850 243 2418 President Machania 248850 2418 President Machania 248850 24885	2798	Montpeller Victory	280745	10,010	505	President Garfield	2660002	2,725	450	Steel King	252499	550 550
2068 Mormacope	2667	Mormacargo	296216	4,600		President Harding	248275		452	Steel Navigator	248846	550
2068 Mormacouwn		Mormachay		3,755		President Harrison		4, 680 2, 725		Steel Scientist	245730	220
2870 Mornmactraco. 282008 4, 600 514 Prisident Lincoln. 28311 5, 305 488 Slee! Traveler. 247198 52671 Mornmactr. 248950 245 2416 Prisident Madison. 249633 5, 550 469 Stee! Voyager. 222201 2222201 2222201 2222201 2222201 2222201 2222201 2222201 22222		Mormaccove	286740	3,910	506	President Hoover	248424	583	456	Steel Scalarer	248738	550 550
2077 Mormacqir	2670	Mormaedraco	299008	4,000	514	President Lincoln	285311	5,305	458	Steel Traveler	247198	350 550
2013 Mormacquen		Mormactir	248650	245		President McKinley	- 512593			Steel Voyager	252501	350
2015 Mormaciand. 251010 283 522 President Polk 505881 4, 500 2403 Sole Lykes. 201502 5007 Mormaciand. 251010 283 522 President Taylor. 20022 2, 725 223 Sole Lykes. 241446 520 500 500 500 500 500 500 500 500 500		Mormacglen	283283 249698			President Monroe	501712 248619	4, 680		Stella Lykes	247504 247504	550 270
Sect Morrmaccinat 250841 Sect	2675	Mormacisle	249812	583	2084	President Polk	- MERICHG	_4,500	2248			4,965
Sect Morrmaccinat 250841 Sect	2677	Mormacland	250161	583	522	President Taylor	200927		2431	Susquehanna	245334	270 270
2882 Mormacpide	2679	Mormacmail	250539	583	2359	President Van Buren	2600081	5,850	2723	Syosset	247458	450.
2084 Mormacrio		Mormacpenn	250641		919	Producer.	245888	1,940	1415	Tampico	246344 247995	2, 105 145
2685 Mormacrio 248745 550 2706 Pure Oil 248837 048 466 Texaco Florida 271829 1, 60 2687 Mormacscan 283829 3, 80 2334 Rachol V 248785 245 460 Texaco Georgia 250849 3, 80 2450 Raleigh 248281 270 471 Texaco Georgia 250849 3, 80 2450 Raleigh 248281 270 471 Texaco Canasa 248280 1, 73 2687 Mormacska 248280 2450 Raleigh 248281 270 471 Texaco Kanasa 244230 1, 73 2706 Mormacstar 822050 8, 300 2590 Raleigh 248281 270 471 Texaco Kanasa 248230 1, 73 2711 Mormacsun 524416 8, 300 2590 Rapphalanock 253225 270 1824 Texaco Maryland 242715 4, 540 2827 2711 Mormacsun 524416 8, 300 2464 Rapphalanock 253225 270 1824 Texaco Maryland 242715 4, 540 2828 Mormacrega 226632 4, 560 417 Reuben Tipton 247830 270 475 Texaco Minnesota 243202 2, 0889 Mormacrega 226632 4, 560 417 Reuben Tipton 247830 270 475 Texaco Minnesota 243202 2, 0889 Mormacrega 246632 4, 560 560 2699 Robin Goodfellow 247254 550 208 Texaco Montana 248918 4, 32802 2,	2683	Mormacpride	282295	3,720	2751	Prudential Oceanjet	504015	4,940		Texaco California	266910	
2885 Mormacsan 28890 883 1273 P. W. Thirtle 270179 3,040 1867 Texaco Georgia 239819 2687 Mormacsan 28890 28,500 2459 Raleigh 246291 270 471 Texaco Kansas 244230 1,50 2637 Mormacsky 81392 8,300 1888 Ranger 24498 270 473 Texaco Kansas 244230 1,70 2736 Mormacstar 522550 8,300 2298 Raphael Sammes 242974 1,540 1823 Texaco Maryland 292735 5,5 2711 Mormacsun 524416 8,300 2298 Raphael Sammes 242974 1,540 1823 Texaco Maryland 292735 5,5 2711 Mormacsun 524416 8,300 2161 Rappalaanuock 253225 270 1824 Texaco Massachusetts 290306 5,3 2688 Mormacrade 287900 4,010 417 Reuben Tipton 247830 279 475 Texaco Massachusetts 290306 5,3 2689 Mormacrade 287900 9 R. E. Wilson 244099 605 476 Texaco Massachusetts 248082 2,0 2516 Morning Light 240590 559 2699 Robin Goodfellow 247254 559 2698 Texaco Mesnaka 248982 2,0 2499 Mount Vernon Victory 284178 8,305 2691 Robin Gray 247255 559 2698 Texaco Nebraska 248454 1,540 248454 270 2696 Robin Mowbray 253316 550 480 Texaco Nebraska 248454 1,540 248454 1,	2685	Mormacrio	248745	550	2706	Pure Oil	248837	048	466	Texaco Florida	271820	1,670
2638 Mormacsea. 519102 8,300 2459 Raleigh 24291 270 471 Texaco Kansas. 24230 1,50 2637 Mormacsky 521302 8,300 1898 Ranger. 244598 270 473 Texaco Louisiana. 34503 1,50 2771 Mormacsun. 524516 8,300 2290 Raphale Semmes. 242974 1,540 1823 Texaco Maryland. 297335 5,5 2883 Mormacrade. 287900 4,010 417 Reuben Tipton. 247300 270 482 Texaco Massachusetts. 290306 2,0 2889 Mormacrade. 287900 9 R. E. Wilson. 244090 605 476 Texaco Massachusetts. 290306 2,0 2516 Mormacrade. 29632 4,690 9 R. E. Wilson. 244090 605 476 Texaco Massachusetts. 2,0 2516 Mormacrade. 29430 98 Robin Godfellow. 247254 559 2098	2687	Mormaescan	285890	3,830		P. W. Thirtie	270179	245	460	Texaco Illinois	246993	1,870
2736 Mormaestar 52255 8,300 2590 Raphael Sammes 242074 1,540 1823 Texaco Maryland 292715 5,50 2838 Mormaetrade 287700 4,010 417 Reuben Tipton 247830 270 1824 Texaco Massachusetts 290305 5,30 2838 Mormaetrade 287700 4,010 417 Reuben Tipton 247830 270 475 Texaco Ministesta 243207 2,00 2639 Mormaevega 29632 4,690 9 R. E. Wilson 244090 605 476 Texaco Ministestappi 245082 2,00 2546 Morming Light 246380 559 2590 Robin Goodfellow 247254 559 2028 Texaco Nobraska 248915 4,80 24900 24900 247255 2490 24900	2638	Mormacsea	519102	8,300	2450	Baleigh	249291	270	471	Texaco Kansas	244230	500
2688 Mormacvegu 287900 4,010 417 Reuben Tipton 247830 270 475 Texaco Minaeseta 243202 2,02800 2560 Mormacvegu 296332 4,690 9 R. E. Wilson 244990 605 476 Texaco Mississippi 242082 2,02800 2560 Morming Light 24698 550 2590 Robin Goodfellow 247254 550 2028 Texaco Montana 288918 6,335 2890 Monta Vernon Victory 224178 8,305 2591 Robin Gray 252856 550 478 Texaco Nebraska 242845 1,800 2430 Myatic Mariner 248143 270 2695 Robin Mowbray 253316 550 489 Texaco Nebraska 242845 1,800 2430 Myatic Mariner 248143 270 2695 Robin Mowbray 253316 550 489 Texaco New York 255381 1,600 2430 2	2736	Mormaestar	522650	8,300	2590	Raphael Semmes	242074	1,540	1823	Texaco Maryland	292735	5,555
2546 Morning Light 246590 550 2690 Robin Goodfellow 257254 850 3028 Texaco Montana 268918 6.3 2790 Monta Vernoa Victory 254178 8.365 2691 Robin Gray 252805 850 478 Texaco Nebraska 242845 1.66 2430 Monta Vernoa Victory 2458143 270 2692 Robin Hood 247255 550 489 Texaco Nebraska 242845 1.66 2430 Mystic Mariner 248143 270 2695 Robin Mowbray 253316 550 481 Texaco New York 265381 1.66 2430 Mystic Mariner 244063 1.115 2696 Robin Sherwood 246805 248 483 Texaco New York 265381 1.66 2430 Nancy Lykes 286650 3.215 2697 Robin Treat 254641 550 1873 Texaco North Dakota 26586 648 Nashbulk 247397 805 400 Ruth Lykes 247593 270 1899 Texaco Okidadoma 277866 5.86 24635 884 883 Texaco Okidadoma 277866 5.86 24635 884 884 24736 884	2688	Mormactrade	287900	4,010	417	Reuben Tipton	247830	270	475	Texaco Minnesota	243202	2,085
2800 Mount Washington 293087 10, 465 2959 Robin Hood 247255 500 489 Texaco New Jersey 24583I 1, 62 2430 Mystic Mariner 248143 270 2605 Robin Mowbray 253316 559 481 Texaco New York 25598I 1, 63 588 Nacco. 244063 1, 115 2696 Robin Sherwood 246985 248 483 Texaco North Dakota 265066 I, 44 1243 Nancy Lykes. 286550 3, 215 2697 Robin Trent. 254441 550 1873 Texaco Oklahoma 275856 480 Rught Lykes. 247693 270 1860 Texaco Nacco Oklahoma 275858 1758 National Defender 276938 10, 270 2162 Rught Lykes. 247693 270 1860 Texaco Oklahoma 275856 4, 85 251 National Defender 276938 10, 270 2162 Rught Lykes. 502258 4, 770 170 Texaco Wisconsin. 277805 4, 85 251 Nenna. 247015 180 2556 Saganore Hill. 25351 270 250 Texaco Wisconsin. 277805 1, 161 New Jorgey State. 247015 180 2256 Saganore Hill. 25351 270 250 Texaco Wisconsin. 249362 1, 161 New Jorgey State. 247015 245 245 270 2457 2457 2457 2457 2457 2457 2457 2457	2546	Morning Light	240590	550		R. E. Wilson Robin Goodfellow	244000 247254			Texaco Mississippi Texaco Montana	298918	6, 325
2430 Mystic Mariner. 248143 270 2695 Robin Mowbray 253316 559 481 Texaco New York 265981 1,0 581 Nacco. 244063 1,115 2696 Robin Sherwood 240805 248 483 Texaco New York 265006 1,1 1243 Nancy Lykes. 286650 3,215 2697 Robin Trent. 254641 559 1873 Texaco Okishoma 275882 5,6 648 Nashbulk 247397 895 400 Roth Lykes. 247593 270 1899 Texaco Okishoma 275882 5,6 1758 National Defender 279938 10,276 2162 Ruth Lykes. 50228 4,770 1290 Texaco Rhode Island. 26389 5,8 2634 Neches. 244235 500 2454 Sacramento. 245497 1,835 489 Texaco Wisconsin. 277865 251 Nenana. 247015 180 2256 Sagramore Hill. 252351 270 299 Texan. 249352 1,1 1441 Nevada Standard. 247758 500 2459 Salisbury. 245457 270 174 Texas Sun. 2489362 1,1 1441 Nevada Standard. 247758 500 2459 Salisbury. 245245 270 174 Texas Sun. 2489362 1,1 149 New Jorey Stin. 252548 3,130 891 San Francisco. 241290 3,585 2147 Thalland Bear. 257213 190 New Jorey Stin. 252548 3,130 891 San Francisco. 241290 3,585 2147 Thalland Bear. 24713 1,6 2278 New York Getty. 257198 3,130 891 Santa Addia. 252543 270 925 Thetis. 270627 2,8 2297 Noonday. 248844 550 2295 Santa Addia. 252747 500 2696 Thomas A. 260637 2,8 2607 Noonday. 248844 550 2295 Santa Addia. 252747 500 2696 Thomas A. 260637 2,8 2608 New York Getty. 261840 2595 Santa Addia. 252747 550 2696 Thomas A. 260637 2,8 2609 Thomas A. 260637 2,8 2607 Thomas A. 260637 2,8 2607 Thomas A. 260637 2,8 2607 Thomas A. 260637 2,8 2608 Texaco North Dakota. 260737 2,8 2609 Thomas A. 260637 2,8 260	2799	Mount Vernon Victory	284178 293097	8,305	2691	Robin Grav	252626	550	478	Texace Nebraska	242845	1,825
1243 Nancy Lykes 28650 3,215 2697 Robin Trent 254641 550 1873 Texaco Oklahoma 275882 5,8 648 Nashbulk 247397 895 400 Ruth Lykes 247593 270 1899 Texaco Whode Island 286380 5,8 1758 National Defender 279938 10,270 2162 Ruth Lykes 50228 4,770 1270 Texaco Whode Island 286380 5,8 2534 Neches 244235 500 2544 8acramento 24597 1,835 489 Texaco Wyoming 243948 1,8 251 Nemana 247015 189 2259 Sagamore Hill 223351 270 299 Texaco Wyoming 243948 1,8 141 Nevada Standard 247758 500 2459 Salabury 245245 270 174 Texas Sun 283897 9,1 421 Newborry Victory 218460 245 177 San Antonio 248716 3,380 3422 Thailand Bear 237213 169 New Jorney Bun 265748 3,015 1919 San Francisco 241220 3,585 2447 Thaila 248127 1,8 2538 New York Getty 257198 3,130 891 Santa Adela 242245 270 925 Thetis 270627 7,18 2278 New York Getty 257188 3,130 891 Santa Adela 252245 270 299 Thomas A 260345 2,8 2603 2605 2	2430	Mystic Mariner	248143	270	2695	BODIN MOWDENY	200310	350	481	Texaco New York		1,620
648 Nashbulk 247397 895 400 Ruth Lykes 247693 270 1899 Texace Rhode Island 266389 6.50 2034 Neches 279938 10,270 2162 Ruth Lykes 502228 4,770 1270 Texace Wisconsin 277685 6.50 2634 Neches 244235 500 2544 Sacramento 245497 1,835 489 Texace Wisconsin 277686 251 Nennaa 247015 180 2256 Sagramore Hill 252351 270 209 Texan 249352 1,16 2251 New York 2477758 500 2459 Salisbury 245245 270 174 Texas Sun 2489352 1,16 241 Newborry Victory 248460 245 177 San Antonio 246716 3,380 242 Thailand Bear 257213 169 New Jorsey Sun 225748 3,015 1919 San Francisco 241229 3,585 247 Thailand Bear 257213 180 268 New York Getty 28030 970 1929 San Juan 24283 3,588 497 The Cabins 246143 1,66 2278 New York Getty 257198 3,130 891 Santa Adela 242243 270 925 Thetis 270627 7,18 2278 New York Getty 257198 3,130 891 Santa Adela 252243 270 925 Thetis 270627 7, 8	1243	Nancy Lykes	280650	3,215	2697	Robin Trent	254641	550	1873	Texaco Okiahoma	275882	5, 685
2034 Neches 244235 500 2544 Sacramento 245497 1 835 489 Texace Wyoming 243948 1.85		Nashbulk National Defender	247307 279938			Ruth Lykes	247503 502928	4.770		Tennoo Rhode Island	296380	5,565
1441 Nevada Standard 247758 500 2459 Salisbury 245245 270 174 Texas Sun 283897 9, 11 421 Newborry Victory 248400 245 177 San Antonio 248716 3, 380 3422 Thatland Bear 257213 10 New Jorsey Bun 265748 3, 015 1919 San Francisco 241220 3, 585 2147 Thaila 248127 1, 80 2038 New Yorker 289330 970 1920 San Juan 242633 3, 558 497 The Cabins 246143 1, 6 2278 New York Getty 297198 3, 130 891 Santa Adela 242243 270 925 Thetis 270627 7, 18 2037 Noouday 298544 550 2295 Santa Adleia 252747 550 2996 Thomas A 260344 26034 2, 8	2034	Nucleus	244235	500	2544	Sacramento	245497	1,835	480	Texace Wyoming	243048	1,890
100 New Jersey Stan. 265748 3,015 1919 San Francisco. 241220 3,685 2147 Thalla 248127 1,88 2038 New Yorker. 259330 970 1929 San Juan 242953 2,58 497 The Cabius 246143 1,69 2278 New York Getty 257198 3,130 891 Santa Adela 242243 270 925 Thetis 270627 7,18 2037 Noouday 248844 550 2295 Santa Alleia 252747 550 2990 Thomas A 200327 28	3441	Nevada Standard	247758	500	2459	Salisbury	245245	270	174	Texas Sun	283897	9,110
2038 New Yorker 289330 970 1929 San Juan 242653 3,558 497 The Cabius 246143 1,000 2278 New York Getty 267198 3,130 891 Santa Adela 242243 270 925 Thetis 279627 7,13 2037 Noouday 248844 850 2295 Santa Alleia 282747 550 2090 Thomas A 20034 2,83	. 100	New Jersey Sun	265748	3,015	1919	San Francisco	241220	3, 585		Thalla	248127	1,845
2027 Noonday 248844 550 2295 Santa Alicia 252747 550 2096 Thomas A 260054 2.75		New Yorker	283030	3, 130		Ban Juan		3,558	497	The Cabins	246143	7, 180
2119 Northfield 243253 1,815 2297 Santa Anita 252748 550 405 Thompson Lykes 283413 3,07	2827	Noonday	248844	550	2295	Santa Alicia	252747	550	2096	Thomas A.	200954	2, 855 2, 680
		Northfield	243253			Santa Anita				Thompson Lykes	283413	3,070

Binder No.	Name of vessel	Official No.	Stated valua- tion (in thousands)
	mi - total	0.0000	\$345
2517	Thunderbird	247092 242244	550
500	Ticonderoga	248461	550
400	Tillie Lykes	247906	275
2222	Topa Topa	279438	7,900
231	Transeastern	245959	1,300
2391	Transcrie	248910	500
2253	Transhudson	506349	1,410
2301	Transluron	257381	2, 235
2463	Transpanama	201001	1, 305
2338	Transsuperior	246600	3, 435
1492	Trinity	247177	2,345
2744	Trojan.	246662	1,850
300	Tullahoma	248066	270
407	Tyson Lykes U.S. Mate	252402	270
2438	U.S. Navigator	248751	245
2439	U.S. Pilot.	245016	270
	Utah Standard	251140	475
906 2270	Valley Forge	505786	9,885
2340	Vantage Progress	245623	274
2339	Vantage Venture	242676	480
488	Velma Lykes	247584	270
2354	Velma Lykes	509652	4,065
2660	Ventura	252633	550
666	Virginia Trader	244789	560
1786	Walter Rice.	248203	2,715
1398	Washington	288003	4,375
437	Washington Bear	264252	2,455
1349	Washington Mail	287238	4,290
974	Washington Standard	246203	500
667	Washington Trader	243566	500
2640	Wellesley Victory	247564	245
1779	Western Clipper	2697288	3,085
1780	Western Comet	266365	2,950
1302	Western Hunter	287156	11,020
1781	Western Planet	268078	3,070
175	Western Sun	209798	3, 250
2225	Wild Hanger	249518	270
410	William Lykes	247998	270
224	Wilmington Getty	246557	3,280
1600	Windsor Victory	247843	245
1511	Wingless Victory	247243	245
358	Wolverine State	248740	950
2568	Wyoming	519937	6,675
2226	Yaka	246335	275
2098	Yellowstone	248883	1,480
2000	Yorkmar	296261	3,560
2545	Yukon	257115	2, 280
411	Zoelin Lykes	282126	3,070
1		1	

(b) Vessels of less than 1,500 gross tons—As of July 1, 1970. (1) The Maritime Administration has determined for certain vessels of less than 1,500 gross tons the values which constitute just compensation for the vessels to which they apply, computed as provided in sections 902(a) and 1209(a), Merchant Marine Act, 1936, as amended; and pursuant thereto has determined the values of vessels covered by interim binders for war risk hull insurance, Form MA-184, prescribed in Part 308 of this chapter.

(2) The interim binders listed below shall be deemed to have been amended as of July 1, 1970, by inserting in the space provided therefor or in substitution for any value now appearing in such space the stated valuation of the vessels set forth below for the binders and vessels as designated. Such stated valuation shall apply with respect to insurance attaching during the period July 1, 1970, to December 31, 1970, inclusive: Provided, however, That if there is a substantial change in market values during said period, the Maritime Administration reserves the right to revise the values provided for herein or determined pursuant hereto at any time during said period: And provided further, That the Assured shall have the right within 60 days after date of publication of this section or within 60 days after the attachment of the insurance under said binder, whichever is later, to reject such valuation and proceed as authorized by

section 1209(a)(2), Merchant Marine Act, 1936, as amended.

Binder No.	Name of vessel	Official No.	Stated valua- tion (in thousands)
752	A. H. Dumont.	. 239224	\$79
2486	Alison C		070
2400	Apache		865
1686	Atlantic		138
1198	Barge 133		20
2045	Betty Moran.		820
2480	Black Hawk		
2331	Borinquen		420
1153	Britton		374
2136	Cabo Rojo		380
2137	Catano		302
2298	Einserro	208025	590
2132	E. Whitney Olson, Jr	-	392
2209	Fajardo		820
2044	Gale B		85
24	George S.		00
764	George Whitlock II		13
1150	Habib		14
1151	Horne.	244276	64
1554	Lewis No. 8	254460	433
1702	Mohawk		392
2350	New Haven		335
742	Ocean Prince		500
2065	Pacific Mariner		160
2703	Perth Amboy No. 1		160
2784	Perth Amboy No. 2		64
1719	Ponce De Leon		325
	Port Jefferson		368
1878	Puerto Nuevo		. # 4
1176	Qatif 7	114	14
2476	Sandy		865
1263			370
2130	Spartan		520
1152			15
2552	Swigart Theresa F	-	970
763	W. A. Weber		61
1603	Hart Henry		-

Nors: The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Dated: December 9, 1970.

E. Scott Dillon, Chairman, Ship Valuation Committee.

[F.R. Doc. 70-16718; Filed, Dec. 14, 1970; 8:45 a.m.]

SUBCHAPTER H—TRAINING [General Order 97, Rev., Amdt. 8]

PART 310-MERCHANT MARINE

Subpart C—Admission and Training of Cadets of the U.S. Merchant Marine Academy

GENERAL REQUIREMENTS FOR ELIGIBILITY

Effective December 1, 1970, § 310.53, Subpart C of this part is amended by changing paragraph (b) to read as follows:

§ 310.53 General requirements for eligibility.

(b) Age. A candidate must be not less than 17 years of age and must not have passed his 22d birthday on July 1 of the calendar year in which he seeks to be appointed as a cadet. However, a waiver may be granted for veterans of the armed services on the basis of 1 month for every month in the service up to age 24.

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114) (sec. 216, 53 Stat. 1182, as amended; 46 U.S.C. 1126)

Dated: December 8, 1970.

By order of the Maritime Administrator.

James S. Dawson, Jr., Secretary.

[F.R. Doc. 70-16841; Filed, Dec. 14, 1970; 8:51 a.m.]

Title 7—AGRICULTURE

Chapter II—Food and Nutrition Service, Department of Agriculture

[Amdt, 3]

PART 215—SPECIAL MILK PROGRAM FOR CHILDREN

Definitions

Regulations for the operation of the Special Milk Program for Children (32 P.R. 12587 as amended by 34 P.R. 807 and 35 P.R. 3900) are hereby further amended as follows:

In § 215.2, paragraph (o) is revised to read as follows:

§ 215.2 Definitions.

(o) "Needy Schools" means schools which, because of poor economic conditions, are determined by a State agency, or FNSRO where applicable, to be in need of special assistance in order to serve milk without charge to needy children and which either (1) are participating in the National School Lunch Program and receiving special cash assistance from Federal funds at a reimbursement rate in excess of 30 cents under Part 210 of this chapter or had been determined to be in need of special assistance under this Part by a State agency, or FNSRO where applicable, prior to January 1, 1971; or (2) have no other food service.

Effective date. This amendment shall become effective January 1, 1971.

Approved: December 10, 1970.

PHILIP C. OLSSON,
Assistant to
Assistant Secretary.

[F.R. Doc. 70-16772; Filed, Dec. 14, 1970-8:46 a.m.]

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

SUBCHAPTER B-FARM MARKETING QUOTAS
. AND ACREAGE ALLOTMENTS

PART 722-COTTON

Subpart—1971 Crop of Upland Cotton; Base Acreage Allotments

The provisions of §§ 722.463 to 722.466 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.) (referred to as the

"act"), with respect to the 1971 crop of upland cotton (referred to as "cotton"). The purpose of these provisions is to (1) proclaim a national production goal; (2) establish a national base acreage allotment; and (3) apportion the national base acreage allotment to States. In addition, the provisions of \$5 722.461 and 722,462, published in the FEDERAL REG-ISTER of October 17, 1970 (35 F.R. 16312), which proclaimed a national marketing quota and national acreage allotment under sections 342 and 344(a) of the act, are revoked in accordance with the requirements of section 601(1) of the Agricultural Act of 1970 (Public Law 91-524, approved Nov. 30, 1970). The latest available statistics of the Federal Government have been used in making determinations under these provisions.

Section 342a of the act provides that the Secretary shall proclaim a national cotton production goal for the 1971 crop of cotton, and section 350(a) of the act provides that the Secretary shall establish a national base acreage allotment for the 1971 crop of cotton, not later than November 15, 1970, Such proclamation and announcement here contained is made after November 15, 1970, because the Agricultural Act of 1970 was not enacted as of November 15, 1970. It is essential that §§ 722.463 t. 722.466 be made effective immediately. Accordingly, it is nereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and §§ 722.463 to 722.466 shall be effective upon filing this document with the Director, Office of the Federal Register.

722.463 Revocation of prior proclamation.
722.464 National production goal for the
1971 crop of cotton.
722.465 National base acreage allotment for

the 1971 crop of Setton.

722.406 Apportionment of national base acreage allotment to the States.

AUTHORITY: The provisions of this subpart issued under secs. 301, 342a, 350, 52 Stat. 38, as amended, 84 Stat. 1358; 7 U.S.C. 1301, 1342a, 1350.

§ 722.463 Revocation of prior proclamation.

A national marketing quota and a national acreage allotment for the 1971 crop of cotton was proclaimed on October 15, 1970, as required by sections 342 and 344(a) of the act which was in effect and applicable to the 1971 crop of cotton on October 15, 1970. Such proclamation was published in the FEDERAL REG-ISTER of October 17, 1970 (35 F.R. 16312) under Title 7, Chapter VII, Subchapter B. Part 722, as Subpart-1971 erop of upland cotton; acreage allotments and marketing quotas, consisting of \$\$ 722.-461 and 722.462. Section 601(1) of the Agricultural Act of 1970 provides that sections 342 and 344 of the act shall not be applicable to the 1971 crop of cotton. Accordingly, the above-cited Subpart-1971 crop of upland cotton; acreage allotments and marketing quotas, consisting of §§ 722.461 and 722.462 is hereby revoked, and the proclamation so published shall be void as required by subsequent legislation contained in the Agricultural Act of 1970.

§ 722.464 National production goal for the 1971 crop of cotton.

(a) Statutory requirements. Section 342a of the act provides that the amount of the national production goal for the 1971 crop of cotton (in terms of standard bales of 480 pounds net weight) shall be the number of bales of cotton equal to the estimated domestic consumption and estimated exports for the 1971-72 marketing year, which begins August 1, 1971, plus an allowance of not less than 5 percent of such estimated consumption and estimated exports for market expansion. Section 342a of the act further provides that the Secretary shall make such adjustments in the amount of the production goal as he determines necessary after taking into consideration the estimated stocks of cotton in the United States (including the qualities of such stocks) and stocks in foreign countries, which would be available for the 1971-72 marketing year, to assure the maintenance of adequate but not excessive carryover stocks in the United States (not less than 50 percent of the average offtake for the 3 preceding marketing years) to provide a continuous and stable supply of the different qualities of cotton needed in the United States and in foreign cotton-consuming countries and, in addition, to provide an adequate reserve for purposes of national security.

(b) Proclamation of amount of 1971 national production goal. The national production goal for the 1971 crop of cotton is hereby proclaimed to be in the amount of 11.993.500 standard bales of cotton, determined under section 342a of the act, based on the following data:

(1) Estimated domestic consump-

tion, 1971-72 marketing year.

(2) Estimated exports, 1971-72
marketing year. 3,300,000
(3) Allowance for market expansion (5 percent of sum of (1) and (2) 565,000
(4) Adjustments to assure adequate stocks 128,500

Total 11,993,500

8,000,000

(5) Estimated carryover stocks in the United States on July 31, 1972 5, 300, 000
(6) 50 percent of the average off-take for the preceding 3 marketing years (1968, 1969 and estimated 1970) 5, 428, 500

§ 722.465 National base acreage allotment for the 1971 crop of cotton.

The national base acreage allotment for the 1971 crop of cotton shall be 11,-500,000 acres, as required under section 350(a) of the act.

§ 722.466 Apportionment of national base acreage allorment to the States.

Section 350(b) of the act prescribes that the national base acreage allotment of 11,500,000 acres shall be apportioned to the States on the basis of the acreage planted (including acreage regarded as having been planted) to cotton within

the farm acreage allotment during the 5 calendar years 1965, 1966, 1967, 1968, and 1969, adjusted for abnormal weather conditions or other natural disaster during such period. In making the apportionment, no adjustments were made except to the extent that the history for Nevada was adjusted to reflect the total acreage planted and regarded as planted to cotton during the base period. Accordingly, the national base acreage allotment is apportioned to the States as follows:

	State Allotment
State	(acres)
Alabama	677, 655
Arizona	and the second
Arkansas	955, 267
California	531, 107
Florida	22, 241
Georgia	582,383
Illinois	
Kansas	
Kentucky	
Louisiana	
Mississippi	
Missouri	
Nevada	
New Mexico	
North Carolina	
Oklahoma	
South Carolina	
Tennessee	
Texas	
Virginia	11,081
U.S. Total	11,500,000

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

Signed at Washington, D.C., on December 10, 1970.

J. PHIL CAMPBELL, Acting Secretary.

[F.R. Doc. 70-16863; Filed, Dec. 11, 1970; 2:09 p.m.]

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

[Navel Orange Reg. 215, Amdt. 1]

PART 907 — NAVEL ORANGES GROWN IN ARIZONA AND DESIG-NATED PART OF CALIFORNIA

Limitation of Handling

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 35 F.R. 16359), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice. engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of navel oranges grown in Arizona and designated part of California.

(b) Order, as amended. The provisions in paragraph (b) (1) (i) and (iii) of § 907.515 (Navel Orange Regulation 215, 35 F.R. 18385) are hereby amended to

read as follows:

§ 907.515 Navel Orange Regulation 215.

(b) Order. (1)

(i) District 1: 1,170,000 cartons;

(iii) District 3: 130,000 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: December 10, 1970.

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

[F.R. Doc. 70-16820; Filed, Dec. 14, 1970; 8:51 a.m.]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Expenses and Rate of Assessment

On November 28, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 18200) regarding the proposed expenses and the proposed rate of assessment for the period November 1, 1970, through October 31, 1971, pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in the States of California and Arizona. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Lemon Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 910.208 Expenses and rate of assessment.

(a) Expenses. Expenses that are reasonable and necessary to be incurred by the Lemon Administrative Committee during the period November 1, 1970, through October 31, 1971, will amount to \$252,000.

(b) Rate of assessment. The rate of assessment for said period, payable by each handler in accordance with § 910.41, is fixed at \$0.021 per carton of lemons.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of the current crop of lemons grown in the designated production area are now being made: (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable lemons handled during the aforesaid period, and (3) such period began on November 1, 1970, and said rate of assessment will automatically apply to all such lemons beginning with such date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C 601-674)

Dated: December 10, 1970.

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

[F.R. Doc. 70-16821; Filed, Dec. 14, 1970; 8:51 a.m.]

[Amdt. 3]

PART 958—ONIONS GROWN IN CER-TAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Limitation of Shipments

Findings, (a) Pursuant to Marketing Agreement No. 130 and Order No. 958, both as amended (7 CFR Part 958), regulating the handling of onions grown in the production area defined therein, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Idaho-Eastern Oregon Onion Committee, established pursuant to said marketing agreement and order, and other available information, it is hereby found that the amendment to the limitation of shipments hereinafter set forth will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticble and contrary to the public interest to give preliminary notice, or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the Federal Register (5 U.S.C. 553) in that (1) the time intervening between the date of the committee's recommendation and the date when this amendment should become effective in order to effectuate the declared policy of the act is insufficient, (2) compliance with this amendment will not require any special preparation by handlers which cannot be completed by the effective date, (3) information regarding the committee's recommendation was made available to producers and handlers in the production area, and (4) this amendment relieves restrictions on the handling of production area onions.

Regulation as amended. In § 958.315 (35 F.R. 11165, 12529, 14437) subparagraph (1) of paragraph (a) is hereby amended to change the minimum sizes for yellow varieties as follows:

§ 958.315 Limitation of shipments.

(a) Grade, size, and pack requirements—(1) Yellow varieties. U.S. No. 1 or better grade, 2½ inches minimum diameter; or U.S. No. 1 or better grade, 1½ inches minimum to 2½ inches maximum diameter, if packed separately; or U.S. No. 2 grade, 3 inches minimum diameter, if not more than 30 percent of the lot is comprised of onions of U.S. No. 1 quality.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date. Issued December 10, 1970, to become effective December 16, 1970.

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

[F.R. Doc. 70-16770; Filed, Dec. 14, 1970; 8:46 a.m.]

[Amdt. 3]

PART 980—VEGETABLES; IMPORT REGULATIONS

Onions

Pursuant to the requirements of Section 8e-1 of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 608e-1), Onion Import Regulation, § 980,109, is hereby amended to conform to a simultaneous amendment to the regulation in effect for domestic shipments of onions under Marketing Order No. 958, as amended (7 UFR Part 958) regulating the handling of onions grown in the Idaho-Eastern Oregon production area, as set forth below. This regulation is subject to further amendment in accordance with domestic regulations.

Onion import regulation, as amended. In § 980.109 (35 F.R. 11225, 12530, 14539) subparagraph (1) of paragraph (a) is hereby amended to change the minimum diameter for yellow varieties to 1½ inches from 2¼ inches, so that it will read as follows:

§ 980.109 Onion import regulation.

(a) Minimum grade and size requirements—(1) Yellow varieties—(i) Grade. U.S. No. 2 or better grade.

(ii) Size, 1½ inches minimum diameter.

Findings. It is hereby found that it is impractical and unnecessary to give preliminary notice or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the Federal

REGISTER (5 U.S.C. 553) in that (1) the requirements of section 608e-1 of the act make this amendment mandatory (2) compliance with this amendment will not require any special preparation by importers which cannot be completed by the effective date, and (3) amendment relieves restrictions.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C.

Dated December 10, 1970, to become effective December 16, 1970.

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

[F.R. Doc. 70-10822; Filed, Dec. 14, 1970; 8:51 a.m.)

Chapter XIV-Commodity Credit Corporation, Department of Agriculture

> SUBCHAPTER C-EXPORT PROGRAMS [Amdt. 1]

> > PART 1481-RICE

Subpart—Rice Export Program (GR-369) Revision IV

MISCELLANEOUS AMENDMENTS

The terms and conditions of the Rice Export Program (GR-369) Revision IV (35 F.R. 7880 and 35 F.R. 8472) are hereby amended as follows:

1. In § 1481.105, paragraph (k) is amended by adding the following

sentence:

§ 1481.105 Definition of terms.

(k) * * * Export carrier also means a lash barge loaded with rice for which a through on-board bill of lading is issued for shipment to an eligible country and the loaded lash barge is subsequently lifted aboard an ocean vessel. The exculpatory provisions of paragraph (h) of this section and § 1481.115(d) shall apply to any rice lost, damaged, or destroyed after loading aboard the lash barge to the same extent as loading aboard an ocean going vessel.

§ 1481.112 [Amended]

2. In § 1481.112, paragraph (b) is amended by substituting for the words "in any form or product into the United States or Puerto Rico of rice previously exported by him," the words "into the United States or Puerto Rico of milled rice or brown rice (including milled rice produced from exported brown rice) previously exported by him."

3. In § 1481.113, paragraph (d) is amended to read as follows:

§ 1481.113 Rice exported prior to submission of offer acceptable to CCC.

(d) The submission of Form CCC-409, "Application for Rice Export Payment," for an export payment on rice exported prior to submission of an offer constitutes the exporter's agreement that if the rice is exported or transshipped to other than an eligible country as milled rice or brown rice (including milled rice produced from exported brown rice), or if the rice (including milled rice produced from exported brown rice) is reentered into the United States or Puerto Rico, he shall be liable to CCC as provided in \$ 1481 115(d)

§ 1481.115 [Amended]

4. In § 1481.115, paragraph (d) is amended by deleting the words "in any form or product," wherever they appear, and substituting therefor in the first sentence thereof the words "as milled rice or as brown rice (including milled rice produced from exported brown rice)" and by deleting the entire second sentence.

§ 1481.132 [Amended]

5. In § 1481.132, paragraph (c) is amended by substituting for the words "in any form or product into the United States or Puerto Rico of rice" the words "into the United States or Puerto Rico of milled rice or brown rice (including milled rice produced from exported brown rice)."

§ 1481.136 [Amended]

- 6. In § 1481.136, paragraph (b) is amended by adding after the words "prior to" the words "filing the notice Of."
- 7. In § 1481.138, the second sentence of paragraph (a) (1) is amended to read as follows:

§ 1481.138 Contract amendments.

(a) (1) * * * The exporter shall not export, transship or cause the rice (including milled rice produced from ex-ported brown rice) to be transshipped to any other country without the written approval of CCC.

§ 1481.139 [Amended]

8. In § 1481.139, paragraph (f) is amended by substituting for the words "in any form or product," wherever they appear, the words "as milled rice or as brown rice (including milled rice produced from exported brown rice).'

9. In § 1481.153, paragraph (a) (2) (i) is revised, paragraph (b) is amended by the addition of two new sentences, paragraph (c) (1) and (2) are revised, paragraph (d)(2) is amended by deleting the second sentence, and paragraph (e) is amended to change the first sentences of subparagraphs (1) and (4) and all of subparagraphs (2) and (3), to read as follows:

§ 1481.153 Evidence of export.

(a) Bills of lading. * * *

(2) * * *

(i) The identification of the ocean vessel or the lash barge,

(b) * * * If export is by lash barge, an authenticated copy of the applicable shipper's export declaration or an acceptable statement from the vessel's agent showing the lash barge was loaded to the lash vessel named in the on-board lash bill of lading or substitute lash vessel. The shipper's export declaration or the statement from the agent of the vessel must be furnished within a 60-day period beginning on the date of the onboard lash bill of lading unless otherwise approved in writing by CCC.

- (c) Official weight certificates. (1) Except as otherwise provided in this paragraph (c), for rice exported in bulk by ocean vessel or lash barge, a copy of an official weight certificate issued on the basis of weights obtained at the time of loading the rice to the ocean vessel or lash barge showing (i) the weight of the rice, (ii) date and place of issuance, (iii) identification of the ocean vessel or lash barge, and (iv) description of the hold or tank of the ocean vessel or the lash barge in which the rice was stowed.
- (2) For an export of bulk rice which was transferred directly from a railcar or truck to an ocean vessel or lash barge. a copy of an official weight certificate issued on the basis of heavy and light weights of the railcar or truck obtained at the place of export showing (i) the heavy and light weights of the railcar or truck, or the net weight of the rice, (ii) the date and place of issuance, and (iii) identification of the railcar or truck, may be furnished in lieu of the certificate required in subparagraph (1) of this paragraph. The exporter must also furnish an acceptable statement from an inspector that the inspector witnessed the transfer of the rice from the railcar or truck to the ocean vessel or lash barge. The statement must identify each railcar or truck.

(e) Official inspection certificates. (1) For rice exported in bags, bales, or cases, a copy of an official inspection certificate showing (i) the information necessary to determine the export payment per hundredweight under the applicable provisions of § 1481.102(d) and (ii) the quantity of rice to which the certificate relates. . .

(2) Except as provided in subparagraph (3) of this paragraph, for milled rice or brown rice exported in bulk by ocean vessel or lash barge, a copy of an official inspection certificate issued on the basis of an inspection made at the time and place of loading the rice to the ocean vessel or lash barge showing (i) the information necessary to determine the export payment per hundredweight under the applicable provisions of § 1481.102(d), (ii) the quantity of rice to which the certificate relates, (iii) date and place of issuance and (iv) identification of the ocean vessel or lash barge.

(3) For milled rice or brown rice exported in bulk, bags, bales, or cases in marine-type containerized vans by ocean vessel, a copy of an official inspection certificate issued on the basis of an inspection made at the port of export or at the time of loading the rice for shipment to port showing (i) the information necessary to determine the export payment per hundredweight under the applicable provisions of § 1481.102(d), (ii)

the quantity of rice to which the certificate relates, (iii) date and place of issuance, (iv) identification of the van, (v) the seal numbers of the van and (vi) a statement by the inspector or an independent party (port authorities, agent of the vessel, etc.) that he witnessed the loading of the rice to the van and the sealing of the van.

(4) For milled rice or brown rice exported in bulk by railcar or truck, a copy of an official inspection certificate showing (i) the information necessary to determine the export payment per hundred-weight under the applicable provisions of § 1481.102(d). (ii) the quantity of rice to which the certificate relates, (iii) date and place of issuance and (iv) identification of the railcar or truck.

(Sec. 5, 62 Stat. 1072, sec. 407, 63 Stat. 1055, as amended, sec. 201(a), 70 Stat. 188; 15 U.S.C. 714c, 7 U.S.C. 1427, 1851)

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

Signed at Washington, D.C., on December 4, 1970.

> CLIFFORD G. PULVERMACHER, Vice President, Commodity Credit Corporation, and General Sales Manager, Export Marketing Service.

[F.R. Doc. 70-16819; Filed, Dec. 14, 1970; 8:50 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System SUBCHAPTER A—BOARD OF GOVERNORS OF

THE FEDERAL RESERVE SYSTEM
[Reg. D]

PART 204—RESERVES OF MEMBER BANKS

Currency and Coin

- Effective January 7, 1971, § 204.116
 added to read as follows:
- § 204.116 Currency or coin held principally for its numismatic or bullion value.
- (a) The Board of Governors has considered the status under Regulation D for purposes of reserve computations of currency and coins held by member banks principally for their numismatic or bullion value.
- (b) It appears that a number of banks have been counting as part of their reserve requirements silver coins which the banks have acquired and segregated from coins available to meet customers' demands. In some cases, the coins are held by the bank for its own account with the expectation of earning a premium over face value because of the greater numismatic or bullion value of the coins. In other cases, the coins are held by the bank for the account of its customers, under a written or oral agreement, whereby the customer re-

tains the right to, or an option on, such coins.

(c) When a member bank acquires currency or coin that it has the full and unrestricted right to use at any time to meet depositors' claims, such currency or coin may be counted as reserves for purposes of satisfying the bank's reserve requirements. The fact that a bank may choose to segregate part of such currency or coin does not of itself disqualify the currency or coin from counting as reserves.

(d) A bank does not have "the full and unrestricted right" within the meaning of the preceding paragraph if the bank is prevented, legally or practically, by virtue of customer agreements, undertakings, or arrangements, from using the currency or coin at any time to meet customer's demands. Such customer agreements, undertakings, or arrangements may relate to the specific currency or coins transferred to the bank or to currency or coin that the bank is or may be obligated to acquire to replace the specific currency or coins so transferred.

(e) Examples of agreements, undertakings, or arrangements between a bank and its customer that have come to the Board's attention under which the bank does not have the full and unrestricted right to use silver coins at any time to

meet customers' demands are:

(1) The bank holds the coins subject to a repurchase agreement or an option by the customer or his assignee (a borrowing by the bank of the coins).

(2) Coins are deposited by the customer and the bank promises to resell to the customer a similar amount of coins (in effect a borrowing by the bank of the coins).

(3) The coins deposited by the customer are to be segregated and returned to the customer upon his request or after a certain period of time (a bailment).

- (4) The bank issues a certificate of deposit, the consideration for which is coins, and the bank simultaneously enters into an agreement to redeem the certificate by payment of the coins, either the identical coins deposited by the customer or similar coins (a special deposit).
- (5) Coins are transferred to the bank as collateral for a loan.
- (f) An agreement between the bank and its customer that the currency or coin is to be regarded as "owned" by the bank for purposes of reserve requirements is not determinative. Whether currency or coin may be counted as reserves depends on the underlying nature of the transaction in the light of the principle and examples set forth herein.
- (g) This interpretation is not intended to affect the legality of agreements, undertakings, or arrangements between the bank and its customers regarding currency or coin.

(Interprets and applies 12 U.S.C. 461.)

2. On June 3, 1970, the Board published for comment a proposed amendment to Regulation D to prevent mem-

ber banks from counting as part of their required reserves any coin they hold principally for its bullion or numismatic value (Federal Register of June 9, 1970, 35 F.R. 8892). That proposal is withdrawn.

By order of the Board of Governors, December 8, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[P.R. Doc. 70-16775; Filed, Dec. 14, 1970; 8:47 a.m.]

[No. 70-496]

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C-FEDERAL SAVINGS AND LOAN SYSTEM

PART 545—OPERATIONS

Purchase of GNMA-Guaranteed Securities

DECEMBER 8, 1970.

Resolved that the Federal Home Loan Bank Board considers it advisable to amend § 545.9 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.9) for the purpose of authorizing Federal savings and loan associations to purchase securities guaranteed by the Government National Mortgage Association pursuant to section 306(g) of the National Housing Act, as amended. Accordingly, the Federal Home Loan Bank Board hereby amends such § 545.9 by adding a new paragraph (c), immediately after paragraph (b) thereof, and by redesignating the succeeding two paragraphs, to read as follows, effective December 15, 1970:

§ 545.9 Securities and other investments.

A Federal association may invest in the following:

(c) Any securities guaranteed by the Government National Mortgage Association pursuant to section 306(g) of the National Housing Act, as amended;

(d) Any general obligations (without regard to investment-service rating) of any political subdivision of a State (including the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States) if the association's home office or a branch office is located in such political subdivision: Provided, That investments in such obligations may not be made in an aggregate amount exceeding 1 percent of the association's assets; and

(e) The stock of a Federal Home Loan Bank or the Federal National Mortgage Association.

Resolved further that, since affording notice and public procedure on the above amendment would delay it from becoming effective for a period of time and since it is in the public interest that such amendment become effective as soon as possible, the Board hereby finds that notice and public procedure thereon are contrary to the public interest under the

provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and, for the same reason, the Board finds that publication of such amendment for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date thereof is contrary to the public interest; and the Board hereby provides that such amendment shall become effective as hereinbefore set forth.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464; Reorg. Plan No. 3 of 1947, 12 P.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL]

JACK CARTER, Secretary.

[F.R. Doc. 70-16824; Filed, Dec. 14, 1970; 8:51 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power
Commission

[Docket No. R-398; Order 415]

IMPLEMENTATION OF NATIONAL ENVIRONMENTAL POLICY ACT

DECEMBER 4, 1970.

On September 17, 1970, the Commission issued a notice of proposed policy statement and rule making (35 F.R. 14848, September 24, 1970), wherein it proposed to amend Parts 4 and 5 of the regulations under the Federal Power Act and Subchapter E of the regulations under the Natural Gas Act as well as add §§ 2.80-2.83 to Part 2 of its general rules, in order to implement the requirements of section 102(2) (C) of the National Environmental Policy Act, 83 Stat. 852, 853.

Eighteen responses were filed in this proceeding suggesting a variety of modifications and amendments in the proposed rules. All suggestions were carefully studied and several were adopted as indicated hereinafter.

The rules adopted set forth the policy and procedural guidelines that we will follow in exercising our responsibilities under the National Environmental Policy Act of 1969 with regard to the licensing of hydroelectric facilities under Part I of the Federal Power Act and the issuance of certificates of public convenience and necessity under section 7(c) of the Natural Gas Act. Rather than formalizing specific rules to deal with our legislative environmental responsibilities at this time, we have decided to defer action in this area pending experience with the legislative procedures of the Council Environmental Quality's Interim Guidelines and the Office of Management and Budget's Bulletin 71-3. We will, of course, continue to meet our responsibilities in the legislative environmental area as now prescribed by law.

None of the parties filing in this proceeding have questioned the propriety of the Commission adopting a policy and rules in compliance with the National Environmental Policy Act. Most of the critical comments were directed at various details of the procedural steps we proposed, such as, for example, the timing of filing environmental statements and responses thereto and the proper distribution of statements and comments filed with the Commission. A number of the comments were adopted. However, no beneficial purpose would be served, by a complete enumeration of the comments received and the action taken in response to them.

Comments dealing with the basic substantive principles of the proposed rules and requests for significant changes were filed in some cases. We do believe these points deserve special discussion.

The environmental criteria to be evaluated in the preparation of detailed environmental statements as prescribed in section 102(2)(C) of the National Environmental Policy Act. 83 Stat. 852. 853, have been repeated in §§ 2.80 and 157.14(a) of the rules we are adopting today. Since these are the specific criteria we are required to evaluate in the preparation of detailed environmental statements to accompany our major actions having environmental significance we believe it is proper to require applicants and environmental interveners in Commission proceedings to address themselves to these same considerations. We have, however, in response to some of the comments filed in this proceeding, revised § 2.80 as proposed to provide examples of the kinds of values and considerations that should be evaluated in the context of the five specific criteria we have incorporated from the National Environmental Policy Act. It should be emphasized that these examples are merely illustrative, and not an exhaustive listing of factors that should be considered in the preparation of detailed environmental statements.

The addition of these considerations also serves the useful purpose of further clarifying the scope and nature of a detailed environmental statement. The requirement of this kind of analysis in cases having environmental significance is in the public interest in that it helps assure the fullest possible examination of environmental values and assists us in complying with the statutory standards of the National Environmental Policy Act and our enabling legislation.

The Commission's mandate under the Federal Power Act to fully evaluate environmental considerations is articulated in Scenic Hudson Preservation Conference v. Federal Power Commission, 354 F. 2d 608, (CA2, 1965), cert. denied sub nom Consolidated Edison v. Scenic Hudson Preservation Conference, 384 U.S. 941, and Udall v. Federal Power Commission, 387 U.S. 428 (1967). In Scenic Hudson the Second Circuit ruled that "[t]he Commission must see to it that the record is complete. The Commission has an affirmative duty to inquire into and consider all relevant facts." 354 F. 2d at 620. The requirements imposed by the rules we have adopted represent the kind of affirmative action we must take to assure a complete record. As the Supreme Court said in the Udall case, the Commission must satisfy the test that the proposed project is in the public interest. "And that determination can be made only after an exploration of all issues relevant to the 'public interest' * * " 387 U.S. at 450. We believe these rules will enable us to explore all such relevant issues.

The Commission fully recognizes and accepts its responsibilities under the comprehensive planning mandate of section 10(a) of the Federal Power Act, 16 U.S.C. 803(a), and the standards of section 102(2)(C) of the National Environmental Policy Act, 83 Stat. 853. The regulations we are adopting in this proceeding in no way diminish the burden placed on the Commission by those statutory provisions. Nor do these regulations in any way nullify the Commission's obligation to render decisions based on the fullest possible evaluation of all pertinent information. They also do not negate our duty and that of our staff to take all reasonable and relevant efforts to insure that our decisions are based on a complete record. Rather, the regulations adopted today help assure that all practicable avenues of information and evidence will be explored and developed prior to our determination of the merits of cases falling within the purview of these regulations.

In order to correct the misunderstanding of some who submitted comments, we have clarified our intent in §§ 2.81(c) and 2.82(c). We have deleted the requirement that environmental interveners submit detailed environmental statements pursuant to § 2.80, although we preserve their right to do so. The rules now make it clear that environmental interveners are required to file with the Commission at a time to be specified an explanation of the environmental position they are advancing including therein a discussion of that position in the context of the factors from the National Environmental Policy Act specified in § 2.80. We believe this requirement is in the public interest in that it helps assure exposure and consideration of all relevant issues by insuring that all environmental issues will be raised before the initial decision. Absent an affirmative duty on all parties to raise issues and supply evidence in support thereof during the evidentiary phase of a hearing, the Commission cannot be certain that a complete record is before them. To relieve some parties from this duty would be to encourage dilatory tactics.

We have, in response to comments filed by the Council on Environmental Quality on November 30, 1970, charged the procedures outlined in §§ 2.81(b) and 2.82(b) to include preliminary staff analysis of the detailed environmental statements supplied by applicants. Should this analysis of the statement reveal any deficiencies as to the sufficiency of its form, the staff will request the necessary revisions before the statement is made available to governmental agencies for comment. In this way, we can help assure that all relevant en-vironmental factors will become part of the record at the earliest opportunity and subject to evidentiary proceedings

On Sept. 29, 1970, an amendment was issued (35 F.R. 16324, Oct. 17, 1970).

as to content while insuring that applicants have given due regard for the environment before making an application

Two respondents have urged that we changed the scope of § 2.81(a) by requiring detailed environment statements to accompany applications for minor project licenses. One respondent has advocated restricting the application of the rules to projects with 10,000 hp. capacity or more. It is our determination that neither of these suggestions is appropriate or in the public interest and that pending evidence to the contrary we will require the submission of detailed environmental statements with respect to hydroelectric matters only in conjunction with the applications for major project licenses and activities specified in § 2.81 (a). In any event, it should be noted that all our jurisdictional activities with respect to hydroelectric facilities are subto the comprehensive planning standard of the Federal Power Act.

In adopting these regulations we have adhered as closely as possible to the Council on Environmental Quality's Interim Guidelines governing the preparation of detailed environmental statements (35 F.R. 7390, May 12, 1970). Pending experience in implementing the regulations and in the event of revisions in the Guidelines or amendments to the National Environmental Policy Act, changes may be indicated at some future

date.

These regulations, which are effective immediately, will be applied as fully as possible to appropriate cases now on file.

The Commission finds:

- (1) The notice and opportunity to participate in this proceeding with respect to the matters presently before the Commission are consistent and in accordance with all procedural requirements therefor as prescribed in 5 U.S.C. 553.
- (2) The amendments to the Commission's regulations adopted herein are necessary and appropriate for carrying out the provisions of the Federal Power Act, the Natural Gas Act, and the National Environmental Policy Act.

The Commission acting pursuant to the provisions of the Federal Power Act, particularly sections 4, 10, 15, 307, 309, 311 and 312 (41 Stat. 1065, 1068, 1069, 1070, 1072, 1353, 46 Stat. 798, 49 Stat. 839, 842, 843, 844, 856, 858, 859, 61 Stat. 501, 82 Stat. 617; 16 U.S.C. 797, 803, 808, 825f, 825h, 825j, 825k), and the Natural Gas Act, particularly sections 7 and 16 (52 Stat. 824, 825, 830, 56 Stat. 83, 84, 61 Stat. 459; 15 U.S.C. 717f, 7170), and the National Environmental Policy Act of 1969, Public Law 91–190, approved January 1, 1970, particularly sections 102 and 103 (83 Stat. 853, 854) orders:

PART 2—GENERAL POLICY AND INTERPRETATIONS

- (A) Part 2, Subchapter A, Chapter I, Title 18, Code of Federal Regulations is amended by adding thereto the following:
- (1) The table of contents at the beginning of Part 2—General Policy and

Interpretations is amended by adding at the end thereof a new subdivision heading and section titles reading as follows:

STATEMENT OF GENERAL POLICY TO IMPLEMENT PROCEDURES FOR COMPLIANCE WITH THE NA-TIONAL ENVIRONMENTAL POLICY ACT OF 1969

Sec.

2.80 Detailed environmental statement.

2.81 Compliance with the National Environmental Policy Act of 1969 under Part I of the Federal Power Act.

- 2.82 Compliance with the National Environmental Policy Act of 1969 under the Natural Gas Act.
- (2) The text of Part 2 is amended by adding at the end thereof the following heading and new §§ 2.80 through 2.82 reading as follows:
- STATEMENT OF GENERAL POLICY TO IMPLE-MENT PROCEDURES FOR COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

§ 2.80 Detailed environmental statement.

(a) It shall be the general policy of the Federal Power Commission to adopt and to adhere to the objectives and aims of the National Environmental Policy Act of 1969 (Act) in its regulation under the Federal Power Act and the Natural Gas Act. The National Environmental Policy Act of 1969 requires, among other things, a detailed environmental statement in all major Federal actions and in all reports and recommendations on environmental legislative proposals which will significantly affect the quality of the human environment.

(b) Therefore, in compliance with the National Environmental Policy Act of 1969 we will make a detailed environmental statement when the regulatory action taken by us under the Federal Power Act and Natural Gas Act will have such an environmental impact. A "detailed statement" prepared in compliance with the requirements of §§ 2.81 through 2.82 shall fully develop the five factors listed hereinafter in the context, among other relevant environmental factors, of such considerations as the proposed activity's direct and indirect effect on the ecology of the land, air and water environment of the project or natural gas pipeline facility, and on aquatic and wildlife, and established park and recreational areas as well as on sites of natural, historic, and scenic values and resources of the area, and the conformity of the proposed activity with all applicable environmental standards. Such statement should also deal with the justification of the proposed activity as compared to its alternatives. These factors are listed to merely illustrate the kinds of values that must be considered in the statement; in no respect is this listing to be construed as covering all relevant factors.

(1) The environmental impact of the proposed action,

- (2) Any adverse environmental effects which cannot be avoided should the proposal be implemented,
- (3) Alternatives to the proposed action.

(4) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and

(5) Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should

it be implemented.

- § 2.81 Compliance with the National Environmental Policy Act of 1969 under Part I of the Federal Power Act.
- (a) A notice of all applications for major projects (those in excess of 2,000 hp.) or for reservoirs only providing regulatory flows to down-stream (major) hydroelectric projects under Part I of the Federal Power Act for license or relicense, or amendment to license proposing construction or operating change in project works will be transmitted by the Commission to the Council on Environmental Quality and to appropriate governmental bodies, Federal, regional, State, and local with a request for comments on the environmental considerations listed in § 2.80. Notice of all such applications shall also be made as prescribed by law.

(b) All applications covered by paragraph (a) of this section shall be accompanied by the applicant's detailed statement of the environmental factors specified in § 2.80. The staff shall make an initial review of the applicant's statement and issue, if necessary, any deficiency letters as to sufficiency of form, and cause the applicant's statement, as revised, to be made available to all governmental bodies given notice pursuant to paragraph (a) of this section. The applicant shall supply 10 copies of the statement, as revised, to the Council on

Environmental Quality.

(c) All interveners taking a position on environmental matters shall file with the Commission an explanation of their environmental position, specifying any differences with the applicant's detailed statement upon which intervener wishes to be heard and including therein a discussion of that position in the context of the factors enumerated in § 2.80, at a time specified by the Commission or the Presiding Examiner. All interveners shall be responsible for filing 10 copies of their filing with the Council on Environmental Quality at the time they file with the Commission and shall also supply a copy of such filing to all participants to the proceeding. Nothing herein shall preclude an intervener from filing a detailed environmental statement.

(d) The applicant, staff, and all interveners taking a position on environmental matters should offer evidence for the record in support of their environmental position, filed in compliance with

the provisions of this section.

(e) (1) In the case of each contested application the initial and reply briefs filed by the applicant, the staff, and all interveners taking a position on environmental matters should specifically analyze and evaluate the evidence in the light of the environmental criteria enumerated in § 2.80. The views of the Council on Environmental Quality, if

any, should be made in a written statement served upon the Commission staff and all parties of record at a time speci-

fied by the Presiding Examiner.

(2) Furthermore, the Initial Decision of the Presiding Examiner in such cases should include an evaluation of the environmental factors enumerated in \$ 2.80 and the views expressed in conjunction therewith by the applicant and all those making formal comment pursuant to the provisions of this section. If the Commission grants the application, its final order shall include a detailed environmental statement as specified in § 2.80.

(f) In the case of noncontested applications the staff shall prepare a detailed statement as prescribed in § 2.80 based on its analysis of the application's environmental impact and all matters of record and shall serve such statement on the applicant. The Council on Environmental Quality shall be supplied with 10 copies of such statement, and other appropriate Federal and State agencies shall be supplied with 1 copy; each of them shall be afforded 30 days in which to submit any written comments they may care to offer. Within 10 days thereafter the applicant may file written responses to the staff's statement and the comments received thereon. The Commission will consider all comments submitted prior to acting on the application. If the Commission grants the application, its final order shall include a detailed environmental statement as specified in § 2.80.

(g) Ten copies of all comments from governmental bodies-Federal, regional, State, and local-received pursuant to this section shall also be transmitted to the Council on Environmental Quality by the party filing such comments at the time of filing with the Commission.

§ 2.82 Compliance with the National Environmental Policy Act of 1969 under the Natural Gas Act.

(a) A notice of all certificate applications filed under section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)), except abbreviated applications filed pursuant to § 157.7 (b), (c), (d), and (e) of this chapter, will be transmitted by the Commission to the Council on Environmental Quality. Notice of all certificate applications will continue to be published as prescribed by law, and trans-mitted to other appropriate Federal and State governmental bodies.

(b) All applications within the scope of paragraph (a) of this section shall be accompanied by the information pre-scribed in § 157.14(a) (6-d) of this chapter and shall include an environmental analysis of the construction and operating program of the proposed project considered in its totality. If the Commission then concludes that a detailed statement will be required as part of the Commission's order, public notice will be given requiring the applicant to file a detailed statement as prescribed in § 2.80. The staff shall make an initial review of the applicant's statement and issue, if necessary, any deficiency letters as to sufficiency of form, and cause the applicant's statement, as revised, to be made available to all governmental bodies given notice pursuant to paragraph (a) of this section. The applicant shall supply 10 copies of the statement, as revised, to the Council on Environmental

(c) All interveners taking a position on environmental matters shall file with the Commission an analysis of their environmental position, specifying any differences with the applicant's detailed statement upon which intervener wishes to be heard and including therein a discussion of that position in the context of the factors enumerated in § 2.80, at a time specified by the Commission or the Presiding Examiner. All interveners shall be responsible for filing 10 copies of their filing with the Council on Environmental Quality at the time they file with the Commission and shall also supply a copy of such filing to all participants to the proceeding. Nothing herein shall preclude an intervener from filing a detailed environmental statement.

(d) The applicant, staff, and all interveners taking a position on environmental matters should offer evidence for the record in support of their environmental position, filed in compliance with

the provisions of this section.

(e) (1) In the case of each contested application the initial and reply briefs filed by the applicant, the staff, and all interveners taking a position on en-vironmental matters should specifically analyze and evaluate the evidence in the light of the environmental criteria enumerated in § 2.80. The views of the Council on Environmental Quality, if any, should be made in a written statement served upon the Commission staff and all parties of record at a time specified by the Presiding Examiner.

(2) Furthermore the Initial Decision of the Presiding Examiner in such cases should include an evaluation of the environmental factors enumerated in § 2.80 and the views expressed in conjunction therewith by the applicant and all those making formal comment pursuant to the provisions of this section. If the Commission grants the application, its final order shall include a detailed environmental statement as specified in § 2.80.

(f) When the Commission determines that its action on an application which is otherwise subject to the Commission's noncontested procedures will have a significant environmental effect, the staff shall prepare a detailed statement as prescribed in § 2.80 based on its analysis of the application's environmental impact and all matters of record and shall serve such statement on the applicant. The Council on Environmental Quality shall be supplied with 10 copies of such statement, and other appropriate Federal and State agencies shall be supplied with one copy; each of them shall be afforded 30 days in which to submit any written comments they may care to offer. Within 10 days thereafter the applicant may file written responses to the staff's statement and the comments received thereon. The Commission will consider

all comments submitted prior to acting on the application. If the Commission grants the application, its final order shall include a detailed environmental statement as specified in § 2.80.

(g) Ten copies of all comments from governmental bodies-Federal, regional, State, and local-received pursuant to this section shall also be transmitted to the Council on Environmental Quality by the party filing such comments at the time of filing with the Commission.

PART 4-LICENSES, PERMITS, AND DETERMINATION OF PROJECT COSTS

(B) Section 4.40 in Part 4, Subchapter B. Chapter I, Title 18, Code of Federal Regulations, is amended by redesignating paragraph (1) as paragraph (m) and substituting a new paragraph (1) as follows:

§ 4.40 Contents.

.

(1) Those applications within the purview of § 2.81(a) of this chapter must be accompanied by a detailed statement of the environmental factors enumerated in § 2.80 of this chapter.

PART 5-APPLICATION FOR AMENDMENT OF LICENSE

(C) Section 5.1 in Part 5, Subchapter B. Chapter I, Title 18, Code of Federal Regulations, is amended by inserting a new sentence between the first and second sentences. As amended, this portion of § 5.1 will read as follows:

§ 5.1 Amendment of license.

Where a licensee desires to make a change in the physical features of the project or its boundary, and/or make an addition or betterment and/or abandonment or conversion, of such character as to constitute an alteration of the license, application for an amendment of the license shall be filed with the Commission, fully describing the changes licensee desires to make. Furthermore, the provisions of § 2.81(a) of this chapter shall apply to all applications for amendment of license as defined therein. If, after consideration of an application for amendment of the license, the Commission is of the opinion that the contemplated changes are of such character as to constitute a substantial alteration of the license, public notice of such application shall be given by an advertisement made at least 30 days prior to action upon the application.

PART 157-APPLICATIONS FOR CER-TIFICATES OF PUBLIC CONVEN-IENCE AND NECESSITY AND FOR ORDERS PERMITTING AND AP-PROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS

(D) Paragraph (a) of § 157.14, in Subchapter E, Chapter I, Title 18, Code of Federal Regulations, is amended by adding a new subparagraph (6-d) to read as follows:

§ 157.14 Exhibits.

(a) To be attached to each applica-

(6-d) Exhibit F-IV—Statement by the Applicant concerning the requirements of the National Environmental Policy Act of 1969, Public Law 91-190, 83 Stat. 852, Title I, Section 102. The applicant shall provide a brief statement concerning the following factors:

(i) The environmental impact of the

proposed actions,

- (ii) Any adverse environmental effects which cannot be avoided should the proposal be implemented,
- (iii) Alternatives to the proposed action,
- (iv) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and
- (v) Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

(E) The emendments begin adents

- (E) The amendments herein adopted shall become effective upon the issuance of this order.
- (F) The Secretary shall cause prompt publication of this order to be made in the Federal Register.

By the Commission.

[SEAL]

GORDON M. GRANT, Secretary,

[F.R. Doc. 70-16791; Filed, Dec. 14, 1970; 8:48 a.m.]

[Docket No. R-396; Order 415]

PART 141—STATEMENT AND REPORTS (SCHEDULES)

PART 260—STATEMENT AND REPORTS (SCHEDULES)

Statement of Source and Application of Funds

DECEMBER 7, 1970.

On August 27, 1970, the Commission issued a notice of proposed rule making in this proceeding (35 F.R. 14098, Sept. 4, 1970) proposing to amend, effective for the reporting year 1970, the FPC Annual Report Form No. 1, prescribed by § 141.1 of the Commission's Regulations (18 GFR 141.1) for use by Electric Utilities and Licensees (Class A and Class B) and the FPC Annual Report Form No. 2 prescribed by § 260.1 of the Commission's Regulations (18 CFR 260.1) for use by Natural Gas Companies (Class A and Class B) by adding two new schedule pages 118 and 119, entitled Statement E—Source and Application of Funds for the Year.

Comments were invited from interested persons to be submitted by October 13, 1970. In response to this notice the Commission has received comments

from 15 respondents.¹ Of the 15 responses received; three were in complete agreements; six concurred, with the exception of suggesting minor modifications having to do with the construction and design of the Statement; two concurred, but requested the omission of the CPA certification; three were noncommittal, but offered constructive suggestions; and one opposed the rule making.

Where feasible the Commission has incorporated those constructive suggestions having to do with construction and design of the statement where these suggestions allowed the statement to remain reasonably structured around the "Source and Application of Funds" statement now used by the American Gas Association and the Edison Electric Institute in their joint "Uniform Statistical Report," and to continue to include the principles contained in the American Institute of Certified Public Accountants' Opinion No. 3 along with those specific additional items needed by the Commission for regulatory purposes.

The two objections to the CPA certification of the statement was due to extra time and expense involved. The Commission considers this statement in the same category of prominence with the Comparative Balance Sheet, Statement of Income and Statement of Earned Surplus, all of which are now being certified by CPA firms. Consequently, the Commission rejects the requests to delete the statement from the list of those schedules now being certified by CPA firms.

And finally, in relation to the single response opposing the rule making on the alleged basis the Commission did not state how the statement would assist the Commission in administering the Natural Gas Act, the Commission invites attention to paragraph 2, notice of proposed rule making R-396, "This added schedule is being proposed to provide the Commission with relevant information that is either omitted or not sufficiently presented in the Comparative Balance Sheet or the Statement of Income and Earned Surplus for the Year, presently found in FPC Forms No. 1 and No. 2. The Commission believes the proposed statement, will narrow the existing gap between the two aforementioned conventional statements. In addition, the proposed statement will be of considerable benefit to the Commission staff in their continuous analysis and surveillance responsibilities." The Commission's basic purpose remains the same.

The Commission finds:

(1) The notice and opportunity to participate in this rule making by submission in writing of data, views and comments in the manner described above are consistent and in accordance with the procedural requirements of section 553 of title 5 of the United States Code.

(2) Since the amendments to FPC Forms No. 1 and No. 2 prescribed herein are for use for reports covering the calendar year beginning January 1, 1970, or for a year beginning or ending during the calendar year 1970, good cause exists for making this order effective upon issuance.

(3) The revisions of the Commission's Annual Report Forms No. 1 and No. 2 herein prescribed are necessary and appropriate for the administration of the Federal Power and Natural Gas Acts.

(4) Since amendments herein which were not included in the notice in this proceeding are of a minor nature further

notice thereof is unnecessary.

The Commission, acting pursuant to the authority granted by the Federal Power Act, as amended, particularly sections 301, 304, and 309 (49 Stat. 854, 855, 858; 16 U.S.C. 825, 825c, 825h) and the provisions of the Natural Gas Act, as amended, particularly sections 8, 9(b), 10, and 16 thereof (52 Stat. 825, 826, 830; 15 U.S.C. 717g, 717h(b), 717i, 717o), orders:

- (A) Effective for the reporting year 1970, and thereafter, FPC Form No. 1, Annual Report for Electric Utilities and Licensees Class A and Class B, prescribed by § 141.1, Subchapter D, Chapter I, Title 18 of the Code of Federal Regulations, and FPC Form No. 2, Annual Report for Natural Gas Companies, Class A and Class B, prescribed by § 260.1, Subchapter G, Chapter I, Title 18 of the Code of Federal Regulations, are amended as follows, all as set out in the attachment hereto;
- (1) On page i of FPC Annual Report Form No. 1, General Instruction 14 is amended to include the schedule "Source and Application of Funds for the Year— Statement E" in the list of schedules for which certification by a certified public accountant is required.
- (2) On page i of FPC Annual Report Form No. 2, General Instruction 15 is amended, to include the schedule "Source and Application of Funds for the Year— Statement E" in the list of schedules for which certification by a certified public accountant is required.
- (3) New schedule pages 118 and 119, entitled "Statement E—Source and Application of Funds for the Year," are added to FPC Forms No. 1 and No. 2.
- (B) Effective upon the issuance of this order, paragraph (d) of § 141.1 of the Commission's regulations under the Federal Power Act, Subchapter D, Chapter I, Title 18 of the Code of Federal Regulations, is amended by adding a new schedule "Source and Application of Funds for the Year—Statement E," immediately following schedule title "Statement of Retained Earnings for the Year—Statement D":

Arthur Andersen & Co., Independent Natural Gas Association of America, The Cleveland Electric Illuminating Co., Consumers Power Co., New England Electric System, Pennsylvania Power & Light Co., Public Service Electric and Gas Co., Public Service, Indians, Salt River Project, Southern Services, Inc., The Washington Water Power Co., Baltimore Gas and Electric Co., Northern Natural Gas Co., Texas Eastern Transmission Corp., and State of New York Public Service Commission.

^{*}Attachment filed as part of original document,

§ 141.1 Form No. 1, Annual report for electric utilities, licensees, and others (Class A and Class B).

(d) * * *

Source and Application of Funds for the Year-Statement E.

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(C) Effective upon the issuance of this order, paragraph (c) of § 260.1 of the Commission's regulations under the Natural Gas Act, Subchapter G, Chapter I, Title 18 of the Code of Federal Regulations, is amended by adding a new schedule "Source and Application of Funds for the Year—Statement E," immediately following schedule title "Statement of Earned Surplus—Statement D":

§ 260.1 Form No. 2, Annual report for natural gas companies (Class A and Class B).

(c) * * *

Source and Application of Funds for the Year—Statement E.

(D) The Secretary of the Commission shall cause prompt publication of this order to be made in the Federal Register.

By the Commission.

[SEAL] GORDON M. GRANT, Secretary,

[F.R. Doc. 70-16792; Filed, Dec. 14, 1970; 8:48 a.m.]

[Docket No. R-399; Order 417]

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

Reports of Gas Stored Underground and Schedule

DECEMBER 8, 1970.

By notice issued September 18, 1970, and published in the FEDERAL REGISTER on September 24, 1970 (35 F.R. 14851), in Docket No. R-399 pursuant to section 553 of title 5 of the United States Code and section 16 of the Natural Gas Act (52 Stat. 830, 15 U.S.C. 7170) the Commission proposed to add a new § 260,11 to Part 260-Statements and Reports (Schedules), Subchapter G-Approved Forms, Natural Gas Act, Chapter I, Title 18 of the Code of Federal Regulations, to require the filing by certain natural gas companies, other than independent producers as defined by § 154.91(a) of the Regulations under the Natural Gas Act (18 CFR 154.91(a)), of reports of gas stored underground on a new schedule to be prescribed herein and designated as FPC Form No. 8.

Eighteen responses to the notice of proposed rulemaking have been received. Pursuant to a Notice of Conference issued November 5, 1970, and published in the Federal Register on November 7, 1970 (35 F.R. 17188), a conference attended by representatives of interested parties and the Commission staff was held on November 13, 1970.

This proceeding was instituted because it has become apparent to the Commission that many jurisdictional natural gas pipeline companies will have to rely with increased need on natural gas storage to supply the requirements of their customers during the forthcoming 1970-71 and future winter seasons. Pipeline companies have indicated to the Commission in informal discussions and in pleadings in proceedings on applications filed pursuant to sections 7(a) and 7(c) of the Natural Gas Act that, depending upon such variables as the severity of the winter and the availability of domestic and imported gas, they will have to place restrictions on their load growth and will have to curtail interruptible deliveries to a greater extent than in the past. There have been further indications that some pipelines may have difficulty in meeting their presently contracted obligations.

Gas stored underground during the off-peak months is a vital supply component for the many pipeline companies that rely on both pipeline capacity and stored gas to meet winter requirements, especially the peak deliveries caused by low temperatures. It is just as vital to local gas distributors and pipelines, which under storage service agreements with pipeline suppliers, have gas purchased during the off-peak months underground for subsequent stored winter deliveries. The balances of gas in storage will be key indicators of adequate or inadequate supplies for the critical periods.

After consideration of the written views and comments and the discussion at the conference, several modifications have been made in the proposed regulation and schedule. Many of the respondents question the value of information on underground storage alone as being indicative of a pipeline's present supply position or ability to meet demands on its system. In addition, some of the respondents express apprehension that the Commission intends to take action to or-

der involuntary transfers of gas based on the reported data. The regulation and schedule promulgated herein are to require the filling of data for informational purposes only. The Commission realizes that storage data alone, without data on other factors such as weather, customer requirements, LNG, LPG, pipeline capacity, and other variables, is but one of many indicators of a pipeline company's operational capability; however, the Commission regards a company's storage position as such a key indicator that current information should be readily available.

Several respondents have pointed out that various storage pools on the same system may in normal operation be operated differently and for different purposes than other pools on the system or on other systems. It is noted that a normal or a particular pressure in one pool may or may not be normal in another pool or in the same pool at various times under particular circumstances. Likewise, it was pointed out that some companies sell a storage service, others use storage to accommodate swings in pipeline operations, and some companies use storage for both purposes. Also, in some instances customers may have title to stored gas, customers may have the right to nominate pipeline-owned volumes, or pipelines may meet their contractual obligations from either or both pipeline gas or pipeline-owned storage, Since storage pools are operated in such widely varying ways and for differing purposes, it is concluded that meaningful storage information can be collected only on a companywide rather than an individual reservoir basis. For the same reason and because reports will be on a companywide basis, reservoir pressures will not have to be reported. In addition, customers' gas (customer-owned or nominated or otherwise committed to particular customers) will be required to be reported by the pipelines operating the storage facilities to the extent the storage is not required to be reported by the customers.

Several respondents expressed concern that storage reservoirs would have to be shut-in in order to ascertain the required information. Such action will not be necessary. The Commission will accept information based upon reports from the companies' dispatchers and other operating personnel which information is used in the day-to-day operations of the pipeline systems. The Commission would rather have data which are reasonably current and estimated rather than untimely and accurate to the last Mcf.

Various respondents suggested that reporting be limited to companies having a specified minimum volume in storage, to companies selling a storage service, to companies whose operations are wholly jurisdictional, to companies with limits on load growth, or to companies which have indicated possible inability to meet contractual obligations. The Commission is interested in obtaining a comprehensive picture of gas in storage.

Cascade Natural Gas Corp.; Colorado Interstate Gas Co., a division of Colorado Interstate Corp.; Columbia Gas System Service Corp.; Equitable Gas Co.; Iowa-Illinois Gas and Electric Co.; Kansas-Nebraska Natural Gas Co., Inc.; Northern Natural Gas Co.; Panhandle Eastern Pipe Line Co.; Pennsylvania Gas Co.; Rochester Gas and Electric Corp.; Southern California Edison Co.; Tennessee Gas Pipeline Co., a division of Tenneco, Inc.; Texas Eastern Transmission Corp.; Texas Gas Transmission Corp.; Transcontinental Gas Pipe Line Corp.; The Union Light, Heat and Power Co.; United Gas Pipe Line Co.; United Natural Gas Co.

Therefore, all jurisdictional companies with storage operations will be required to submit reports. Two respondents suggested that they be excused from filing periodic reports on storage operations which are required by certificate orders authorizing storage facilities and operations. The reports filed pursuant to the certificate orders are more comprehensive and less timely than the reports required by the regulation promulgated herein. Therefore, both reports will be required even though the reported data may be duplicative to some small extent.

There were suggestions by respondents that additional information be reported. such as quality of gas in storage, physical facilities used in storage operations, number of days gas was withdrawn, daily withdrawals, and names of customers for whom gas was withdrawn. Although this information may be of value in appraising storage operations, the Commission does not feel that it has the need for such information at this time; hence, such information will not be required.

The last-day-of-the-month reporting dates as proposed have been changed to the first days of the next month. This will establish definite dates for reports in lieu of the variable last days of the months. The due date for the filing of the first report has been changed from November 15, 1970, to January 4, 1971, in view of the late date of issuance of this

Copies of the schedule promulgated herein will be available from the Commission. However, reporting companies may reproduce their own copies and submit reports thereon.

The Commission finds:

- (1) The notice and opportunity to participate in this proceeding through the submission in writing of data, views, comments, and suggestions in the manner described above are consistent and in accordance with the procedural requirements prescribed in 5 U.S.C. 553.
- (2) The amendment and schedule hereinafter set forth are necessary and appropriate in carrying out the provisions of the Natural Gas Act.
- (3) In view of the imminence of the period of substantial reliance upon underground storage and the need by the Commission to obtain information on storage balances on an orderly basis, good cause exists that the proposed amendment be made effective immediately.

The Commission, acting pursuant to authority granted by the Natural Gas Act, as amended, particularly Section 16 thereof (52 Stat. 830, 15 U.S.C. 7170), and in accordance with 5 U.S.C. 552,

(A) Effective upon the issuance of this order, Part 260, Subchapter G, Chapter I, Title 18 of the Code of Federal Regulations is amended by adding a new \$ 260.11 which reads as follows:

§ 260.11 Form No. 8, report of gas stored underground.

(a) The form of Report of Gas Stored Underground, designated herein as FPC Form No. 8, is prescribed for the 2-year period commencing November 1, 1970.

(b) Each natural gas company as defined by the Natural Gas Act, as amended, 52 Stat. 821, except an independent producer as defined by § 154.91 (a) of the Regulations under the Natural Gas Act (§ 154.91(a) of this chapter). which owns, leases, or operates an underground natural gas storage field or which has natural gas stored for it by others in an underground natural gas storage field, shall prepare and file with the Commission an original and two copies of Report of Gas Stored Underground, FPC Form No. 8, on or before November 15 of each reporting year, November 1 through October 31, showing volumes of gas in underground storage on November 1 and within 5 days after, or the nearest date thereto that information is available, the 1st and 15th days of December through March and the first days of April through November, showing estimated accumulated storage gas withdrawals and injections and balances of stored volumes remaining, except that reports on gas stored underground on November 1 and 15 and December 1 and 15, 1970, shall be filed on or before January 4, 1971.

- (B) The schedule, FPC Form No. 8, Report of Gas Stored Underground, is adopted in the form set forth in Attachment A hereto."
- (C) The Secretary shall cause prompt publication at this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] GORDON M. GRANT. Secretary.

[F.R. Doc. 70-16790; Filed, Dec. 14, 1970; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter X-Interstate Commerce Commission

SUBCHAPTER A-GENERAL RULES AND REGULATIONS

[3d Rev. S.O. 1009, Amdt. 3]

PART 1033-CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission, Division 3, acting as an Appellate Division, held at its office in Washington, D.C., on the 8th day of December 1970.

Upon consideration of the petitions filed by various shippers, each requesting reconsideration or suspension of certain provisions of Third Revised Service Order No 1009

It appearing, that seasonal reductions in the demands for freight cars have

resulted in substantial improvements in the supplies of freight cars, and that the daily levels of freight car shortages reported by the carriers presently are declining; and that a further postponement of the effective date of paragraphs (a) (1) (ii) and (vii), of Third Revised Service Order No. 1009, relating to cars assigned to the exclusive use of shippers. is warranted to avoid an excessive waste of empty car movements by the carriers and to prevent irreparable harm to the affected shippers during a period of an abated car supply problem.

It is ordered. That:

Third Revised Service Order No. 1009. as amended, be, and it is hereby, further amended by substituting the following paragraph (a) (1) (ii) and (vii) for paragraph (a) (1) (ii) and (vii) thereof: § 1033.1009 Service Order No. 1009.

(a) Railroad operating regulations for freight car movement. Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Placing of Cars. * * *

(ii) Those provisions of this subdivision (ii) relating to cars assigned to the exclusive use of a shipper are hereby suspended until 11:59 p.m., December 31, 1970.

(vii) The provisions of this subdivision (vii) are hereby suspended until 11:59 p.m., December 31, 1970.

It is further ordered, That, except to the extent granted in the next preceding paragraph, the said petitions be, and they are, hereby, denied.

Effective date. This amendment shall become effective at 11:59 p.m., December 8, 1970.

(Sec. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies sec. 1 (10-17).

15(4), and 17(2), 40 Stat, 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and

It is further ordered, That copies of this amendment shall be served upon the Association of American Railroads, Car Service Division, and upon the American Short Line Railroad Association, as agents of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C. and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3, acting as an Appellate Division.

[SEAL] ROBERT L. OSWALD, Secretary.

Attachment A filed as part of original [F.R. Doc. 70-16814; Filed, Dec. 14, 1970; 8:50 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter VII—Federal Insurance Administration, Department of Housing and Urban Development
SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

List of Designated Areas

Section 1914.4 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows: § 1914.4 List of designated areas.

County	Location				Effective date
	500,000	Map No.	State map repository	Local map repository	of authorization of sale of flood insurance for are
***				74.0	
	areas.	E 01 097 0000 01 through E 01 097 0000 03	Alabama Development Office, State Office Bldg., Montgomery AL 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery A L 38104.	County Engineer's Office, County Court House, 101 Government St., Mobile, AL 39501.	Dec. 11, 1970.
Los Angeles	Bradbury	E 06 037 0433 01	Office Box 388, Sacramento, CA 95802.	City Hall, 600 Winston Ave., Brad- bury, CA 91010.	Do.
			107 South Broadway, Los Angeles, CA 90012, and 1407 Market St., San		
do	Long Beach	through	do	700, 205 West Broadway, Long	
do	Walnut	E 06 037 4000 01 through	,do	Office of the City Manager, City of Walnut, 20550 East Carrey Rd.,	Doc
. Riverside		E 06 065 2650 01 through	do	Department of Building and Plan- ning, City Hall, 3200 Tahquity McCallum St., Palm Springs, CA	
Monmouth	Highlands Borough,	E 34 025 1300 01	mental Protection, Division of Wa- ter Policy and Supply, Box 1300, Trenton, NJ 08625. Department of Banking and Insur- ance, State House Amex, Trenton,	Office of the Borough Clerk, Borough	
			de	of Sea Bright, Monmouth County,	
Ocean	Seaside Park	E 34 029 3020 01 E 34 029 3020 02	do	Municipal Bldg., Central and Fifth Aves., Borough of Seaside Park,	Do.
	Providence	I 44 007 0190 03	Rhode Island Statewide Planning Program, Room 123-A, The State House, Providence, RI 02803. Rhode Island Insurance Department,		Do.
El Paso	El Paso	E 48 141 2190 01 through E 48 141 2190 09	Texas Water Development Board, 301 West Second St., Austin, TX 78711. Texas State Board of Insurance, 1110	City Clerk's Office, Room 211, City- County Bidg., El Paso, TX 79901.	Do.
. Wiso	Big Stone Gap	I 51 195 0170 03 I 51 195 0170 04	San Jacquio St., Austin, I.A., 1809. Division of Water Resources, Department of Conservation and Economic Development, 911 East Broad St., Richmond, VA 23219. Virginia Insurance Department, 700 Bianton Bldg., Post Office Box 1167, Richmond, VA 23239.	Office of the Town Manager, Town of Big Stone Gap, Big Stone Gap, VA 24219.	
	do	Mobile	Mobile	Mobile	Mobile

(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; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: December 12, 1970.

George K. Bernstein, Federal Insurance Administrator.

[F.R. Doc. 70-16728; Filed, Dec. 14, 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
	***	***		***		***
	Mobile	areas.	T 01 097 0000 01 through T 01 097 0000 03	Office Bldg., Montgomery, AL 30104. Alabama Insurance Department,	County Engineer's Office, County Court House, 101 Government St., Mobile, AL 86601.	
California	Los Angeles	Bradbury	T 06 037 0433 01	Montgomery, AL 30104. Department of Water Resources, Post Office Box 388, Sacramento, CA 90802.	City Hall, 600 Winston Ave., Brad- bury, CA 91010.	Do.
				California Impurance Department, 107 South Broadway, Los Angeles, CA 90012, and 1407 Market St., San Francisco, CA 94103.		
Do	do	Long Beach	through	do	Office of the City Engineer, Room 700, 205 West Broadway, Long Beach, CA 90802.	Do.
			through	60	Office of the City Manager, City of Walnut, 20550 East Carrey Road, Walnut CA 91789	Dec
De	Riverside	Palm Springs	T 06 065 2650 01 through	do	Department of Bullding and Planning, City Hall, 3200 Tahquity McCallum St., Palm Springs, OA 92262.	Do.
New Jersey	Monmouth	Highlands Borough.	T 06 065 2650 10 T 34 025 1300 01	New Jersey Department of Environ- mental Protection, Division of Water Polley and Supply, Box 1390, Tren- ton, NJ 08625. Department of Banking and Insur-	Office of the Borough Clerk, Borough of Highlands, 171 Bay Ave., Mou- mouth County, NJ 07732.	Do.
				ance, State House Annex, Trenton, NJ 08625.	on the Paris David	Do.
				do	1000 East Ocean Ave., Monmouth	
Do	Ocean	Seaside Park	T 34 029 3020 01 T 34 029 3020 02	do	Municipal Bidg., Central and Fifth Aves., Borough of Seaside Park, Ocean County, NJ 08752.	Doz
Rhode Island	Providence	Providence	H 44 007 0190 03 H 44 007 0190 04	Rhode Island Statewide Planning Program, Room 123-A, The State House, Providence, RI 02963. Rhode Island Insurance Department, Room 418, 49 Westminster St., Providence, RI 02903.	Graphics Section, Department of Planning and Urban Development, 410 Howard Bldg., 10 Dorrance St.,	Sept. 8, 1970.
Texas	El Paso	El Paso	T 48 141 2190 01 through T 48 141 2190 00	Texas Water Development Board, 301 West Second St., Austin, TX 78711. Texas State Board of Insurance, 1110	City Clerk's Office, Room 211, City: County Bidg., El Paso, TX 79901.	
Virginia	Wise	Blg Stone Gap	H 51 195 0170 03 H 51 195 0170 04	San Jacinto St., Austin, TX 78701. Division of Water Resources, Department of Conservation and Economic Development, 911 East Broad St., Richmond, VA 23219. Virginia Insurance Department, 700	Big Stone Gap, Big Stone Gap,	
				Blanton Bidg., Post Office Box 1157, Richmond, VA 23209.		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 P.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 P.R. 2580, Feb. 27, 1969)

Issued: December 12, 1970.

GEORGE K. BERNSTEIN, Federal Insurance Administrator,

[F.R. Doc. 70-16729; Filed, Dec. 14, 1970; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I-Internal Revenue Service, Department of the Treasury SUBCHAPTER B-ESTATE AND GIFT TAXES [T.D. 7077]

PART 25-GIFT TAX; GIFTS MADE AFTER DECEMBER 31, 1954

Revision of Actuarial Tables and Interest Factor; Correction

On December 4, 1970, T.D. 7077 was [F.R. Doc. 70-16826; Filed, Dec. 14, 1970; published in the FEDERAL REGISTER (35

F.R. 18461). The figure "\$ 20 .- " appearing at the end of the 16th line in paragraph (a) (1) of § 25.2512-5 of the Gift Tax Regulations (26 CFR Part 25), as prescribed by T.D. 7077, should have been "§ 25.-". Accordingly, replace the figure "\$ 20.-" with "\$ 25.-".

> JAMES F. DRING, Director, Legislation and Regulations Division.

8:51 a.m.]

TITLE 39—POSTAL SERVICE

Chapter I-Post Office Department SUBCHAPTER E-TRANSPORTATION OF THE MAILS

SUBCHAPTER G-SPECIAL REGULATIONS TRANSPORTATION OF MAIL

Regulations codified in Parts 521-526 of Subchapter E are being restated in order to eliminate unnecessary detail. The basic purport of those regulations remains essentially the same in this revision, so that rule making proceedings and delay in effective date (5 U.S.C. 553)

are not required. Accordingly, the amendments which follow are effective upon publication in the PEDERAL REGISTER.

 In Subchapter E insert the following center caption immediately above Part 511:

RAILWAY TRANSPORTATION

- Subchapter G is redesignated as Subchapter H; and Subchapter E (as amended above) is redesignated as Subchapter G.
- 3. In Subchapter G, as redesignated above, amend Parts 521-526 to read as follows:

HIGHWAY TRANSPORTATION

PART 521-STAR ROUTE SERVICE

Sec.

521.1 Description.

521.2 Establishing service.

521.3 Administration of service.

521.4 Subcontracts.

521.5 Screening.

AUTHORITY: The provisions of this Part 521 issued under 5 U.S.C. 301, 39 U.S.C. 501, 6106, 6106-6107, 6352, 6401-6402, 6407, 6411-6426, 6429-6434, 6436-6440.

§ 521.1 Description.

Star route service provides for intercity highway transportation of mail. Routes are operated under formal contracts, awarded after competitive bidding, and may provide box delivery, collection, and other service normally furnished by rural carriers.

§ 521.2 Establishing service.

- (a) Contract terms—(1) Regular contracts. Contracts for regular star route service are made for periods of not more than 4 years or for the remainder of a term set for the area in which the route operates, Terms are staggered within the region.
- (2) Extensions. Regular contracts may be continued in force beyond their expressed terms for a period of not more than 6 months. The extension also extends any subcontract in effect.
- (3) Renewals. Regular contracts may be renewed for additional terms of not more than 4 years, without advertising, at the rate of compensation prevailing at the end of the contract term.
- (4) Temporary contracts. Contracts for temporary service may be made for periods not to exceed 1 year, with or without formal advertising.
- (b) Obtaining bids—(1) Advertisements. When necessary to request bids for regular contracts, advertisements will be distributed by the Director, Logistics Division. Allow for at least 30 days' posting, except in emergencies when an explanation for the shorter posting period will be included.
- (2) Requirements for bidding—(i) Eligibility of bidders. Any person who is at least 21 years of age and who is a citizen of the United States, or has filed a declaration of intention within the past 7 years to become a citizen, may submit a proposal and enter into a contract for carrying the mail, subject to the following restrictions:

(a) No proposal for a contract for star route service will be considered unless the bidder is a legal resident of one of the counties crossed by the roads over which the mail is to be carried or a legal resident of a county adjoining one through which the mail is to be carried, with this exception: Proposals for carrying mail will be accepted from firms, companies, or corporations actually engaged in some business other than transportation of mail under a contract within the counties in which individuals are restricted as to residence.

(b) No postmaster, assistant postmaster (director, operations and director, installation services, at post offices having these positions instead of assistant postmaster) or officer in charge, clerk employed in any post office, rural carrier, special delivery messenger, or other postal employee, including substitute or temporary, will be a bidder, contractor, or concerned in a bond or contract for

carrying mail on a star route. (c) No member of the immediate family of a postmaster or assistant postmaster (director, operations, and director, installation services, at post offices having these positions instead of assistant postmaster) or officer in charge will be awarded a contract or be a surety on a bond, or be a subcontractor or carrier on a star route; except that a person who becomes a member of the immediate family of any of these after being awarded a contract or after being recognized as a subcontractor may continue to perform such contract and is eligible for a renewal contract. "Immediate family" as used in this section, means spouse and other persons related to the postmaster (or assistant postmaster, or director, operations, or director, installation services, at post offices having those positions instead of an assistant postmaster) or officer in charge, by blood who are regular members of his household or are dependent on him for support and other persons who are regular members of his household and who are dependent on him for support.

(d) No contract for carrying mail will be made with any person who has entered or proposed any combination to prevent the making of any bid for carrying mail or who has agreed, or given or promised any consideration, to induce another person not to bid for such a contract.

(e) No contract will be made with a person known to have been (1) convicted of a postal crime relating to theft or embezzlement of mail, funds, or property or (2) convicted of a crime such as embezzlement, robbery, burgiary, larceny, perversion or other notoriously immoral acts; known to have associated with known criminals; or known to have a record of serious moving traffic violations, unless he has since been rehabilitated and has become a responsible citizen.

(f) A married woman may contract or be surety as though she were unmarried where the laws of the State permit. When a woman bids or signs a surety, whether she is married or single must be stated. (ii) Bond requirements, (a) Each proposal must be accompanied by a bond executed by a qualified surety company or by two or more individual sureties, each of whom must own real estate worth at least the face amount of bond required, over and above all debts, judgments, mortgages, executions, and exemptions.

(b) When the laws of the State permit, a husband and wife owning real estate as "tenants by the entireties," are acceptable as one surety provided both execute the bond. Any other two or more persons owning real estate as "joint tenants" are acceptable as one surety, provided all parties concerned execute the bond. In these cases, at least one other qualified surety is necessary.

(c) The obligation under the bid bond is that the bidder will execute a contract with good and sufficient sureties and that service will be performed according to the contract. If an accepted bidder fails to enter into the prescribed contract or, after having executed a contract, fails to perform service in accordance with the contract, he and his sureties are liable for the amount of the bid bond.

(d) No proposal for the transportation of the mail shall be considered when
accompanied by a bond executed on behalf of a surety by or through any organization of mail transportation contractors or an officer or employee of such
organization, nor shall any such proposal
be considered when a portion of the bond
premium, a commission on the bond sale,
or any other thing of value accrues to
any organization of mail transportation
contractors or officer or employee thereof
as a result of the execution of the bond.

(e) If a bond is executed by a surety company, the company must be included in the current list of surety companies approved by the Treasury Department as acceptable on Federal bonds. The agent representing the company must also have authority to underwrite star route bid bonds on behalf of the company.

(3) Restriction on postmaster participation. Postmasters may not:

(i) Act as agents of contractors, subcontractors, or bidders, with or without compensation, in any negotiations relating to mail service.

(ii) Divulge the amount of any proposal they have certified.

- (4) Submitting bids. The time and manner in which bids must be received in order to be entitled to consideration are stated in the information and instructions to bidders which accompany the advertisement.
- (c) Award of contracts—(1) Requirements for award. (i) Formal contracts for transportation of mail which are required to be made after advertising will be awarded to the lowest responsible bidder with sufficient guarantee for faithful performance under the terms of the advertisement.
- (ii) The bid of a person who willfully or negligently failed to perform a former contract may be disregarded, with concurrence of Regional Counsel.

(iii) A contract may be awarded at any time within 60 days after the date stated in the advertisement as the closing date for the receipt of bids. A contract may be awarded during an additional 60-day period on written consent of the bidder and his sureties at their bid price.

(2) Execution of contract. The accepted bidder will be required to execute a contract with good and sufficient sureties satisfactory to the Postal Service. These sureties can be the same as those furnished on the bid bond.

(3) Qualification of sureties. Although individual sureties on a contract need not own real estate, they must be responsible persons and competent to perform the service required by the contract

if called on to do so.

(4) Obligation of sureties on contract. Sureties on the contract are, in effect, co-contractors, and in event of default or removal of contractor, are responsible for continued operation of the service. They may also be called on to assume operation of the route if the contractor dies.

(5) Filing contract. The successful bidder must execute and file his contract with the Director, Logistics Division, within 60 days from the date of acceptance of bid.

(6) Reservations. The Postal Service

reserves the right to:

 Reject all bids on any route whenever the interest of the service requires.

(ii) Rescind the acceptance of a proposal at any time before the signing of the formal contract by a representative of the United States, without allowing indemnity.

(iii) Suspend the award of a contract for a period not exceeding 60 days after the date stated in the advertisement as the closing date for receipt of bids and allow a corresponding extension of time for execution of the contract.

(iv) Reject bids accompanied by bonds on which there appears as surety the name of a person who is not responsible or who is barred from bidding

for any reason.

(v) Disregard bids of those persons who have not submitted proposals in good faith and do not intend to perform service in accordance with the terms of the advertisement.

(7) Tie bids. When the lowest acceptable bids are at the same rate, preference will be given to the present contractor if his is one of the tie bids. Otherwise, the selection will be made by lot.

- (8) Certification. The contractor must certify that he has not employed any person to solicit or secure the contract upon any agreement for a commission, percentage, brokerage, or contingent fees. He must agree not to discriminate against any employee or applicant for employment because of race, color, religion, or national origin, or sex.
- (9) Oath of contractor. A contractor shall take the required oath when executing his contract.
- (d) Contractor's responsibilities—(1) For providing service. The contractor's responsibilities for providing service are

(iii) A contract may be awarded at stated in the advertisements and conity time within 60 days after the date tracts, as may be modified by the Diated in the advertisement as the rector, Logistics Division.

(2) For operating vehicles according to law. Transportation by contractors of passengers or property other than mail is subject to the following:

- (i) The award of a contract grants no special right or privilege to the contractor to transport passengers, freight, or express. If the contractor desires to transport passengers or eargo other than mail for compensation in interstate or foreign commerce, he must obtain authority from the Interstate Commerce Commission. If he desires to transport either in intrastate commerce, he must obtain authority from the State in which he will operate, if authority is required by that State. He must comply with all State laws and regulations that apply to carriers of passengers and cargo for hire. If passengers are transported, mail must be carried in a separate compartment so passengers will not have access to the mail.
- (ii) Contractors must know and comply with interstate and intrastate laws governing the operation of motor vehicles. They must comply with all safety measures prescribed by State and Federal laws and regulations governing the operation of motor vehicles and with the Interstate Commerce Commission's Motor Carrier Safety regulations issued from time to time, to the extent stated in the advertisement and as required by the Postal Service.
- (3) For transporting postal officials and equipment. (i) Contractors and carriers must transport postal inspectors and other postal officials, on presentation of their credentials, over regularly scheduled trips and between points specified in the official statement of the route, if the conveyance used is suitable.
- (ii) Bus companies are not required to transport postal inspectors and other officials except on vehicles carrying mail and between points where service is authorized.
- (iii) The carrier will not reveal the presence of a postal inspector in the carrier's vehicle or in the vicinity of the route.
- (iv) Contractors must convey, without extra charge, all post office blanks, mail bags, lock and keys, and other postal supplies offered them. This does not include furniture, letter cases, mail boxes, and similar items. This equipment must not be shipped under penalty labels on star routes unless previously determined that the contractors involved are willing to perform the additional work without compensation. This does not prevent contractors from handling such equipment as freight or express.
- (4) For providing carriers—(i) Qualifications. Carriers must be:
 - (a) Not less than 18 years of age.
- (b) Of good character, reliable, and trustworthy.
- (c) Sufficiently educated to enable them to perform all required duties in a satisfactory manner.

- (ii) Persons ineligible. The following are ineligible to serve as carriers on star routes:
- (a) All postal employees, including temporaries and substitutes.
- (b) Members of the immediate families of those defined in subparagraph (2) (1) (c) of paragraph (b) of this section, unless they became members of the immediate family after the contract was awarded.
- (c) Persons on parole or under suspended sentence for commission of a felony.
- (d) Persons with known criminal records involving moral turpitude or dishonesty.
- (e) Persons whose traffic records indicate that their driving motor vehicles would be hazardous.

§ 521.3 Administration of service.

(a) Administrative postmasters. Star routes are under the supervision and administrative control of a postmaster on the route. The Regional Director will designate the postmaster to whom this authority is delegated. Postmasters at all other offices will report irregularities, complaints, and any other local problems regarding the operation of the route to the administrative postmaster.

(b) Changes in service. The Director, Logistics Division, may at any time issue orders extending, increasing frequency, and changing the line of travel, by allowing a pro rata increase in compensation for any increased service required. He may also issue orders curtailing, reducing, frequency, discontinuing, or changing line of travel by allowing 1 month's extra pay on the amout of service eliminated and not exceeding pro rata compensation for the service retained. Extensions ordered during the contract term may not, in the aggregate, increase the one-way length of the route more than 100 miles.

than 100 miles.

(c) Changes in schedules. The Director, Logistics Division, may issue orders changing schedules of departure and arrival, particularly to make them conform to connections with railroads or other mail routes, without increase in pay.

(d) Unsatisfactory service by contractor. Unsatisfactory service on a route by a contractor may result in letters of warning, fines and, in extreme cases, in contract forfeiture or annulment.

(e) Payments—(1) For regular service. Payments for stated services are:

 Made by check after the expiration of each 4-week accounting period.

(ii) Not made under new or renewed contract until the contract is executed.

- (2) For special-delivery service. Postmasters may pay special delivery fees to contractors and carriers when special service is rendered. If the special delivery mail is delivered into the customer's box, the carrier is not entitled to the fee.
- (3) Readjustment of compensation. Contract compensation may be readjusted by mutual consent for increased or decreased costs caused by changes during the contract term which could not have been reasonably anticipated at the

time of contracting or renewing. Only regular contractors and subcontractors are eligible for consideration. It is unlawful for a Federal official to encourage a claim against the Government. The request must be instituted by the contractor or subcontractor.

(f) Termination-(1) Time. Star route contracts may be terminated at the end of any 4-year term at the option of the Postal Service or the contractor, or they may be terminated at any time as provided by law or by the contract terms.

(2) For changed service conditions. Star routes may be readvertised and new contracts may be awarded to release contractors and sureties on routes where undue hardships have been imposed by:

(i) An ordered change which increases or decreases the amount of service

required.

(ii) An abnormal or sustained increase in the quantity of mail to be carried during a contract term, necessitating

larger equipment.

(iii) An ordered change in schedule, requiring the contractor to be away from the initial terminal much more or less time than was required in the advertised schedule.

- (3) For inadequate compensation. (i) A star route may be readvertised and a new contract may be awarded to release the contractor and his sureties when, after full investigation, compensation is found to be wholly inadequate and continuation of the contract will impose undue hardship, even though conditions have not changed since the contractor submitted his bid. This action may be taken only when the contractor:
- (a) Gives 90 days' advance notice of his desire to be released.

- (b) Waives the 1-month extra pay authorized by the contract when contracts are canceled under this provision,
- (c) Continues service until another contract is awarded even though the award may be made more than 90 days after filing the advance notice.
- (4) Death of a contractor. When a contractor dies, the postmaster should immediately notify the Director, Logistics Division, of the date and approximate time of contractor's death. If service is not provided promptly by or for the estate of a deceased contractor or his sureties, the administrative postmaster supervising the route should arrange to hire a temporary carrier at the lowest obtainable rate and advise the Director, Logistics Division, accordingly.

§ 521.4 Subcontracts.

- (a) Requirements for subletting, (1) contractor must obtain permission from the Director, Logistics Division, before subletting. Subletting without proper written consent may cause a route to be relet, thereby making the contractor and his sureties liable under their bond for damages.
- (2) Subletting for an amount less than the contract rate of pay is prohibited by law.
- (3) The contractor and subcontractor must warrant that the subcontractor has not given or agreed to give to the con-

tractor, directly or indirectly, any consideration for subletting the contract. Such a consideration includes, but is not limited to, a cash payment for the agreement to sublet: rebates from the compensation received from the Government; payment of unusually high prices for equipment; and purchase of unnecessary operating rights.

(4) After an order has been issued recognizing a subcontract, payments are made directly to and in name of the

subcontractor.

(5) The subcontract must be executed for service on the whole route and for a period of not less than I year or for the remainder of the contract term when less than 1 year.

(b) Requirements of subcontractors.

A subcontractor must:

(1) Meet the legal residence and other requirements of contractors as provided in § 521.2(b) (2) (i) except that subcontractors must be not less than 18 years of age.

(2) Be in a position to supervise the service properly.

(3) Be financially morally and responsible.

(4) Have fully adequate and suitable equipment.

(c) Assignment. Assignment or transfer of a contract for transporting mail is prohibited by law, except as provided in the Assignment of Claims Act. A contract may be sublet as provided by law.

(d) Responsibility of contractor. The execution and recognition of a subcontract does not release a contractor from his obligation, but it relieves him of the necessity of giving the route his personal supervision.

(e) Termination. Subcontracts will be terminated for the following reasons:

(1) For cause.

(2) By request of either party to the subcontract.

(3) By death of the subcontractor.

(f) Contracting with subcontractors. When a contractor has sublet a route in accordance with law and does not indicate in writing to the Postal Service at least 90 days before the end of the contract term that he desires to renew, the Postal Service may enter into a contract on the same terms, without advertising, with a subcontractor who has performed satisfactory service on the route for a period of at least 6 months.

§ 521.5 Screening.

(a) Persons subject to screening, Each contractor, subcontractor, or person employed by a contractor or subcontractor to handle mail or drive mail vehicles, except those listed in paragraph (b) of this section, must be screened in accordance with established procedures.

(b) Persons exempt from screening. The following are exempt from screen-

(1) Certificated interstate common carriers and their employees, if the Director, Logistics Division, and the postal inspector in charge approve the contractor's own security screening procedures.

(2) Civil Service personnel otherwise subject to investigation under Executive Order 10450.

- (3) Persons who have been screened previously for another route.
- (4) Employees hired for an emergency of only a few days.
- (c) Removals. Contractors, subcontractors, or their employees, handling mail or driving mail vehicles will be removed if the screening process shows they have been (1) convicted of a postal crime relating to theft or embezzlement of mail; funds, or property or (2) convicted of a crime such as embezzlement, robbery, burglary, larceny, perversion, or other notoriously immoral acts; have associated with known criminals; or have a record of serious moving traffic violations, unless they have since been rehabilitated and have become responsible citizens.

PART 522-MAIL MESSENGER SERVICE

522 1 Description.

522.2 Policy

522.8 Establishing service.

Administration of service. -

522.5 Payments.

522.6 Screening.

AUTHORITY: The provisions of this Part 522 issued under 5 U.S.C. 301, 39 U.S.C. 501, 6101, 6401-6403, 6413, 6423.

§ 522.1 Description.

This is a local mail transportation service performed by messengers designated to collect, transport, and transfer mail between post offices, stations, and branches and railroad terminals, steamboats, highway post office, star routes truck terminals, airport mail facilities, and stop points in the same or adjacent communities, including collection of mail from collection boxes when so directed by the Directors, Logistics and Post Office and Delivery Services Divisions. It may be used for occasional unscheduled trips of intercity mail or mail equipment transportation over longer distances.

§ 522.2 Policy.

Intracity transportation of mail is performed so as to best serve the public duly considering cost of mail messenger service compared with cost of, Government vehicle service. Do not authorize mail messenger service to carry mail between an airport and a post office at which there is available Government vehicle service operated by motor vehicle operators when the one way distance is not more than 35 miles.

§ 522.3 Establishing service-

- (a) Authorizing service. When an immediate need for service develops, the postmaster will employ a temporary messenger and will immediately notify the Director, Logistics Division. When the need for service is not immediate, the Director, Logistics Division, will advertise for regular service. He may advertise temporary routes for regular service at any time he considers it desirable.
- (b) Advertising for service. When a regular designation is necessary, the Director, Logistics Division, will forward advertisements to the postmaster at the

post office where service is needed. Advertisements will allow at least 10 days' posting from date of receipt at the post office until closing date for bids.

(c) Requirements for bidders—(1)
Age. Mail messengers must not be under

18 years of age.

(2) Residence. A bidder must either reside on or adjoining the route on which service is to be performed, or file with his bid an agreement that, if designated as mail messenger, he will reside on or adjoining the route.

(3) Reliability. Bidders will not be ap-

proved if they:

(1) Are known to have been convicted of a crime as listed in § 521.2(b) (2) (1) of this chapter unless he has since been rehabilitated and has become a responsible citizen.

(ii) Have traffic records which indicate that it would be hazardous to permit

them to operate vehicles.

(iii) Are unable to furnish adequate equipment.

(iv) Are aliens.

(4) Eligibility of postal employees. (1) Postal employees and members of their immediate families (as defined in § 521.2 (b) (2) (i) (c) of this chapter may or may not become bidders, messengers, or assistant messengers, or receive compensation for carrying the mail on mail messenger routes as shown on the following chart, subject to conditions in subdivisions (ii) and (iii) of this subparagraph.

Post Control of Control	Annual rate of compensation—			
Employee's position	Exceeds \$900	\$900 or under		
Posimaster and assistant post- master at: First- and second-class offices. Third- and fourth-class offices. Members of immediate family of postmaster and assistant- postmaster at				
First- and second-class offices. Third- and fourth-class offices. Special delivery messesager. Other postal employees. Members of immediate family of postal employees other than postniaster and assistant postniaster.	Eligible	Do. Do. Do.		

- (ii) Any employee is ineligible if his interest in mail messenger service interferes with his postal duties. Before accepting an employee's proposal or permitting his employment under a mail messenger designation, the director, logistics division, must get a statement from the postmaster that the employee's interest in mail messenger service will not interfere with his postal duties.
- (iii) Any employee or any member of his immediate family is ineligible if the employee has access to mail messenger files during the period when bids are being received.
- (d) Bid procedures—(1) Submitting. Advertisements specify that bids will be submitted to the director, logistics division. Postmaster shall not accept bids except as sealed, postage-paid letters addressed to the director, logistics division. Bids mistakenly mailed to postmasters should be forwarded at once unopened to

the director, logistics division. If the amount of any bid becomes known in any way to the postmaster, he-must not divulge it to anyone. This type of information may be disclosed only after all bids have been opened, subject to public observation, by the regional bidopening committee and the information made available as may be requested, to interested parties.

(2) Opening and awarding. Proposals shall be opened in the office of the Director, Logistics Division. The lowest acceptable bidder must be designated as the mail messenger if award is made. Right is reserved to reject any or all bids if they

are not acceptable.

(e) Oaths. A regular or temporary mail messenger must take the required oath prior to beginning service.

(f) Employment of assistants. Messengers shall personally supervise the performance of service. They must not assign or sublet the service, but they may employ assistants at their own expense during absence from duty for short periods. Assistants must conform to all requirements stated for the messenger himself. They must be approved by the postmaster in charge of the service.

§ 522.4 Administration of service.

(a) Changes in service. Except in emergencies, the postmaster must obtain authorization from the director, logistics division, before changing the service of a mail messenger.

(b) Irregularities. See § 521,3(d) of

this chapter.

- (c) Protection of mail. Mail messengers may be held financially liable for loss or damage to mail in their custody.
- (d) Termination of service—(1) By the Postal service. Service may be terminated by the Postal Service for cause or for rendering improper service. Additionally, it may be terminated when made unnecessary by changed service conditions.
- (2) By the messenger. (i) Death, resignation, or abandonment of the service terminates the mail messenger designation. In these cases, the director, logistics division, will procure replacement service. If immediate replacement service is necessary, the postmaster will procure it, and immediately notify the director, logistics division.
- (ii) When a messenger is relieved of his contract obligations by being called to military service or is compelled to suspend his services because of illness or other valid reason, the postmaster shall ascertain whether he desires that the messenger resume his duties when possible. If so, the postmaster must advise him that his designation will be continued but that changing conditions during his absence may necessitate its reduction or termination. If the messenger wishes to continue with this understanding, his regular service and pay will be suspended pending his return. The director, logistics division, will designate a temporary messenger. When temporary service can be obtained only at a higher rate, it can be authorized if the rate is reasonable.

§ 522.5 Payments.

(a) Certification. Postal data centers will pay messengers at the close of each accounting period after performed service is certified by the postmaster.

(b) Readjustment of compensation. Consider readjusting the pay of mail messengers by mutual consent for increased or decreased costs occasioned by changed conditions which could not reasonably have been anticipated at the time of designation. Only regular mail messengers are eligible for this consideration.

§ 522.6 Screening.

See § 521.5 of this chapter.

PART 523—HIGHWAY POST OFFICE SERVICE

Sec.

523.1 Description.

23.2 Establishing service.

523.3 Administration of service.

523.4 Subcontracts.

523.5 Screening.

AUTHORITY: The provisions of this Part 523 issued under 5 U.S.C. 301, 39 U.S.C. 501, 6351-6355.

§ 523.1 Description.

Highway post offices are bus-type vehicles operated over designated routes, authorized by the postal service for the acceptance, receipt, distribution, storage, dispatch, and delivery of måil by mobile clerks. These vehicles are operated by private individuals or companies under contract with the postal service. Highway post offices are set up where highway transportation and en route distribution can appreciably advance mail delivery to customers and afford them expeditious dispatch of their outgoing mail.

§ 523.2 Establishing service.

(a) See § 521.2(a) of this chapter, except contracts for highway post office service may be made for periods of not more than 6 years; may be extended for a period of not more than 1 year; and may be renewed for additional terms of not more than 6 years.

(b) Obtaining bids: See § 521.2(b) of this chapter, except subparagraph (1) (i) concerning residence does not apply and subparagraph (2) (iii) should be modified to show that the liability of HPO bid bonds, unlike star route bid bonds, ends when the contract is signed by the con-

tracting officer.

(c) Award of contract: See § 521.2(c) of this chapter.

(d) Contractor's responsibility:

(1) Providing service. See § 521.2(d) (1) of this chapter.

- (2) Providing drivers. See § 521.2(d)
 (4) of this chapter, except drivers must be licensed chauffeurs not less than 21 years old.
- (3) Transporting postal officials. The contractor will transport on regular trips all postal officials traveling on official business, on presentation of their credentials. The contractor or his driver must not reveal the presence of a postal inspector in his vehicle or in the vicinity of the route.

- (4) Transporting passengers. Contractors are prohibited from carrying passengers in highway post office vehicles, other than postal personnel and contractor's employees. Contractors' employees can ride in the driver's compartment when traveling on company business directly related to highway post office service, when travel does not interfere with safe operation of the vehicle.
- (5) Operating vehicles. The contractor and driver are responsible for accidents occurring in the operation of the vehicle. The postal service is not responsible for damage caused by contract vehicles operated by the contractor or his employees. The contractor must furnish evidence of financial ability to cover liability for personal injuries in the amount of \$100,000.

§ 523.3 Administration of service.

- (a) See § 521.3 (b) and (c) of this chapter, except that the 100-mile extension limitation does not apply. New route segments may be added if the original route and the new segment to be added have at least one common terminus point,
- (b) Unsatisfactory service by contractor: See § 521.3(d) of this chapter.
- (c) Payments: See § 521,3(e) of this chapter.

§ 523.4 Subcontracts.

See § 521.4 of this chapter; except residence requirements do not apply.

§ 523.5 Screening.

See § 521.5 of this chapter.

PART 524-WATER ROUTE SERVICE

Sec.

524.1 Description.

524.2 Establishing service.

524.3 Administration of service.

524.4 Subcontracts.

524.5 Screening.

AUTHORITY: The provisions of this Part 524 issued under 5 U.S.C. 301, 39 U.S.C. 50k, 6101, 6103-6105, 6408, 6410, 6413, 6416, 6423, 8433

§ 524.1 Description.

Water route service is used by the postal service for transporting mail between post offices, or other designated points, via steamboats or other power-boats when land transport is unavailable or impracticable. It is operated under formal contracts, awarded after competitive bidding. In addition to transportation of mail, contracts may require box delivery, collection, and other services normally furnished by rural carriers.

§ 524.2 Establishing service.

See § 521.2 of this chapter, except paragraph (b) (2) (i) (a), as bidders for

water route service are not restricted as to residence.

§ 524.3 Administration of service,

See § 521.3 of this chapter.

§ 524.4 Subcontracts.

See § 521.4 of this chapter; except residence requirement does not apply.

§ 524.5 Screening.

See § 521.5 of this chapter.

PART 525—CONTRACT MOTOR VEHICLE SERVICE

Son

525.1 Description

525:2 Establishing service.

525.3 Administration of service.

525.4 Subcontracts.

525.5 Screening.

AUTHORITY: The provisions of this Part 525 issued under 5 U.S.C. 301, 39 U.S.C. 501, 6403, 6416.

§ 525.1 Description.

Contract motor vehicle service is similar to mail messenger service, except that it is provided under formal contracts with bonds for specified terms. It is used for the same purposes as for mail messenger service. See §§ 522.1 and 522.2 of this chapter.

§ 525.2 Establishing service.

(a) Contract term. See § 521.2(a) of this chapter; except subparagraph (4). When temporary service is required, mail messenger service will be used.

(b) Obtaining bids. See § 521.2(b) of this chapter; except subparagraph (2) (1) (a). For residence requirements, see § 522.3(c) (2) of this chapter.

(c) Award of contracts. See § 521.2(c) of this chapter.

(d) Contractor's responsibilities. See § 521.2(d) of this chapter.

§ 525.3 Administration of service.

- (a) Changes in service. The director, logistics division, will issue orders for the extension of contract motor vehicle service. Postmasters will report reductions in service requirements when they occur to the director, logistics division, so that lower rates may be negotiated.
- (b) Unsatisfactory service by contractor. See § 521.3(d) of this chapter.
- (c) Payments—(1) Certification. See § 522.5(a) of this chapter.
- (2) Readjustment of compensation. See § 521.3(e)(3) of this chapter.
- (d) Termination. See § 521.3(f) of this chapter.

§ 525.4 Subcontracts.

See § 521.4 of this chapter; except residence requirements do not apply.

§ 525.5 Screening.

See § 521.5 of this chapter.

DAVID A. NELSON, General Counsel.

[F.R. Doc. 70-16763; Filed, Dec. 14, 1970; 8:46 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER B-ARCHIVES AND RECORDS

PART 101-11—RECORDS MANAGEMENT

Technical Assistance Services in Records Management

These revised regulations show the availability of general paperwork systems studies provided by the National Archives and Records Service to Federal agencies.

The table of contents for Subpart 101-11.10 is revised as follows:

Subpart 101-11.10-Technical Assistance

c.

101-11.1000 Scope. 101-11.1001 Services available.

101-11.1002 Technical advice and assistance on records management programs.

101-11.1003 Technical assistance involving studies and surveys.

101-11.1004 General paperwork systems studies.

101-11.1005 Requests for service.

Subparts 101-11.11-101-11.48 [Reserved]

AUTHORITY: The provisions of this Subpart 101-11.10 issued under sec. 205(c), 63 Stat. 390: 40 U.S.C. 486(c).

Subpart 101-11.10 is revised as follows:

Subpart 101–11.10—Technical Assistance

§ 101-11.1000 Scope.

This subpart contains information and procedures pertaining to the furnishing of technical assistance services to Federal agencies by the National Archives and Records Service, General Services Administration.

§ 101-11.1001 Services available.

The following services are available to Federal agencies from the National Archives and Records Service:

- (a) Technical advice and assistance on agency records management programs and activities as described in this Part 101-11:
- (b) Various types of studies and surveys in records management areas; and
- (c) General paperwork systems studies,
- § 101-11.1002 Technical advice and assistance on records management programs.

The National Archives and Records Service provides technical advice and guidance to Federal agencies in the conduct of their records management activities. This includes assistance in the development of records management programs concerned with the creation, organization, maintenance and use, and disposition of agency records.

§ 101-11.1003 Technical assistance involving studies and surveys.

At the request of Federal agencies, the National Archives and Records Service conducts studies and surveys for agencies involving any one or a combination of the records management areas described in this Part 101-11. These studies and surveys are normally on a reimbursable basis.

§ 101-11.1004 General paperwork systems studies.

At the request of Federal agencies, and normally on a reimbursable basis, the National Archives and Records Service also conducts general paperwork systems studies.

- (a) A general paperwork systems study is defined as a systematic and detailed cost/benefit analysis which identifies and defines systems requirements for effective, efficient, and economical management and operation, and the alternative methods to satisfy these requirements; and recommends the optimum paper work systems arrangement for management approval. The general paperwork systems study covers all management and operating processes, whether or not electronic data processing equipment is involved. Where electronic data processing services are involved, the general paperwork systems study will include all (1) manual and machine steps from initiation of the process to prescription of output and the delivery of valid input to the computer center and (2) processes covering the adequacy of the output and its use.
- (b) A general paperwork systems study is not concerned with the actions taken to convert input into automatic data processing equipment to prescribed computer outputs. Agencies desiring assistance in such detailed automatic data processing systems design, as defined in i 101–32.801-2 of this chapter, should communicate with the nearest Federal Data Processing Center as provided for in that section.

§ 101-11.1005 Requests for service.

Agencies desiring any of the services from GSA provided for in this Subpart 101-11.10 should communicate with the Office of Records Management (NM), National Archives and Records Service, General Services Administration, Washington, D.C. 20408, or the National Archives and Records Service at the nearest GSA regional office.

Subparts 101–11.11—101–11.48 [Reserved]

Effective date. This regulation is effective upon publication in the Federal Register.

Dated: December 8, 1970.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 70-16777; Filed, Dec. 14, 1970; 8:47 a.m.]

SUBCHAPTER E-SUPPLY AND PROCUREMENT

PART 101-32—GOVERNMENT-WIDE AUTOMATED DATA MANAGE-MENT SERVICES

Services Available From Federal Data Processing Centers

This amendment describes the services available from Federal Data Processing Centers and provides policy and procedures for obtaining such services.

Part 101-32 is amended by the addition of a new Subpart 101-32.8, formerly reserved, and by reserving Subparts 101-32.9-101-32.46, as follows:

Subpart 101–32.8—Federal Data Processing Centers

200		
101-32.800	Scope and applic	ability of sub-
	part.	
101-32,801	Definitions.	
101-32.801-1	Federal Data	Processing
	Center.	
101-32.801-2	Detailed automs	tic data proc-
	essing systems	design.
101-32.802	General.	
101-32,803	Services avai	lable from
	FDPC's.	
101-32 804	Point of contact	

Subparts 101-32.9-101-32.46 [Reserved]

AUTHORITY: The provisions of this Subpart 101-32.8 issued under sec. 205(c), 63 Stat. 390; 40 U.S.C. 488(c).

Subpart 101–32.8—Federal Data Processing Centers

§ 101-32.800 Scope and applicability of subpart.

This subpart describes the services available from Federal Data Processing Centers (FDPC's) and prescribes the policy and procedures for obtaining such services. The provisions of this subpart are applicable to all Federal agencies.

§ 101-32.801 Definitions.

As used in this subpart 101-32.8, the following terms shall have the meanings set forth in this § 101-32.801.

§ 101-32.801-1 Federal Data Processing Center.

"Federal Data Processing Center" (FDPC) means a data processing center, operated either by GSA or by another agency under a delegation of authority from the Administrator of General Services, performing a variety of data processing and related services for two or more Federal agencies.

§ 101-32.801-2 Detailed automatic data processing systems design.

"Detailed automatic data processing systems design" means the development of the technical data processing details, such as computer program design (mainline and modules) processing sequences, internal computer audit trails, data processing related edits, data processing housekeeping functions, internal computer logic, and related matters from the point of data conversion to machine sensible form or data entry for an online

system to the point of release of output to the user, required to meet the user requirements and specifications developed in a general systems study.

§ 101-32,802 General.

An FDPC is located at each GSA regional office. Additional FDPC's may be established where feasibility studies indicate a need exists, GSA operated FDPC's are financed by the ADP Fund. FDPC's operated by other agencies under a delegation of authority may be, but are not necessarily, financed by the ADP Fund. In either instance, mutually satisfactory arrangements for reimbursing the FDPC for services rendered will be worked out between the requesting agency and the FDPC.

§ 101-32,803 Services available from FDPC's.

Services available from FDPC's include machine time, software, data conversion, and personnel such as programers and systems analysts capable of performing detailed ADP systems design. GSA regional ADP sharing exchanges periodically issue ADP Sharegrams which amounce the availability of specific services and associated costs.

§ 101-32.804 Point of contact.

- (a) Agencies that require any of the services available from FDPC's which have not been satisfied through the procedures set forth in § 101-32.203 should codured the appropriate GSA regional ADP sharing exchanges as shown in Subpart 101-32.48.
- (b) Agencies desiring assistance in the performance of general systems studies, as defined in § 101-11.1004 of this chapter, may request such assistance from the National Archives and Records Service in accordance with the provisions of § 101-11.1005 of this chapter.

Subparts 101-32.9—101-32.46 [Reserved]

Effective date. This regulation is effective upon publication in the Federal Register.

Dated: December 8, 1970.

ROBERT L. KUNZIG, Administrator of General Services.

[F.R. Doc. 70-16778; Filed, Dec. 14, 1970; 8:47 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

TRANSFER OF REGULATIONS

CROSS REFERENCE: For a document transferring regulations from Chapter I to Chapter IV of Title 45, see F.R. Doc. 70-16941, in/ra. The parts affected are as follows:

Former Part No.	New Part N
Chapter I	Chapter IV
56	458
59	450
75	475
76	476
77	deleted
79	479
81	481

Chapter IV—Environmental Protection Agency

ESTABLISHMENT OF CHAPTER AND RECODIFICATION OF REGULATIONS

Pursuant to Reorganization Plan No. 3 of 1970, which created the Environmental Protection Agency, a new Chapter IV is established in Title 42, Code of Federal Regulations to read as set forth above, and the regulations formerly appearing in Chapter I of Title 42 are hereby transferred to Chapter IV of Title 42 and redesignated as follows:

ormer Part No. Chapter 1	New Part No. Chapter IV
50	456
59	459
75	475
76	476
77	_ deleted
81	481

(Reorganization Plan No. 3 of 1970 (35 P.R. 15623))

WILLIAM D. RUCKELSHAUS, Administrator.

DECEMBER 11, 1970.

|F.R. Doc. 70-16941; Filed, Dec. 14, 1970; 10:23 a.m.|

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

I 26 CFR Part 1 1
INCOME TAX

Treatment of Letters, Memorandums and Similar Property and of Gains and Losses From Involuntary Con-

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestion pertaining thereto which are submitted in writing, in quintuplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601,601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

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

In order to conform the Income Tax Regulations (26 CFR Part 1) under sections 341, 817, 1221, and 1231 of the Internal Revenue Code of 1954 to sections 514, relating to letters, memorandums, and similar property, and 516(b), relating to certain casualty losses, of the Tax Reform Act of 1969 (83 Stat. 643, 646), such regulations are amended as follows:

PARAGRAPH 4. Section 1.341 is amended by revising section 341(e) (5) (A) (iv) and the historical note to read as follows:

§ 1.341 Statutory provisions; collapsible corporations.

SEC. 341. Collapsible corporations. (e) Exceptions to application of section.

(5) Subsection (e) asset defined

(iv) Property (unless included under clause (i), (ii), or (iii)) which consists of a copyright, a literary, musical, or artistic composition, a letter or memorandum, or similar property, or any interest in any such property, if the property was created in whole or in part by the personal efforts of, or (in the case of a letter, memorandum, or similar property) was prepared, or produced in whole or in part for, any individual who owns more than 5 percent in value of the stock of the corporation.

[Sec. 341 as amended by sec. 20, Technical Amendments Act 1958 (72 Stat. 1615); sec. 13(f) (4), Rev. Act 1962 (76 Stat. 1055); sec. 231(b) (4), Rev. Act 1964 (78 Stat. 105); sec. 514(b) Tax Reform Act 1969 (83 Stat. 643)]

Par. 2. Section 1.341-6 is amended by revising paragraph (b) (2) (iv) to read as follows:

§ 1.341-6 Exceptions to application of section.

(b) Subsection (c) asset defined.

(2) Categories of subsection (e)

(iv) The fourth category of subsection (e) assets is property (unless included under subdivision (i), (ii), or (iii) of this subparagraph) which consists of a copyright, a literary, musical, or artistic composition, a letter or memorandom, or similar property, or any interest in any such property, if the property was created in whole or in part by the personal efforts of, or, in the case of a letter, memorandum, or property similar to a letter or memorandum, was prepared, or produced in whole or in part for, any individual actual or constructive shareholder who is considered to own more than 5 percent in value of the outstanding stock of the corporation. For items included in the phrase "similar property" see paragraph (c) of § 1.1221-1. In general property is created in whole or in part by the personal efforts of an individual if such individual perform literary, theatrical, musical, artistic, or other creative or productive work which affirmatively contributes to the creation of the property, or if such individual directs and guides others in the performance of such work. A corporate executive who merely has administrative control of writers, actors, artists, or personnel and who does not substantially engage in the direction and guidance of such persons in the performance of their work, does not create property by his personal efforts. A letter or memorandum addressed to an individual shall be considered as prepared or produced for him. In the case of a letter, memorandum, or property similar to a letter or memorandum, this subdivision applies only to sales and other dispositions occurring after July 25, 1969.

Par. 3. Section 1.817-2 is amended by revising paragraph (b)(1)(i)(c) to read as follows:

.

§ 1.817-2 Treatment of capital gains and losses.

(b) Modification of sections 1221 and 1231. (1)

(i) · · ·

(c) A copyright, a literary, musical, or artistic composition, a letter or memorandum, or similar property held by a taxpayer described in section 1221(3). In the case of a letter, memorandum, or property similar to a letter or memorandum, this (c) applies only to sales and other dispositions occurring after July 25, 1969.

PAR. 4. Section 1.1221 is amended by revising paragraph (3) of section 1221 and the historical note to read as follows:

§ 1.1221 Statutory provisions; capital asset defined.

Sec. 1221. Capital asset defined. * * *

(3) A copyright, a literary, musical, or artistic composition, a letter or memorandum, or similar property, held by—

 (A) A taxpayer whose personal efforts created such property,

(B) In the case of a letter, memorandum, or similar property, a taxpayer for whom such property was prepared or produced, or

(C) A taxpayer in whose hands the basis of such property is determined, for purposes of determining gain from a sale or exchange, in whole or part by reference to the basis of such property in the hands of a taxpayer described in subparagraph (A) or (B);

[Sec. 1221 as amended by sec. 514(a), Tax Referm Act 1969 (83 Stat. 643)]

Par. 5. Section 1.1221-1 is amended by revising paragraph (c) to read as follows:

§ 1.1221-1 Meaning of terms.

(c) (1) A copyright, a literary, musical, or artistic composition, and similar property are excluded from the term "capital assets" if held by a taxpayer whose personal efforts created such property, or if held by a taxpayer in whose hands the basis of such property is determined. for purposes of determining gain from a sale or exchange, in whole or in part by reference to the basis of such property in the hands of the person whose personal efforts created such property. For purposes of this subparagraph, the phrase "similar property" includes, for example, such property as a theatrical production, a radio program, a newspaper cartoon strip, or any other property eligible for copyright protection (whether under statute or common law), but does not include a patent or an invention, or a design which may be protected only under the patent law and not under the copyright law.

(2) In the case of sales and other dispositions occurring after July 25, 1969, a letter, a memorandum, or similar property is excluded from the term "capital asset" if held by (i) a taxpayer whose personal efforts created such property, (ii) a taxpayer for whom such property was prepared or produced, or (iii) a taxpayer in whose hands the basis of such property is determined, for purposes of determining gain from a sale or exchange, in whole or in part by reference to the basis of such property in the hands of a taxpayer described in subdivision (i) or (ii) of this subparagraph. In the case of a collection of letters, memorandums, or similar property held by an individual who is a taxpayer described in subdivision (i), (ii), or (iii) of this subparagraph as to some of such letters, memorandums, or similar property but not as to others, this subparagraph shall apply only to those letters, memorandums, or similar property as to which such individual is a taxpayer described in such subdivision. For purposes of this subparagraph, the phrase "similar property" includes, for example, such property as a draft of a speech, a manuscript, a research paper, an oral recording made for dictation purposes, a transcript of an oral interview, a personal or business diary, a log or journal, a corporate archive including a corporate charter, office correspondence, a financial record, a drawing, a rhotograph, or a dispatch. A letter or memorandum addressed to an individual shall be considered as prepared or produced for him.

(3) For the application of section 1231 to the sale or exchange of property to which this paragraph applies, see \$1.1231-1. For the application of section 170 to the charitable contribution of property to which this paragraph applies, see section 170(e) and the regulations thereunder.

Par. 6. Section 1.1231 is amended by revising so much of section 1231(a) as follows paragraph (1), by revising section 1231(b) (1) (C), by revising section 1231(b) (3), and by revising the historical note, as follows:

§ 1.1231 Statutory provisions: property used in the trade or business and involuntary conversions.

SEC. 1231. Property used in the trade or business and involuntary conversions—(a) General rule. * * *

(2) Losses (including losses not compensated for by insurance or otherwise) upon the destruction, in whole or in part, theft or seizure, or requisition or condemnation of (A) property used in the trade or business or (B) capital assets held for more than 6 months shall be considered losses from a compulsory or involuntary conversion.

In the case of any involuntary conversion (subject to the provisions of this subsection but for this sentence) arising from fire, storm, shipwreck, or other casualty, or from theft, of any property used in the trade or business or of any capital asset held for more than 6 months, this subsection shall not apply to such conversion (whether resulting in gain or loss) if during the tax-

able year the recognized losses from such conversions exceed the recognized gains from such conversions.

(b) Definition of property used in the trade or business. * * *

(1) General rule, * * *

(C) A copyright, a literary, musical, or artistic composition, a letter or memorandum, or similar property, held by a taxpayer described in paragraph (3) of section 1221.

(3) Livestock, Such term includes-

(A) Cattle and horses, regardless of age, held by the taxpayer for Craft, breeding, dairy, or sporting purposes, and held by him for 24 months or more from the date of acquisition, and

(B) Other livestoc', regardless of age, held by the taxpayer for draft, breeding, dairy, or sporting purposes, and held by him for 12 months or more from the date of

acquisition.

Such term does not include poultry.

[Sec. 1231 as amended by sec. 49, Technical Amendmenth Act 1958 (72 Sta., 1642); sec. 227, Rev. Act 1964 (78 Stat. 97); secs. 212(b)(1), 514(b)(2), and 516(b), Tax Reform Act 1969 (83 Stat. 571, 643, 646)]

PAB. 7. Section 1.123-1 is amended by revising paragraphs (a), (c) (1) (ii), so much of paragraph (c) as follows subparagraph (5), and (e), by revising so much of example (1) in paragraph (g) as follows the tabulation therein, and by adding examples (4) through (8) to paragraph (g) as follows:

§ 1.1231-1 Gains and losses from the sale or exchange of certain property used in the trade or business,

(a) In general. Section 1231 provides that, subject to the provisions of paragraph (e) of this section, a taxpayer's gains and losses from the disposition (including involuntary conversion) of assets described in that section as "property used in the trade or business" and from the involuntary conversion of capital assets held for more than 6 months shall be treated as long-term capital gains and losses if the total gains exceed the total losses. If the total gains do not exceed the total losses, all such gains and losses are treated as ordinary gains and losses, Therefore, if the taxpayer has no gains subject to section 1231, a recognized loss from the condemnation (or from a sale or exchange under threat of condemnation) of even a capital asset held for more than 6 months is an ordinary loss. Capital assets subject to section 1231 treatment include only capital assets involuntarily converted. The noncapital assets subject to section 1231 treatment are (1) depreciable business property and business real property held for more than 6 months, other than stock in trade and certain copyrights, artistic property, and (in the case of sales and other dispositions occurring after July 25, 1969) letters and memorandums; (2) timber, coal, and iron ore, but only to the extent that section 631 applies thereto; and (3) certain livestock and unharvested crops. See paragraph (c) of this section.

(c) Transactions to which section applies.

(1) . . .

(ii) A copyright, a literary, musical, or artistic composition, or similar property, or (in the case of sales and other dispositions occurring after July 25, 1989) a letter, memorandum, or property similar to a letter or memorandum, held by a taxpayer described in section 1221(3); or

(5) * * *

For purposes of section 1231, the phrase "property used in the trade or business" means property described in this paragraph (other than property described in subparagraph (2) of this paragraph). Notwithstanding any of the provisions of this paragraph, section 1231(a) does not apply to gains and losses under the circumstances described in paragraph (e) (2) and (3) of this section.

(e) Involuntary conversion-(1) General rule. For purposes of section 1231, the terms "compulsory or involuntary conversion" and "involuntary converslon" of property mean the conversion of property into money or other property as a result of complete or partial destruction, theft or seizure, or an exercise of the power of requisition or condemnation, or the threat or imminence thereof. Losses upon the complete or part'al destruction, theft, seizure, requisition or condemnation of property are treated as losses upon an involuntary conversion whether or not there is a conversion of the property into other property or money and whether or not the property is uninsured, partially insured, or totally insured. For example, if a capital asset held for more than 6 months, with an adjusted basis of \$400, but not held for the production of income, is stolen, and the loss which is sustained in the taxable year 1956 is not compensated for by insurance or otherwise, section 1231 applies to the \$400 loss. For certain exceptions to this subparagraph, see subparagraphs (2) and (3) of this paragraph.

(2) Certain uninsured losses. Notwithstanding the provisions of subparagraph (1) of this paragraph, losses sustained during a taxable year beginning after December 31, 1957, and before January 1, 1970, with respect to both property used in the trade or business and any capital asset held for more than 6 months and held for the production of income, which losses arise from fire, storm, shipwreck, or other casualty, or from theft, and which are not compensated for by insurance in any amount, are not losses to which section 1231(a) applies. Such losses shall not be taken into account in applying the provisions of this section.

(3) Exclusion of gains and losses from certain involuntary conversions. Notwithstanding the provisions of subparagraph (1) of this paragraph, if for any taxable year beginning after December 31, 1969, the recognized losses from the involuntary conversion as a result of fire storm, shipwreck, or other casualty, or from theft, of any property used in

the trade or business or of any capital asset held for more than 6 months exceed

Gains Losses

6.000

2,000

the recognized gains from the involuntary conversion of any such property as a result of fire, storm, shipwreck, or other casualty, or from theft, such gains and losses are not gains and losses to which section 1231 applies and shall not be taken into account in applying the provisions of this section. The net loss, in effect, will be treated as an ordinary loss. This subparagraph shall apply whether such property is uninsured, partially insured, or totally insured and, in the case of a capital asset held for more than 6 months, whether the property is property used in the trade or business, property held for the production of income, or a personal asset.

. (g) Examples. * * * Example (1). * * *

Since the aggregate of the recognized gains (\$12,500) exceeds the aggregate of the recognized losses (\$9,000), such gains and losses are treated under section 1231 as gains and losses from the sale or exchange of capital assets held for more than 6 months.

Example (4). A, an individual, makes his income tax return on a calendar year basis. During 1970 trees on A's residential property which were planted in 1950 after the purchase of such property were destroyed by fire. The loss, which was in the amount of \$2,000 after applying section 165(c)(3). was not compensated for by insurance or otherwise. During the same year A also recognized a \$1,500 gain from insurance proceeds compensating him for the theft sustained in 1970 of a diamond brooch purchased in 1960 for personal use. A has no other gains or losses for 1970 from the involuntary conversion of property. Since the recognized losses exceed the recognized gains from the involuntary conversion for 1970 as a result of fire, storm, shipwreck, or other casualty, or from theft, of any property used in the trade or business or of any capital asset held for more than 6 months, neither the gain nor the loss is included in making the computations under section 1231.

Example (5). The facts are the same as in example (4), except that A also recognized a gain of \$1,000 from insurance proceeds compensating him for the total destruction by fire of a truck, held for more than 6 months, used in A's business and subject to an allowance for depreciation. A has no other gains or losses for 1970 from the involuntary conversion of property. Since the recognized losses (\$2,000) do not exceed the recognized gains (\$2,500) from the involuntary conversion for 1970 as a result of fire, storm, shipwreck, or other casualty, or from theft, of any property used in the trade or business any capital asset held for more than 6 months, such gains and losses are included in making the computations under section 1231. Thus, if A has no other gains or losses for 1970 to which section 1231 applies, the gains and losses from these involuntary conversions are treated under section 1231 as gains and losses from the sale or exchange of capital assets held for more than 6 months.

Example (6). The facts are the same as in example (5) except that A also has the fol-lowing recognized gains and losses for 1970 to which section 1231 applies:

Gain on sale of machinery, used in the business and subject to an allowance for depreciation, held for more than 6 months \$4,000

Gains Losses

reported in 1970 Gain (under sec. 453) in in-stallment sale in 1969 of factory premises used in business (including building and land, each held for more than 6 months)

Gain reported in (under sec. 453) on in-stallment sale in 1970 of land held for more than 6 months, used in the business as a storage lot for trucks

Loss upon the sale in 1970 of warehouse, used in the business and subject to an allowance for depre-ciation, held for more than 6 months.....

> Total gains ____ 12,000 Total losses..... 5,000

Since the aggregate of the recognized gains (\$14,500 exceeds the aggregate of the recognized losses (\$7,000), such gains and losses are treated under section 1231 as gains and losses from the sale or exchange of capital assets held for more than 6 months,

Example (7). B, an individual, makes his income tax return on the calendar year basis. During 1970 furniture used in his business and held for more than 6 months was destroyed by fire. The recognized loss, after compensation by insurance, was \$2,000 During the same year B recognized a \$1,000 gain upon the sale of a parcel of real estate used in his business and held for more than 6 months, and a \$6,000 loss upon the sale of stock held for more than 6 months. B has no other gains or losses for 1970 from the involuntary conversion, or the sale or exchange of, property. The \$6,000 loss upon the sale of stock is not a loss to which section 1231 applies since the stock is not property used in the trade or business, as defined in section 1231(b). The \$2,000 loss upon the destruction of the furniture is not a loss to which section 1231 applies since the recognized losses (\$2,000) exceed the recognized gains (80) from the involuntary conversion for 1970 as a result of fire, storm, shipwreck, or other casualty, or from theft, of any property used in the trade or business or of any capital asset held for more than 6 months. Accordingly, the \$1,000 gain upon the sale of real estate is considered to be gain from the sale or exchange of a capital asset held for more than 6 months since the gains (\$1,000) to which section 1231 applies exceed the losses (\$0) to which such section applies.

Example (8). The facts are the same as in example (7) except that B also recognized a gain of \$4,000 from insurance proceeds compensating him for the total destruction by fire of a freighter, held for more than 6 months, used in B's business and subject to an allowance for depreciation. Since the recognized losses (\$2,000) do not exceed the recognized gains (\$4,000) from the in-voluntary conversion for 1970 as a result of fire, storm, shipwreck, or other casualty, or from theft, of any property used in the trade or business or of any capital asset held for more than 6 months, such gains and losses are included in making the computations under section 1231. Since the aggregate of the recognized gains to which section 1231 applies (\$5,000) exceeds the aggregate of the recognized losses to which such section applies (\$2,000), such gains and losses are treated under section 1231 as gains and losses from the sale or exchange of capital

assets held for more than 6 months. The \$5,000 loss upon the sale of stock is not taken into account in making such computation since it is not a loss to which section 1231 applies.

[F.R. Doc. 70-16825; Filed, Dec. 14, 1970; 8:51 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service [7 CFR Part 1136]

[Docket No. AO 309-A17]

MILK IN GREAT BASIN MARKETING AREA

\$5,000 Notice of Rescheduling of Hearing on **Proposed Amendments to Tentative** Marketing Agreement and Order

> A notice was issued on December 2, 1970 (35 F.R. 18621), giving notice of a public hearing to be held at the Salt Lake City County Health Department Auditorium, 610 South Second East, Salt Lake City, UT, beginning at 10 a.m., on January 6, 1971, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Great Basin marketing area.

> Notice is hereby given, pursuant to the rules of practice applicable to such proceedings (7 CFR Part 900), that the said hearing is rescheduled to be held at the Salt Lake City County Health Department Auditorium, 610 South Second East, Salt Lake City, UT, beginning at 10 a.m., on January 20, 1971.

Signed at Washington, D.C., on December 9, 1970.

> JOHN C. BLUM, Deputy Administrator, Regulatory Programs.

[F.R. Doc. 70-16771; Filed, Dec. 14, 1970; 8:46 a.m.1

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

I 50 CFR Part 253 1

COMMERCIAL FISHERIES RESEARCH AND DEVELOPMENT

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Secretary of Commerce by section 8 of the Commercial Fisheries Research and Development Act, as amended (82 Stat. 957: 16 U.S.C. 779 et seq.), and Reorganization Plan Number 4 of 1970, effective Octo-ber 3, 1970 (35 F.R. 15627), it is proposed to amend Part 253 of Title 50, Code of Federal Regulations, as set forth below. The purpose of this amendment is to establish procedures to be used by the Secretary in providing financial assistance to State agencies for research and development of the commercial fisheries resources of the Nation. This amendment removes obsolete language, clarifies certain definitions, adds coverage responsive to recent legislation, and establishes uniform terminology. In view of the numerous changes, this amendment is set forth as a complete revision of the regulations. The proposed amendment relates to matters which are exempt from the rule making requirements of the Administrative Procedures Act (5 U.S.C. 553(a)(2)). However, it is policy that, whenever practicable, the rule making requirements be observed voluntarily.

Interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Director, National Marine Fisheries Service, Department of Commerce, Interior Building, Washington, D.C. 20235, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

253.1

Definitions. Interpretation of the authorization. 253.2

General provisions. 253.3

253.4 Use of funds. 252.5 Environment

253.6 Water pollution control.

AUTHORITY: The provisions of this Part 253 issued under sec. 8, 78 Stat. 197 (16 U.S.C. 779f), as modified by Reorganization Plan No. 4 of 1970, effective October 3, 1970 (35 F.R. 15627).

§ 253.1 Definitions.

As used in this part, terms shall have the meaning ascribed in this section.

(a) Secretary. The Secretary of Commerce or his authorized representatives.

(b) Act. The Commercial Fisheries Research and Development Act of 1964, Public Law 88-309, 78 Stat. 197, as amended by Public Law 90-551, 82 Stat. 957 (16 U.S.C. 779 et seq.).

(c) Cooperator, A State agency participating in a cooperative agreement

with the Secretary.

(d) Project proposal. A description of work to be accomplished, including objectives, procedures, cost, location. and time required for completion, and such other information as may be required by the Secretary.

(e) Cooperative agreement. The contract for research and development activities to be carried on as provided by the Act and these Regulations. Such agreement shall set forth the terms and conditions binding upon the cooperator and the Secretary, including the objectives, procedures, costs, the term of the agreement, and such other provisions as may be appropriate.

(f) Aquatic plants and animals. animals and plants growing or living in or upon water, including finfish, shellfish, and other marine invertebrates, fur seals, whales and other marine mammals, frogs, turtles, and algae.

(g) Commercial fisheries resources. Any aquatic plant or animal available or potentially available for harvesting with the primary intent of commercial use as either raw or manufactured products.

§ 253.2 Interpretation of the authoriza- § 253.3 General provisions. tion.

The terms used in the Act to describe the authorization to the Secretary for program and apportionment purposes are construed to be limited to the meanings ascribed in this section.

(a) Research and development. The words "research and development" mean program of work, including construction and acquisition, designed to acquire knowledge of commercial fisheries resources and their environment and to develop and apply methods and techniques to enhance such commercial fisheries resources including their harvest, conservation, and utilization.

(b) Raw fish harvested by domestic commercial fishermen and received within a State. The words "raw fish harvested by domestic commercial fishermen and received within a State" mean aquatic plants and animals harvested by individuals, associations, partnerships, or corporations resident in and authorized to do business in any State and engaged in harvesting of commercial fisheries resources or the processing and manufacturing of products therefrom. Aquatic plants and animals are received within a State when transferred from a catcher vessel within the jurisdiction of a State or permanently removed from a fish production facility.

(c) Manufactured and processed fishery merchandise. The words "manufactured and processed fishery merchandise" mean commercial fisheries re-sources or parts thereof after undergoing a change(s) contributing to or achieving a condition of readiness for

sale.

(d) Developing a new commercial fishery. The words "developing a new commercial fishery" mean establishing a commercial fisheries resource not common to or being utilized in a State.

(e) Commercial fishery failure due to a resource disaster arising from natural or undetermined causes. The words "commercial fishery failure due to a resource disaster arising from natural or undetermined causes" mean a serious disruption of a commercial fisheries resource affecting present or future productivity. It does not include inability to sell raw fish or manufactured and processed fishery merchandise.

(f) Supplement and, to the extent practicable, increase the amounts of State funds. The words "supplement and, to the extent practicable, increase the amounts of State funds" mean that State funds, to be used for at least 25 percent of the cost of a project financed with funds under subsection 4(a) of the Act for research and development, will be additional funds provided for this purpose and will not be funds diverted from existing commercial fishery research and development activities.

(g) State. The word "State" means the several States of the United States, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam.

(a) Designation of State agency. The Governor of each State shall notify the Secretary which agency of the State government is authorized under its laws to regulate commercial fisheries and is designated to submit project proposals and to enter into cooperative agreements. An official of such agency shall certify as to the official(s) authorized in accordance with State law to commit the State to participation under the Act, to sign project documents, and to receive payments. The Secretary shall be advised promptly of any changes made in such authorizations.

(b) Project proposal. A project proposal shall be submitted for each proposed project for approval by the Secretary. An approved project proposal shall not be binding on the parties until incorporated in a cooperative agreement.

(c) Cooperative agreement. (1) After the Secretary has approved a project proposal, activities to be undertaken by the cooperator and the obligation of Federal funds shall be evidenced by a cooperative agreement executed by the cooperator and the Secretary. Such agreement may be amended by mutual consent of the parties.

(2) The cooperative agreement shall contain applicable provisions as required by Federal law and regulations. These provisions are identified in the Federal Aid for Fisheries Handbook, the most recent version of which may be obtained from the Director, National Marine Fisheries Service.

(d) Prosecution of work, (1) The prosecution of work by the cooperator shall be performed in a manner acceptable to the Secretary. Unsatisfactory performance shall be cause for the Secretary to withhold payments. Cooperative agreements may be terminated or suspended upon determination by the Secretary that satisfactory progress has not been maintained.

(2) All work shall be performed in accordance with applicable State laws except when such laws are in conflict with Federal laws or regulations, in which case such Federal law or regulations shall prevail.

(e) Economy and efficiency of operations. No cooperative agreement shall be executed until the cooperator has shown to the satisfaction of the Secretary that appropriate and adequate means shall be employed to achieve economy and efficiency, including the avoidance of undesirable duplication, in the completion of a project.

(f) Subcontracts. In the performance of work under a cooperative agreement, subcontracts shall be solicited and awarded according to the laws and regulations of the State provided the Secretary is satisfied that adequate steps have been taken to insure economical and efficient services and impartial selection of subcontractors.

§ 253.4 Use of funds.

(a) Apportionment and obligation of subsection 4(a) Junds. On July 1 of each year, or as soon thereafter as practicable, the Secretary shall notify respective States of the amount of funds authorized under subsection 4(a) of the Act and apportioned to each State under subsection 5(a) of the Act. Funds apportioned to a State in any fiscal year shall remain available to it for obligation until the end of the succeeding fiscal year, and if unobligated at that time, such funds shall be returned to the Treasury of the United States.

(b) Use of authorized funds for commercial fisheries resource disaster. (1) The Secretary shall cause to be published in the Federal Register a notice that a commercial fisheries resource disaster exists at the time such a finding is made. After such publication, project proposals for restoration of commercial fisheries resources affected by a resource disaster will be given preference over other project proposals with respect to the use of funds obtained under subsection 4(b) of the Act.

(2) Federal funds may be used for 100 percent of the cost of a project proposal if all the funds are obtained from appropriations authorized under subsection 4 (b) of the Act.

- (3) In the event that no commercial fisheries resource disaster has occurred, the Secretary may, if he deems such action to be in furtherance of the purposes of the Act, approve project proposals for funding under subsection 4(b) of the Act from funds carried over from previous fiscal years: Provided, however, That no project proposal from a State will be funded under this subsection until that State has obligated all available apportioned funds, if any, obtained from appropriations authorized under subsection 4(a) of the Act.
- (c) Use of funds for developing a new commercial fishery. (1) Project proposals related to the development of a new commercial fishery may be approved only after the Secretary determines that such proposals will reasonably accomplish the development of a new commercial fisherles resource within the State.
- (2) With respect to project proposals under this subsection, the Secretary may finance 100 percent of the cost of project proposals.
- (3) A project proposal for the development of a new commercial fisheries resource may be approved without any requirement that the State submitting the project proposal has obligated all apportioned funds, if any, obtained from appropriation authorized under subsection 4(a) of the Act.

§ 253.5 Environment.

Projects contracted for shall be performed in such a manner so as to be consistent with the policies set forth in the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. 4321 et seq).

§ 253.6 Water pollution control.

In the performance of work under a cooperative agreement the State shall

take such action as is necessary to avoid pollution of water as a direct or indirect result of a contract activity. Water quality must be maintained at a level consistent with applicable water quality standards.

PHILIP M. ROEDEL, Director,

National Marine Fisheries Service.

DECEMBER 8, 1970.

[F.R. Doc. 70-16766; Piled, Dec. 14, 1970; 8:46 a.m.]

E 50 CFR Part 254 1 CONTROL OR ELIMINATION OF JELLYFISH

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Secretary of Commerce under provisions of Public Law 89-720, 80 Stat. 1149, as amended 84 Stat. 922 (16 U.S.C. 1201 et seq.), and Reorganization Plan Number 4 of 1970, effective October 3, 1970 (35 F.R. 15627), it is proposed to amend Part 254 of Title 50, Code of Federal Regulations. as set forth below. The purpose of this amendment is to establish procedures to be used by the Secretary in providing financial assistance to State agencies for the control or elimination of jellyfish and other such pests and control of floating seaweed. This amendment clarifies certain definitions, establishes uniform terminology, and adds coverage responsive to recent legislation. In view of the numerous changes, this amendment is set forth as a complete revision of the regulations. The proposed amendment relates to matters which are exempt from the rule making requirements of the Administrative Procedures Act (5 U.S.C. 553(a)(2)). However, it is policy that, whenever practicable, the rule making requirements be observed voluntarily.

Interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Director, National Marine Fisheries Service, Department of Commerce, Washington, DC 20235, within 30 days of the date of publication of this notice in the Federal Register.

Sec.

254.1 Definitions.

254.2 Funding priorities.

254.3 General provisions.

354.4 Availability of funds.

254.5 Use of funds.

254.6 Environment.

254.7 Water pollution control.

AUTHORITY: The provisions of this Part 254 issued under 80 Stat. 1149 (16 U.S.C. 1201 et seq.), as modified by Reorganization Plan No. 4 of 1970, effective October 3, 1970 (35 F.R. 15627).

§ 254.1 Definitions.

As used in this part, terms shall have the meaning ascribed in this section.

(a) Secretary. The Secretary of Commerce or his authorized representatives.

(b) Act. Public Law 39-720, 80 Stat.1149, as amended by Public Law 91-451,84 Stat. 922 (16 U.S.C. 1201 et seq.).

(c) State. Any coastal State of the United States and the Commonwealth of Puerto Rico.

(d) State agency. The department(s), division(s), or commission(s) of a State empowered under its laws to manage or administer fish and shellfish resources or water-based recreation programs.

(e) Cooperator. A State agency participating in a cooperative agreement

with the Secretary.

(f) Coastal waters. For the purpose of this Act, coastal waters include all or part of the mouth of a navigable or interstate stream or body of water, bays, sounds, lagoons, channels, estuaries, and other such waters.

(g) Jellyfish. Commonly known as "sea nettle," belonging to the phylum

Coelenterata.

- (h) Other such pests, All other species belonging to the phyla Coelenterata and Ctenophora which adversely affect fish, shellfish, or water-based recreation.
- (i) Floating seaweed. Marine plants including marine algae.
- (j) Project proposal. A description of work to be accomplished, including objectives, procedures, cost, location, and time required for completion, and such other information as may be required by the Secretary.
- (k) Cooperative agreement. The contract for research, control, or elimination of jellyfish and other such pests or the control of floating seaweed to be carried on as provided by the Act and the regulations in this part. Such agreement shall set forth the terms and conditions binding upon the cooperator and the Secretary, including the objectives, procedures, costs, the term of the agreement, and such other provisions as may be appropriate.

§ 254.2 Funding priorities.

Funding priorities shall be given to those activities having the greatest potential for controlling or eliminating jellyfish and other such pests for the purposes of conserving and protecting the fish and shellfish resources in coastal waters.

§ 254.3 General provisions.

- (a) Designation of State agency. A State agency authorized under its laws to manage or administer fish or shellfish resources or water-based recreational programs may submit project proposals and enter into cooperative agreements with the Secretary.
- (b) Project proposal. A project proposal shall be submitted for each proposed project for approval by the Secretary. An approved project proposal shall not be binding on the parties until incorporated in a cooperative agreement.
- (c) Cooperative agreement. (1) After the Secretary has approved a project proposal, activities to be undertaken by the cooperator and the obligation of Federal funds shall be evidenced by a cooperative agreement executed by the cooperator and the Secretary. Such agreement may be amended by mutual consent of the parties,

- (2) The cooperative agreement shall contain applicable provisions as required by Federal law and regulations. These provisions are identified in the Federal Aid for Fisheries Handbook, the most recent version of which may be obtained from the Director, National Marine Fisheries Service.
- (d) Prosecution of work. (1) The prosecution of work by the cooperator shall be performed in a manner acceptable to the Secretary. Unsatisfactory performance shall be cause for the Secretary to withhold payments. Cooperative agreements may be terminated or suspended upon determination by the Secretary that satisfactory progress has not been maintained.
- (2) All work shall be performed in accordance with applicable State laws except when such laws are in conflict with Federal laws or regulations, in which case such Federal law or regulations shall prevail.
- (e) Economy and efficiency of operations. No cooperative agreement shall be executed until the cooperator has shown to the satisfaction of the Secretary that appropriate and adequate means shall be employed to achieve economy and efficiency, including the avoidance of undesirable duplication, in the completion of a project.
- (f) Subcontracts. In the performance of work under a cooperative agreement, subcontracts shall be solicited and awarded according to the laws and regulations of the State provided the Secretary is satisfied that adequate steps have been taken to insure economical and efficient services and impartial selection of subcontractors.

§ 254.4 Availability of funds.

Language appearing in Appropriation Acts providing funds for this program will govern the period during which the funds may be obligated.

§ 254.5 Use of funds.

- (a) Apportionment and obligation of Jellyfish funds. On July 1 of each year, or as soon thereafter as practicable, the Secretary shall notify the States through publication in the Federal Register of the amount of funds authorized under the Act to carry out the purpose of the Act. Federal funds are tentatively made available for obligation for a specified period within the fiscal year in which appropriated. If the total or any portion thereof is unobligated at the end of this allocation period, such funds may be withdrawn and reallocated for obligation.
- (b) Administrative funds. The National Marine Fisheries Service will finance its administrative cost from the appropriation made available by the Act. This administrative cost shall not exceed eight (8) percent of the appropriation.
- (c) Level of Federal funding. Cost of activities under cooperative agreements shall be borne equally by the Federal Government and by the Cooperator. Eligible Cooperator matching funds are those available to the Cooperator agency from any non-Federal source.

§ 254.6 Environment.

Projects contracted for shall be performed in such a manner so as to be consistent with the policies set forth in the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. 4321 et seq.).

§ 254.7 Water pollution control.

In the performance of work under a cooperative agreement the State shall take such action as is necessary to avoid pollution of water as a direct or indirect result of a contract activity. Water quality must be maintained at a level consistent with applicable water quality standards.

PHILIP M. ROEDEL,

Director.

National Marine Fisheries Service.

DECEMBER 8, 1970.

[F.R. Doc. 70–16767; Filed, Dec. 14, 1970; 8:48 a.m.]

ENVIRONMENTAL PROTECTION AGENCY

[42 CFR Part 481]

CERTAIN AIR QUALITY CONTROL REGIONS

Proposed Designation and Revision of Regions; Consultation With Appropriate State and Local Authorities

Notice is hereby given of a proposal to designate Intrastate Air Quality Control Regions in the State of Massachusetts as set forth in the following new §§ 481.141–481.142 inclusive which would be added to Part 481 of Title 42, Code of Federal Regulations. It is proposed to make such designations effective upon

republication. In addition to the proposal to designate the new Intrastate Air Quality Control Regions, it is proposed to revise the boundaries of the presently designated Metropolitan Boston Intrastate Air Quality Control Region (Massachusetts) (§ 481.19), the Hartford-New Haven-Springfield Interstate Air Quality Control Region (Connecticut-Massachusetts) (§ 481.26), and the Metropolitan Providence Interstate Air Quality Control Region (Massachusetts-Rhode Island) (§ 481.31), as provided for in section 107(a)(2) of the Clean Air Act, as amended.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Acting Commissioner, Air Pollution Control Office, Environmental Protection Agency, Room 17–82, 5600 Fishers Lane, Rockville, MD 20852. All relevant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the States of Connecticut, Massachusetts, and Rhode Island and appropriate local authorities, both within and without the proposed regions, who are affected by or interested in the proposed designations and revisions, are hereby given notice of an

opportunity to consult with representatives of the Administrator concerning such designations and revisions. Such consultation will take place at 1 p.m., December 17, 1970, in Room 320 of the Office of the Division of Environmental Health, Department of Public Health, 600 Washington Street, Boston, MA 02111.

Mr. Doyle J. Borchers is hereby designated as Chairman for the consultation, The Chairman shall fix the time, date, and place of later sessions and may convene, reconvene, recess, and adjourn the sessions as he deems appropriate to expedite the proceedings.

State and local authorities wishing to participate in the consultation should notify the Chairman, Mr. Doyle J. Borchers, Air Pollution Control Office, Environmental Protection Agency, Room 17–82, 5600 Fishers Lane, Rockville, MD 20852.

In Part 481 the following new sections are proposed to be added to read as follows:

§ 481.141 Berkshire Intrastate Air Quality Control Region.

The Berkshire Intrastate Air Quality Control Region (Massachusetts) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Massachusetts: Berkshire County.

§ 481.142 Central Massachusetts Intrastate Air Quality Control Region.

The Central Massachusetts Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Massachusetts:

Townships

Ashburnham. Ashby. Athol. Auburn. Barre. Berlin. Blackstone. Boylston. Brookfield. Charlton. Clinton. Douglas. Dudley. East Brookfield. Grafton. Hardwick. Harvard. Holden. Hopedale. Hubbardston. Lancaster. Leichester. Leominister.

Lunenburg.

Mendon. Millbury. Millville. New Braintree. Northborough. Northbridge. North Brookfield. Oakham. Oxford. Paxton. Petersham. Phillipston. Princeton. Royalston, Rutland. Shirley, Shrewsbury. Southbridge, Spencer. Sterling. Sturbridge. Sutton. Templeton. Townsend.

Townships-Continued

Upton. West Boylston.
Uxbridge. West Brookfield.
Warren. Westminster.
Webster. Winchendon,

CITIES

Fitchburg. Gardner. Worcester.

§ 481.31 [Amended]

The Metropolitan Providence Interstate Air Quality Control Region (Rhode Island-Massachusetts) (§ 481.31) presently is designated as the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

The entire State of Rhode Island. In the State of Massachusetts:

CITTER

Attleboro, Pall River. New Bedford. Taunton.

TOWNSHIPS

Acushnet. Middleborough. Bellingham. Millville. Berkley. Blackstone. North Attleborough. Norton, Plainville, Bourne. Carver. Plymouth. Dartmouth. Plympton. Dighton. Raynham. Fairhaven. Rehoboth. Franklin. Rochester. Freetown. Sandwich. Halifax. Seekonk. Kingston. Somerset. Lakeville. Swansen. Mansfield. Wareham. Westport. Mattapoisett. Wrentham.

It is now proposed to: (1) Add Barnstable, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Foxborough, Gay Head, Gosnold, Harwich, Mashpee, Medway, Milford, Nantucket, Oak Bluffs, Orleans, Provincetown, Tisbury, Truro, Wellfieet, West Tisbury, and Yarmouth Townships, in the State of Massachusetts, to the Region; (2) delete Blackstone and Millville Townships, in the State of Massachusetts, from the Region; and (3) change the name of the Region to the Metropolitan Providence-Southeastern Massachusetts Interstate Air Quality Control Region.

§ 481.19 [Amended]

The Metropolitan Boston Intrastate Air Quality Control Region (Massachusetts) (§ 481.19) presently is designated as the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Massachusetts:

CITIES

Beverly. Medford. Melrose. Boston Brockton. Newton. Cambridge, Peabody. Chelsea. Quincy. Everett Revere. Gloucester. Salem. Somerville. Lvnn. Malden Waltham, Marlborough. Woburn.

TOWNSHIPS

Abington. Middleton. Acton Millis. Arlington. Milton. Ashland. Nahant. Avon. Natick. Bedford. Needham. Belmont. Norfolk. North Reading. Braintree. Bridgewater. Norwell. Brookline. Norwood. Burlington. Pambroke. Canton. Randolph. Cohasset. Reading. Concord. Rockland. Danvers. Rockport. Dedham. Saugus. Dover. Scituate. Duxbury Sharon. East Bridgewater. Sherborn. Easton. Southborough. Essex. Stoneham. Foxborough. Stoughton. Framingham, Sudbury. Hamilton. Swampscott. Hanover. Topsfield. Hansen. Wakefield. Hingham. Walpole. Holbrook. Watertown. Hudson. Wayland. Hull. Wellesley. Ipswich. Wenham. Lexington. West Bridgewater. Lincoln Weston. Lynnfield. Westwood, Manchester. Weymouth. Whitman. Marblehead. Marshfield. Wilmington. Maynard. Winchester. Winthrop, Medfield.

It is now proposed to: (1) Add Bolton, Boxborough, Holliston, Hopkinton, and Stow Townships, in the State of Massachusetts, to the Region; and (2) delete Foxborough Township, in the State of Massachusetts, from the Region.

§ 481.26 [Amended]

The Hartford-New Haven-Springfield Interstate Air Quality Control Region (Connecticut-Massachusetts) (§ 481.26) presently is designated as the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Connecticut:

CITIES

Ansonia. Hartford.
Bristol. Meriden.
Derby. Middletown.

Milford. New Britain, New Haven, Shelton, Waterbury, West Haven,

TOWNSHIPS

Andover. Middlebury. Avon. Middlefield. Beacon Falls. Naugatuck. Berlin. Newington. Bethany, North Branford. Bethlehem. North Haven. Bloomfield. Orange. Bolton. Oxford Branford. Plainville. Burlington. Plymouth. Canton. Portland. Cheshire. Prospect Cromwell. Rocky Hill. Durham. Seymour. East Granby. Simsbury. East Haddam. Somers. East Hampton. Southbury. East Hartford. Southington. East Haven South Windsor. East Windsor. Suffield Ellington. Thomaston. Enfield. Tolland. Farmington. Vernon. Glastonbury. Wallingford. Granby. Guilford. Watertown. West Hartford. Haddam. Wethersfield. Hamden. Windsor. Hebron. Windsor Locks. Madison. Wolcott. Manchester. Woodbridge, Marlborough. Woodbury,

In the State of Massachusetts:

CITIES

Chicopee. Springfield. Holyoke. Westfield. Northampton.

TOWNSHIPS

Ludlow. Agawam. Amherst. Middlefield. Belchertown. Monson. Blandford. Montgomery. Brimfield. Palmer. Chester, Chesterfield. Pelham Plainfield. Cummington. Russell. Easthampton. Southampton. East Longmeadow. Southwick Goshen: South Hadley. Granby Tolland. Granville. Wales. Hadley. Ware. Hampden. Westhampton. Hatfleld. West Springfield. Holland. Wilbraham. Huntington. Williamsburg. Longmeadow. Worthington.

It is now proposed to add Franklin County, in the State of Massachusetts, to the Region.

This action is proposed under the authority of sections 107(a) and 301(a) of the Clean Air Act, section 2, Public Law 90-148, 81 Stat. 490, 504; 42 U.S.C. 1857c-2(a), 1857g(a).

Dated: December 11, 1970.

WILLIAM D. RUCKELSHAUS, Administrator, Environmental Protection Agency.

[F.R. Doc. 70-16942; Piled, Dec. 14, 1970; 10:23 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Part 154]

[Docket No. R-400]

LIMITATION ON PROVISIONS IN NAT-URAL GAS RATE SCHEDULES RE-LATING TO MINIMUM TAKE PRO-VISIONS

Notice of Conference

DECEMBER 7, 1970.

Take notice that on January 6, 1971, a conference will be held pursuant to the provisions of the notice of proposed rule-making in Docket No. R-400 (18 CFR Part 154, 35 F.R. 15163), and in response to the request of Phillips Petroleum Co. The conference will be held at 10 a.m. in Room 2043 in the Federal Power Commission, 441 G Street NW., Washington, DC. The Commission staff proposes an agenda consisting of discussion of: (1) Present contractual limitations on mini-

mum take, (2) existing certificate conditions relating to minimum take, (3) necessity for the proposed rule, (4) modifications or exceptions that should be made if the rule is adopted as set forth in the Commission notice, and (5) any other relevant matters.

GORDON M. GRANT, Secretary.

[F.R. Doc. 70-16809; Filed, Dec. 14, 1970; 8:50 a.m.]

FEDERAL RESERVE SYSTEM

[12 CFR Part 204]

RESERVES OF MEMBER BANKS

Currency and Coin

CROSS REFERENCE: For a document withdrawing a notice of proposed rule making published on June 9, 1970, at 35 F.R. 8892, see F.R. Doc. 70–16775, Title 12, Chapter II, Part 204, supra.

Notices

POST OFFICE DEPARTMENT

UNIFORM QUALITY CONTROL PROGRAM

Optional Fabric Specifications for Uniform Clothing

The Post Office Uniform Quality Control Office, U.S. Army Natick Laboratories, has issued specifications for a durable press fabric for optional use in the manufacture of uniform shirts and blouses.

- 1. Shirts and blouses—a. Fabric. Effective January 1, 1971, uniform shirts and blouses manufactured in broadcloth, polyester/cotton, conforming to PODUQC—No. 6A, PO Blue 5001, are authorized for purchase under the uniform allowance program. Garments manufactured in the new durable process fabric must be manufactured in accordance with specifications PODUQC—No. 2A, 3A, 8A (male shirts) 12 and 13 (female blouses). Shirts and blouses meeting the above fabric and design specifications are authorized for all categories of uniformed employees.
- b. Insignia. The new emblem shall be worn on these newly authorized shirts and blouses. The emblem will be centered on the left sleeve approximately three-quarter inch below the shoulder sleeve seam. No craft tab shall be worn on shirts and blouses.
- c. Quality control provisions. Employees are reminded that the Quality Control Certificate number must be used on a label attached to each garment indicating that the garment has been produced in accordance with requirements of the Postal Service's fabric, color, and manufacturing specifications. Checking for this certificate will assure employees they are receiving the quality of uniforms specified for postal employees. The quality control provision applies to all uniform garments except shoes.
- 2. Raingear. The new emblem must be sewn on raingear purchased on and after January 1, 1971. The emblem will be centered on the left front in line with the second snap fastener of the coat front. On the shortie raincoat, it shall be centered on the breast pocket below the flap. No craft tab is required on raingear.

Effective January 1, 1971, payment will be authorized only for purchases of raingear with the new emblem attached. All raingear must meet the specifications announced in the Federal Register of June 11, 1970. This applies to all uniformed crafts for whom raingear is an authorized uniform item.

3. Sweaters. The new emblem must be sewn on all sweaters purchased on and after January 1, 1971. Craft tabs are not required on sweaters. The emblem

will be centered on the left sleeve approximately three-quarter inch below the shoulder sleeve seam.

Effective January 1, 1971, payment will be authorized only for purchases of sweaters with the new emblem attached. This applies to all crafts for whom sweaters are an authorized uniform item.

4. Uniform items for motor vehicle employees. The Post Office Uniform Quality Control Office, U.S. Army Natick Laboratories, has issued new specifications for two versions of a uniform cap for motor vehicle employees. These new specifications provide for a uniform cap in a dark blue shade and a cap in the same shade with removable cover for optional purchase.

Requirements covering these items and effective date for purchase are specified below:

- 1. Caps—a, Cap (regular), Specification PODUQC No. 33A. Only authorized and specified uniform fabrics in color POD Blue 5013 (dark blue) shall be used in the manufacture of this cap. The specification provides for caps to be made as follows:
- Cover—PO Blue (new dark blue shade), oval crown.
 - 2. Chinstrap-Black vinyl strap.
 - 3. Braid-Ultramarine blue No. 65010.
- One Round Badge Eyelet.—Set appropriately above top of band in bevel of cap at front.
- b. Cap (removable cover). Specification PODUQC No. 45. This specification covers the requirements for frame and removable cover. All other requirements are the same as 4(1a) above.
- c. Effective dates. Effective January 1, 1971, only items manufactured in accordance with the above cap specifications are authorized for purchase. Payment will be made for the above uniform caps, purchased on and after January 1, 1971, only if they are manufactured in conformity with the new specifications.
- b. Wear-out period. On and after January 1, 1972, motor vehicle employees may not wear uniform caps which conform to prior specifications.
- 2. Shirts. Effective January 1, 1971, uniform shirts purchased by motor vehicle employees will no longer have the two breast pocket craft tabs attached. Motor vehicle employees will wear shirts meeting the same specifications, color and fabric worn by all uniformed categories.

On and after January 1, 1971, payment shall be authorized only for purchases of shirts with the new emblem sewn on the left sleeve.

a. Insignia. The new emblem shall be the only insignia worn on shirts. The emblem will be centered on the left sleeve approximately three-quarter inch below the shoulder sleeve seam. No craft tab shall be worn on shirts, b. Wear-out period. On and after January 1, 1972, shirts with the old emblem and craft tabs may not be worn.

3. Jackets and surcoats. Effective January 1, 1971, jackets and surcoats purchased by motor vehicle employees shall no longer have the present breast craft tabs—"U.S. Mail" above right breast pocket and "Vehicle Service" above the left breast pocket. On and after January 1, 1971, payment will be authorized only for purchase of Jackets and surcoats with the new emblem and the new craft tab attached.

a. Insignia. The new emblem and craft pocket tab shall be worn on motor vehicle jackets and surcoats. The emblem will be centered on the left sleeve approximately three-fourth inch below the shoulder sleeve seam. The craft tab shall be centered one-half inch above left breast pocket.

b. Wear-out period. On and after January 1, 1972, jackets and surcoats with the old insignia and breast craft tabs may not be worn. Payment is authorized for purchases of the new emblem and craft tab for employees who wish to replace the old insignia on garments presently in their possession.

4. Payment for fabric. Employees may be reimbursed for purchases of piece goods for use in home sewing of items of uniform apparel authorized for the employees' craft. Payment shall not be made for purchases of piece goods for home sewing of any item that is not an authorized uniform garment for the craft concerned.

5. Emblems—a. New emblem on garments. It has come to our attention that some uniform manufacturers and vendors are sewing the new emblem over the old emblem. Such garments are not acceptable. The old emblem must be removed before the new emblem is attached. Employees are hereby notified that unless the old emblem and craft tab are removed from the garments before the new emblem is attached, such garments are not acceptable for payment under the uniform allowance program.

b. Oversize emblem. The enlarged version of the new emblem is to be used only in cases where it is necessary to cover the area on garments when the old emblem and craft tab are removed. Manufacturers and vendors shall not sew the enlarged version of the emblem on new uniform garments. We wish to emphasize that the enlarged version of the emblem is to be used only in cases where the area from which the old emblem and craft tab is removed has become faded or the old stitches are obviously unsightly.

(5 U.S.C. 301, 31 U.S.C. 686, 39 U.S.C. 501, 3116)

DAVID A. NELSON, General Counsel,

[F.R. Doc. 70-16764; Filed, Dec. 14, 1970; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. A 5927]

ARIZONA

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 8, 1970.

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2400 and 2460, the public lands described below are hereby classified for Multiple-Use Management. Publication of this notice segregates all the public lands described in this notice from appropriation under the agricul-tural land laws (43 U.S.C., Parts 7 and 9: 25 U.S.C., sec. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). These lands should remain open to all other forms of appropriations, including the mining and mineral leasing laws. As used in this order, the term "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat, 1269) as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The notice of proposed classification of these lands was published October 7, 1970 in 35 F.R. 15766 and 15767 and was widely publicized. No comments adverse to the proposal were received and the classification is made as proposed.

3. Public lands classified are located in Mohave County, Ariz., and are described as follows:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 27 N., R. 17 W.

Sec. 2, lots 1 to 4, inclusive, S%N%, SW%, and W%SE%;

Sec. 4, lots 1 to 4, inclusive, S%N%, and

S½; Sec. 6, lots 1 to 7, inclusive, S½NE¾, SE¼ NW¼, E½SW¼, and SE¼; Secs. 8, 10, 12, 14, and 16;

18, lots 1 to 4, inclusive, E1/2, and E%W%. T. 28 N., R. 17 W.

Sec. 2, lots 1 to 4, inclusive, S1/2N1/2, and

4, lots 5 to 8, inclusive, S½N½, and

Sec. 6, lots 8 to 14, inclusive, S%NE%, SE% NW¼, E½SW¼, and SE¼; Secs. 8, 10, 12, 14, and 16;

Sec. 18, lots 1 to 4, inclusive, E1/2, and

Secs. 20, 22, 24, 26, and 28;

Sec. 30, lots 1 to 4, inclusive, E½, and E½W¼; Sec. 32, N%, and N%S%;

Sec. 34; Sec. 36, N1/2, and N1/2S1/2.

T. 27 N., R. 18 W., Sec. 2, lots 1 to 4, incluivae, 51/2N1/4, and 81/6

Sec. 4, lots 1 to 4, inclusive, S1/2N1/2, and 81/2:

Secs. 10, 12, 14, and 16. T. 28 N., R. 18 W., Secs. 12, 14, 24, and 26. The lands aggregate 23,239.08 acres.

4. These lands contain abundant stands of Joshua trees. At the April 9, 1970 public hearing on Classification A 4445 held in Kingman, Ariz., the Mohave County Board of Supervisors and local residents requested that these Joshua tree forest lands be retained in public ownership.

5. The public lands classified in this notice are shown on maps on file and available for inspection in the Kingman Resource Area Office, Radar Hill, Kingman, AZ 86401, and the Land Office, Bureau of Land Management, Room 3204, Federal Building, 230 North First Avenue, Phoenix, AZ 85025.

6. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM 320, Wash-

ington, D.C. 20240.

JOE T. FALLINI, State Director.

[Serial No. A 5945]

ARIZONA

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 8, 1970.

1. The public lands described below contain fossilized mammal tracks and bones which have been identified as having unusual scientific and recreational value. The criteria for classification of land for multiple-use management as found in 43 CFR 2420.2(c) (5) provide for the retention of land which contains public values which would be lost if transferred out of Federal ownership. Tracks include those of antelope and camel. Retention of these lands in Federal ownership will allow for further scientific investigation and study of the area and for future interpretation of the area's historical significance.

2. Therefore, pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and to the regulations in 43 CFR Parts 2400 and 2460, the public lands described below are hereby classified for Multiple-Use Management, Publication of this notice has the effect of segregating the public lands described in paragraph 4 from sale under the Public Land Sale Act of September 19, 1964 (43 U.S.C. 1421-27); from private exchange (43 U.S.C. 315g(b)); from State exchange (43 U.S.C. 315g(c)); from State selection (43 U.S.C. 851, 852); from R.S. 2477 (43 U.S.C. 932); and from appropriation under the mining laws. By Notice of Classification A 467, published in the April 27, 1967, FEDERAL REGISTER, these lands have been previously segregated from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9, and 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to

the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

3. The notice of proposed classification of these lands was published October 7, 1970 in 35 F.R. 15767 and was widely publicized. All comments received endorsed the proposal and the classification is made as proposed.

4. The public lands described below are located approximately 8 miles west and 1 mile south of Pima, Ariz., as shown on maps on file and available for inspection in the Land Office, Bureau of Land Management, Federal Building, 230 North First Avenue, Phoenix, Ariz., and in the Safford District Office, 1707 Thatcher Building, Safford, Ariz.

The land is legally described as follows: GILA AND SALT RIVER MERIDIAN, ARIZONA

GRAHAM COUNTY

[F.R. Doc. 70–16779; Filed, Dec. 14, 1970; T. 6 S., R. 23 E., Sec. 26, SW\\\488\\\4\); Sec. 26, SW\\\4\) Sec. 27, SW\\\4\) and SE\\\\4\); Sec. 34, N\\\\4\) NW\\\4\.

The area described aggregates approximately 320 acres.

5. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM 320, Washington, D.C. 20240.

JOE T. FALLINI. State Director.

[F.R. Doc. 70-16780; Filed, Dec. 14, 1970; 8:47 a.m.]

[Serial No. A 2696 A]

ARIZONA

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 8, 1970. 1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Part 2400 and 2460, the public lands described below are hereby classified for Multiple-Use Management. Publication of this notice has the effect of segregating the public lands described in paragraph 4 from sale under the Public Land Sale Act of September 19, 1964 (43 U.S.C. 1421-27); from private exchange (43 U.S.C. 315g (b)); from State exchange (43 U.S.C. 315g(c)); from State selection (43 U.S.C. 851, 852); from R.S. 2477 (43 U.S.C. 932); and from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9, 25 U.S.C. 334); from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171); and from appropriation under the mining laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The lands involved lie on the north and south rims of the Aravaipa Canyon in Pinal County, Ariz. The public lands NOTICES

in the Canyon were classified for multiple-use on November 23, 1968 and designated by secretarial order on January 10, 1969 as the Aravaipa Canyon Primitive Area, Inclusion of this additional public land is necessary to provide for proper administration, protection and use of the outstanding public values of the Canyon area.

3. The notice of proposed classification of these lands was published October 7, 1970 in 35 F.R. 15766. On July 22, 1970, a public meeting was held in San Manuel. Ariz, to discuss a management plan for the public lands in the Aravaipa Canyon area. It was proposed at that time that the lands listed below be added to the Primitive Area. There has been general public endorsement of the proposal.

4. As provided in paragraph 1 above, the public lands in the areas described below are segregated from sale, exchange, selection, and from appropriation under the agricultural and mining laws.

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 6 S., R. 18 E.,

Sec. 13, N%SE%:

14. NE%NW%, SE%NE%, and N%

SE'4: Sec. 17. NW 4 SE'4, SE'4 SE'4, NE'4 SW 4. and 8W48W4.

5. The lands described above aggregate 400 acres.

6. The lands classified in this notice are shown on maps on file and available for inspection in the Land Office, Bureau of Land Management, Federal Building, 230 North First Avenue, Phoenix, AZ, and in the Safford District Office, Bureau of Land Management, Safford, Ariz.

7. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM 320, Washington, D.C. 20240.

JOE T. FALLINI, State Director.

[P.R. Doc. 70-16781; Filed, Dec. 14, 1970; 8:47 a.m.]

[R-3342]

CALIFORNIA

Notice of Classification of Public Lands for Multiple-Use Management

NOVEMBER 23, 1970.

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2460, the public lands in paragraph 4 are classified for multipleuse management.

2. Publication of this notice has the effect of segregating all public lands described below from appropriation only under the agricultural land laws (43 U.S.C. chs. 7 and 9; 25 U.S.C. sec. 334), and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). The lands shall remain open to all other applicable forms of appropriation including the mining and mineral leasing laws. As used in this order, the term "public lands" means any lands (1) withdrawn or reserved by Executive Order No. 6910

of November 26, 1934, as amended, or (2) within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose,

3. Comments received following publication of the notice of proposed classification (35 F.R. 14565) on September 17, 1970 and after the hearing held in Spring Valley on October 15, 1970, were generally favorable. There are no changes in the classification from the proposed classification.

4. The following described lands located within San Diego County are classified for multiple-use management.

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 17 S., R. 1 E., Sec. 8, N%NE%;

Sec. 29, W4SE4. T. 18 S., R. 1 E., Sec. 18, SE4, NW4.

T. 17 S., R. 2 E., Sec. 2, lots 1 and 2;

Sec. 9, SE 4, SW 4, S 5, SE 4; Sec. 10, SW 4, SW 4. T. 18 S., R. 2 E.,

Sec. 1, SE 14 NE 1/4 2. S%NW%. N%SW%. SE%SW%. SW 14 SE 14

Sec. 12, N

Sec. 13, 5½ SW¼; Sec. 15, E½ SW¼; S½ SE¼; Sec. 22, N½ NE¼; Sec. 23, S½ NE¼;

Sec. 24, NE % NW %, 8% NW %. T. 17 S., R. 3 E.,

Sec. 19, N4, NE4; Sec. 25, N4, N4, SW4, SW4, SW4, NE4 SE4, N4, NW4, SE4, SE4, SE4; Sec. 26, N4, N4, SW4, SE4, SE4; Sec. 27, N4, SW4, N4, SE4; Sec. 28, SE4, NE4, NW4, W4, SW4, E4

SE'4: Sec. 29, NE'4, E'4SE'4: Sec. 39, SW'4 NE'4, W'4SE'4: Sec. 31, lots 2 and 3, NW'4 NE'4, SE'4:

Sec. 32, E%NE%, NE%SE%;

Sec. 33. E% SE4, E% SW & SE4; Sec. 34. SE4 NE4, S%; Sec. 35. N% N%, SW & NE4; Sec. 36. NW & NE4, N% NW & SE4 NW & N% NE & SW & SE4.

T. 18 S., R. 3 E.,

Sec. 1, lot 1; Sec. 3, lots 1, 2, 3, and 4, S%NE%, SE%

Sec. 3, 10ts 1, 2, 3, and 4, S½NE%, SE%, NW¼, NE¼SW¼, S½SW¼, W½SE¼; Sec. 4, 10ts 1, 5, 6, and 7; Sec. 5, SW¼NE¼, S½NW¼; Sec. 6, 10ts 1, 2, and 4, S½NE¼, E½SE¼; Sec. 7, 10t 1, NW¼NE¼;

Sec. 9, NEWNEW, SWNEW, SEWNWW, NY

5½; ec. 10, W½NE¼, NW¼, N½SW¼, SE¼

Sec. 17. 5% SE%; Sec. 20, NW % NE%, E% NW %;

Sec. 21, SW 1/2

Sec. 21, SW 4; Sec. 22, NE 4, NE 4, SE 4, SW 4, SY 5E 4; Sec. 23, N 5, NW 4, SW 4, NW 4, N 4, SE 4, NW 4, SW 4, S 4, SE 4; Sec. 24, N 4, NW 4, SW 4, SW 54, SK 5W 4

SW48W4:

Sec. 26, lot 1, N%NE%, N%NW%; Sec. 27, N1/4 NE 1/4;

Sec. 28, lots 5, 6, 7, and 8, NE 1/4 NW 1/4. 814N14.

T. 17 S. R. 4 E.,

Sec. 30, lots 1, 2, and 3, E½E½;
Sec. 31, lots 3 and 4, NE½SW¼;
Sec. 32, N½NE½, SE½NE½, NW¼NW¾,
SE½SW¼, NE¼SE½, SW½SE½;
Sec. 33, E½NE½SE½, SW½NE½SE½, S½

NW 4 SE 4:

Sec. 34, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, NE¼, NE¼,NW¼, N½,SE¼; Sec. 35 lots 1 and 2, 5, 6, 7, and 8, NE¼,

NW4, NW4SW4; sc. 36, lots 2, 3, and 4, SW4NE4, SV2 NW4, S4SW4, W4SE4.

T. 18 S., R. 4 E.,

NW%, SW%SW%, SE%; Sec. 2, lots 1, 2, and 3, SE%NE%, SE% NW%, SW%SW%, SE%; Sec. 2, lots 1, 2, 3, 4, S%N%, S%; Sec. 3, lot 1;

Sec. 10, lot 8, SE14SE14; Secs. 11, 12 and 13;

Sec. 14, lot 1, N%, N%SW%, SE%SW%. SE¼;

Sec. 15, lots 1, 2, 4, 6, 13, and 14, E½NE¼, SW¼SW¼, NE½SE¼; Sec. 21, S½S½; Sec. 22, lots 1, 6, 7, and 12;

Bec. 23, NE 1/4 NE 1/4;

Sec. 24, lots 11 and 13, N½NW¼, SW¼ SW¼, SE¼SE¼; Sec. 25, lots 1, 2, 3, and 4; Sec. 28, lots 1, 2, 3, and 4, N½N½;

Sec. 29, NE%NE%.

T. 14 S., R. 5 E.,

Sec. 1, lots 1, 2, 3, and 4, S%NW 4; Sec. 2, lots 1 and 2, W1/2SW1/4;

Sec. 3. SW 14 NW 14. S14

Sec. 4, lots 3 and 4, S¼N½, S¼; Sec. 5, lots 1, 2, 3, 4, S½N½, S½; Sec. 6, lots 1 and 8, SE¼NE¼, SE¼NW¼,

E%SW%, SE%;

Sec. 7, NE%E%SE%: Secs. 8 and 9;

Sec. 10, NW¼NE¼, W½; Sec. 11, SW¼SW¼, NW¼SE¼, S½SE¼; Sec. 12, N½NE¼, E½NW¼, N½SW¼SW¼ SW¼, SW¼SE¼; Secs. 13 and 14;

Sec. 15, SW4NE4, SE4NW4, E4SW4. SE%; Sec. 17, NW%; Sec. 20, SE%SE%;

Sec. 23, N1/2, N1/2 SW1/4;

Sec. 25, NE¼, SE¼NW¼, NE¼SW¼, S½

SW4. SE4: Sec. 26. SE4NE4. NW4. SW4. E4SE4: Sec. 35. E4NE4. N4NW4. SW4NW4. NW4SW4. SE4.

T. 17 S., R. 5 E.

Sec. 13, lots 5, 8, 9, and 14, NEW, WWSEW. SE%SE%:

Sec. 14. W4: Sec. 15. SE4NE4. N4SW4NW4. S4 SW4SW4NW4. SE4SW4NW4. S4

Sec. 20, Syswianeysey: Sec. 21, Newswia, Nynwiswia, Sysec. 21, Newswia, Nynwissia, Seysey: Sec. 22, lots 1 and 2, Ney, Eynwia, Swia,

W1/4 SE1/4; Sec. 23, lot 1, N1/4;

Sec. 24, lots 1, 10, 14, 24, and 26, N%NE%; Sec. 25, E1/2;

Sec. 26, lots 4, 5, and 8;

Sec. 27, lots 1, 9, and 10, W1/2 W1/2;

Sec. 28, E1/2 NE1/4 SE1/4: Sec. 29, lots 37 and 48;

Sec. 31, lots 6, 7, 11, and 12;

Sec. 33, NE 4 NE 4;

Sec. 34, N% NW%, NE% SE%;

Sec. 35, lots 2, 3, and 4, NE¼, S¼NW¼, N½SW¼, N½SE¼.

T. 16 S., R. 5 E., Sec. 2, NE%NE%; Sec. 5, NW%SW%; Sec. 6, NW¼ NE¼, E½SW¼, SE¼; Sec. 7, lot 1 of NW¼, S½ lot 2 of NW¼, lots 1 and 2 of SW¼, E½; Sec. 12, SW 1/4 SE 1/4; 17. S%NE%, SW%NW%, N%SE%. Sec. SW14SE14: Sec 18, lots 1 and 2 of NW14, lots 1 and 2 of SW14, NE14, W14SE14; Sec. 19, N12 lots 1 and 2 of NW14, lot 6; Sec. 20, lots 1, 2, 3, and 4, N14S12, SE14 NE¼; Sec. 21, N½NE¼; Sec. 22, lot 7; Sec. 23, lots 2, 3, 4, 5, 6, and 7, E%NW%, NE1/4; Sec. 24, lots 1 to 8, inclusive, fraction N1/2. T. 14 S., R. 6 E., Sec. 10, E%SW%, SE%; Sec. 11, SW%NW%, SW%; Secs. 14 and 15; Sec. 17, S1/2 Sec. 18, lots 3 and 4, E½SW¼, SE¾; Secs. 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35. T. 15 S., R. 6 E., Secs. 1, 2, 3, 4, and 5; Sec. 6, lots 1, 2, 3, 4, 5, 6, and 7, S½NE¼, SE¼NW¼, E½SW¼, NW¼SE¼, S½ SE14 Sec. 7, E%, E%W%; Secs. 8, 9, 10, 11, and 12; Sec. 17, N1/2; Sec. 18, NE 14, E 1/2 NW 1/4; Sec. 21: Sec. 31, NE%, N%SE%, SE%SE%; Sec. 32, NW 1/8E 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4. 16 S., R. 6 E., Sec. 1, lots 1 and 2, SW 1/4 NE 1/4, NW 1/4 SW 1/4, N½SE¼; Sec. 28, lot 4, W½NW¼, S½SE¼. T. 17 S., R. 6 E., Sec. 4, lots 8, 10, and 12; Sec. 6, lots 6, 7, and 8, SW¼NW¼; Sec. 7, SE¼NE¼, E½SE¼; Sec. 8, NE¼NW¼, W½NW¼, NW¼SW¼; Sec. 9, N½NW¼, SE¼NW¼; Sec. 17, S½NE¼, SE¼; Sec. 18, W%NE%, NW%, E%SW%, NW% Sec. 31, W\(\frac{1}{2}\)NW\(\frac{1}{4}\), SE\(\frac{1}{4}\)NW\(\frac{1}{4}\), SW\(\frac{1}{4}\).
T. 18 S., R. 6 E., Sec. 5, E%SW14 Sec. 6, lots 4 and 5; Sec. 7, lot 6, E% NE%, SE%; Sec. 8, W1/2: Sec. 17, W1/2 Secs. 18 and 19. T. 14 S., R. 7 E., Secs. 31, 32, and 33; Sec. 34, NW¼NW¼NE¼, NW¼, NE¼NE¼ SW¼, W½NE¼SW¼, NW¼SW¼, N½ SW¼SW¼, SW¼SW¼, N¼SE¼ SW¼SW¼, W½NW¼SE¼SW¼. T. 15 S., R. 7 E., 15 S, R. 7 E.
Sec. 3, lots 12, 13, 14, 15, 19, 25, 26, 27, 28, 29, 30, 31, 32, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52, NE¼ SW¼, S½SW¼;
Sec. 4, lots 1, 2, 3, and 4, SW¼NE¾, S½NW¼, NW¼, NW½SW¾, S½SE¾; Secs. 5, 6, 7, and 8; Sec. 9, NW 1/4 Sec. 17, NW 14; Sec. 18. T. 16 S., R. 7 E Sec. 7, E1/28W1/4, NW1/48E1/4.

T. 17 S., R. 7 E.

T. 18 S., R. 7 E.,

Sec. 5, SW 1/4 NW 1/4; Sec. 33, NE 1/4 SE 1/4; Sec. 34, NW 1/4 SW 1/4.

Sec. 2, lot 3, N\(\frac{1}{2}\)NW\(\frac{1}{2}\)SW\(\frac{1}{2}\)NW\(\frac{1}{2}\), SU\(\frac{1}{2}\)SW\(\frac{1}{2}\), SE\(\frac{1}{2}\)SW\(\frac{1}{2}\), SE\(\frac{1}{2}\)SW\(\frac{1}{2}\)SW\(\frac{1}{2}\), SE\(\frac{1}{2}\)SW\(\frac{1}\)SW\(\frac{1}2\)SW\(\frac{1}2\)SW\(\frac{1}2\)SW\(\frac{1}2\)SW\(\frac{1}2\)SW\(\f

Sec. 3, SW4SE4; Sec. 5, SW4NW4, NW4SW4; Sec. 6, S%NE%, E%SE%; SE%NE%, E%NW%. Sec. 7, N%NE%, S NE%SE%, S%SE%; Sec. 8, W%SE%; Sec. 10, NW 1/4 NE 1/4 Sec. 15, lots 5 and 6; Sec. 17, lots 5, 6, 7, 8, fraction N1/2; Sec. 18, NE14. T. 16 S., R. 8 E., Sec. 27, SW 4 NE 1/4, E 1/2 NW 1/4, N 1/2 SE 1/4 T. 17 S., R. 8 E. NEWSWW Sec. 32, SE 1/4 SW 1/4. T. 18 S., R. 8 E., Sec. 4, lot 1; Sec. 5, lots 3 and 4; Sec. 10, lot 9, N½NE¼, SE¼NE¼; Sec. 11, lot 12, SW¼NW¼. The lands described above aggregate approximately 69,834 acres. 5. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER the classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior (43 2461.3). J. R. PENNY, State Director. [F.R. Doc. 70-16788; Filed, Dec. 14, 1970; 8:48 a.m.]

[R-1390-A] CALIFORNIA

Notice of Classification of Public Lands for Transfer Out of Federal Ownership; Partial Termination

DECEMBER 7, 1970.

The classification of public lands for title transfer published in F.R. Doc. 70-15889 on page 18128 of the issue for Thursday, November 26, 1970, is hereby terminated insofar as it affects the land described below. Pursuant to the regulations in 43 CFR 62.4(c)(2), the land is hereby relieved of any segregative effect by the subject classification.

> SAN BERNARDING MERIDIAN RIVERSIDE COUNTY, CALIP.

T. 3 S., R. 3 E., Sec. 18, lots 3 and 10; Sec. 20, W%NE%, NW%, W%SW%.

> E. J. PETERSEN, Acting State Director.

[F.R. Doc. 70-16759; Filed, Dec. 14, 1970; 8:45 a.m.]

[Montana 16583]

MONTANA

Order Providing for Opening of Public Lands

DECEMBER 4, 1970.

1. In exchanges of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. the following 315g) as amended,

described lands have been reconveyed to the United States:

PRINCIPAL MERIDIAN, MONTANA

BLAINE COUNTY

T. 37 N., R. 18 E., Sec. 25, NE1/4 T. 36 N., R. 20 E., Sec. 13, W1/2 Sec. 23, SW14: Sec. 25, E14 and SW14; Sec. 26, SE14 T. 33 N., R. 21 E., Sec. 24, W1

T.37N., R. 21 E., Sec. 29, N\(\frac{1}{2}\)N\(\frac{1}{2}\), SW\(\frac{1}{2}\)NE\(\frac{1}{2}\), and SE\(\frac{1}{2}\) NW 14; Sec. 30, N 1/4 NE 1/4.

T. 32 N., R. 24 E., Sec. 13, all;

Sec. 14, NE¼, E½NW¼, NE¼SW¼, and NW¼SE¼; Sec. 23, NE¼;

Sec. 24, N1 T. 32 N., R. 25 E.,

Sec. 5, lot 4, SW14NW14, W14SW14, and SE14SW14; Sec. 6, lot 3, SW14NE14, SE14NW14, E15

Sec. 6, lot 3, SW4NE4, SE4NW4, E2 SW4, and W12SE4; Sec. 7, lots 1, 2, 3, and 4, SW4NE4, E4 NW4, NE4SW4, and NW4SE4; Sec. 8, SW4NE4, NW4, SW4SW4, E4 SW4, and SE4; Sec. 9, W12SW4, and SE4SW4; Sec. 17, NW4NE4, NE4NW4, S4N4,

Sec. 18, lots 1, 2, 3, and 4, SE¹/₄ NE¹/₄, W¹/₂ NE¹/₄, E¹/₂NW¹/₄, SE¹/₄SW¹/₄, and SE¹/₄: Sec. 19, lots 1 and 2, NE¹/₄, E¹/₂NW¹/₄, and NUNUSEM:

Sec. 20, NE14. W1/2 NW1/4, SE1/4 NW1/4, and N%SW%.

The area described contains 6,585,2 acres.

2. The above described grazing lands are located in Blaine County and have been acquired to block up Federal land to further Federal programs, Public lands in this general area have been classified for multiple-use management and retention in Federal ownership.

3. The mineral rights in the lands were not exchanged and their status is not affected by this order.

4. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law the lands will at 10 a.m. on January 8, 1971. be open to application, petition, and selection under the public land laws except that all the lands are subject to multiple-use classification M 15568 and are not open to application under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), or to public sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). All valid applications received at or prior to 10 a.m. on January 8, 1971, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

5. Inquiries concerning the lands should be addressed to the Bureau of Land Management, 316 North 26th Street, Billings, MT 59101.

> EUGENE H. NEWELL, Land Office Manager.

[F.R. Doc. 70-16760; Filed, Dec. 14, 1970; 8:45 a.m.]

[Montana 044785]

MONTANA

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 4, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18,) and the regulations in 43 CFR Parts 2400 and 2460, the public lands within the areas described below are hereby classified for multiple-use management. Publication of this notice has the effect of segregating the described lands from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). and from exchange under section 8 of the Taylor Grazing Act (43 U.S.C. 315g) and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269). as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. One favorable comment and one protest were received following publication of the notice of proposed classification in the Federal Register of September 24, 1970 (35 F.R. 14856-14857). The protest was from an individual who owns nearby private islands. He was concerned about the effect of this classification action on his private lands and the effect this action would have on his grazing lease. As the classification will have no effect on either his private land or his grazing lease, no change from the proposed classification was considered necessary. The record showing comments received and other information. is on file and can be examined in the Miles City District Office, Miles City,

Mont

3. The public lands affected by this classification are located within the following described areas and are shown on maps on file in the Miles City District Office, Miles City, Mont., and on maps and records in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

PRINCIPAL MERIDIAN, MONTANA

BICHLAND COUNTY

T. 21 N., R. 58 E., Sec. 26, lot 7; Sec. 27, lots 7 and 8.

The lands described above aggregate

 For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2461.3, For a period of 30 days interested partles may submit comments to the Secretary

of the Interior, LLM, Washington, D.C. 20240:

> EDWIN ZAIDLICZ. State Director.

[F.R. Doc. 70-16761; Filed, Dec. 14, 1970; 8:45 a.m.]

[Serial No. N-1575-A1

NEVADA

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 7, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2420 and 2460, the public lands within the area described below are hereby classified for multiple-use management. Publication of this notice has the effect of segregating the described lands from appropriation under the homestead, desert land and allotment laws (43 U.S.C., Chapters 7 and 9, and 25 U.S.C. 331), and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171), and exchange (43 U.S.C. 315g), and the Public Land Sale Act of September 19, 1964 (43 U.S.C. 1421-27)

2. No adverse comments were received following publication of the notice of a proposed classification (35 F.R. 187), or at the public hearing at North Las Vegas, Nev., which was held on October 30, 1970. The record showing the comments received and other information is on file and can be examined in the Las Vegas District Office, Bureau of Land Management, 1859 North Decatur Boulevard, Las Vegas, NV. The public lands affected by this classification are located within the following described area and are shown on maps designated N-1575-A in the Las Vegas District Office, and at the Land Office, Bureau of Land Management, Room 3104, Federal Building, 300 Booth Street, Reno, NV.

3. The public lands classified for multiple-use management are described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 13 S., R. 70 E.,

Sec. 27, SW 1/4 SE 1/4, SE 1/4 SW 1/4;

Sec. 32, 51/1 NE 1/4, 5E 1/4; Sec. 33, 51/4 NE 1/4, 5E 1/4; Sec. 33, 51/4 NE 1/4, 5E 1

14 S., R. 70 E.

Sec. 4, NE%, NW%, N%SW%, SW%SW%: Sec. 5, E14, SW 14:

Sec. 6, 81/4; Sec. 7, N1/4; Sec. 8, N1/4.

T. 14 S., R. 69 E.

Sec. 14, E1/2SW14, NW1/4SW14;

Sec. 15, SE 1/4 SE 1/4: Sec. 22, all;

Sec. 27, all:

Sec. 28, NE%, N%SE%, N%SW%, SW%

Sec. 32, N%NE%, SW%NE%, E%NW%. N½SW¼, SW¼SW¼. T. 19 S., R. 60 E., Sec. 1, lots 1, 2, 3, 4, S½N½, SE¼. T. 19 S., R. 61 E.,

Sec. 5, S1/2;

Sec. 6, lots 1, 2, 3, 4, 5, 6, 8½NE¼, SE¼ NW¼, NE¼SW¼, N½SE½; Sec. 7, lot 2, 8½NE¼, SE¼NW¼;

Secs. 8, 9, and 10, all:

Sec. 15, N1/2; Sec. 16, NV

T. 19 S., R. 62 E.

Secs. 7 and 18, all. T. 19 S., R. 63 E.,

Sec. 9, SE%, S%SW% portion east of Highway 93:

Sec. 16, all east of Highway 93; Sec. 17, all east of Highway 93;

Sec. 19, all east of Highway 93; Sec. 20, all east of Highway 93;

Sec. 21, all; Sec. 28, N/2:

Sec. 29, N1/2; Sec. 30, N

T. 20 S. R. 60 E. Sec. 9, W%NE%SE%NE%, NW%SE%NE%.

Sec. 33, lots 60 and 61. T. 20 S. R. 62 E.

Sec. 12, E½SW¼, SE¼, E½NE¼; Sec. 13, all;

Sec. 24, all;

Sec. 25, all; Sec. 35, SE14; Sec. 36, all.

T. 20 S., R. 63 E. (unsurveyed), if surveyed, lands will probably be described as:

Sec. 8, W14 Secs. 17, 18, 19, all.

T. 21 S., R. 60 E., Sec. 3, lots 46, 47, 48, 57, 58, 6., and 66; Sec. 4, lots 49, 50, 67, 69, 70, and 99; Sec. 10, W45W46NE4, NW4, E4SE4NW4 NWW. SEWNEWSWW:

Sec. 11, lots 18, 19, 20, 46, 47, and 50; Sec. 13. W\\SW\\SW\\NW\\, NW\\NW\\

Sec. 13. W45W45W4NW4, NW4NW4 NW4SW4; Sec. 17. E4NW45E4NW4, NE4SE4 NW4, E4SE4NE4NW4; Sèc. 28. SE4SE4;

Sèc. 28. SE¼ SE¼:
Sec. 36. W%NW¼NW¼SE¼, NE¼ NE¼ NW¼
SE¼, NE¼NW¼NE¼SE¼, NW¼ NE¼
NE¼ SE¼, NE¾NE¾NE¼SE¼, NW¼
SW¼NW¼SE¼, N¼SE¼NE¼SE¼, SE¼
SE¼NW¼SE¼, NW¼SW¼NE¼SE¼, SE½
SE¼NW¼SE¼, W%SE¼NE¼SE½, SE½
SE¼NE¼SE½, W%NW¼SW¼SE¼, NW¼
NE¼SW¼SE½, SE¼NE¼SE½, SE¼
NW¼SE¼SE¼, NE¾NE¼SE¼SE¼, SE¾
SW¼SE¼SE¼, NE¾NE¾SE¼SE½, SE¾
SW¼SW¼SE½, N¼SW½SE¼SE½, SE¾
SW¼SE¼SE½, N¼SW½SE¼SE½, SE¾
SW¼SE¼SE½, NW¼SE¼SE½SE½, SE¾
T. 21 S. B. 61 E.

T. 21 S., R. 61 E., Sec. 13, lot 15:

Sec. 31, lots 53, 54, 56, 57, 62, 69, 71, 73, 75, 76. 78. 79. 81. 82. SE4SW4NE4SW4. SW4NE4NE4SW4. W4NW4SE4 SW4. N4SW4SE4SW4. NW4NW4 NE4SW4.

T. 21 S., R. 62 E

Sec. 1, N½, SW¼; Sec. 35, W½NE¼NW¼, NW¼NW¼.

T. 22 S., R. 61 E.,

Sec. 5, lots 133 and 134;

ec. 8, W%NW%NE%SW%, SW%NE% SW%, NW%SE%SW%, E%NE%SW% SW14

Sec. 10, lots 44 and 45; Sec. 15, E½NW¼SE¼NE¼, E½SW¼NW¼ SE¼NE¼, SW¼SE¼NE¼, E½SE¼

Sec. 20, lots 33, 34, and 60;

Sec. 28, lots 18, 19, 20, 21, 31, 32, 33, 34, 115, 124, 131, and 132.

T. 26 S., R. 63 E., Sec. 19, all; Sec. 20, all; Sec. 29, all: Sec. 30, all: Sec. 31, all; Sec. 33, all.

The land described aggregates approximately 25,400 acres of public land. 4. The following public lands are further segregated from appropriation under the general mining laws but not the mineral leasing or material sale laws:

MOUNT DIABLO MERIDIAN, NEVADA

T. 13 S., R. 70 E., Sec. 27, SW4SE4, SE4SW4; Sec. 32, S\\NE\\\, SE\\\; Sec. 33, S\\\NW\\\\, SE\\\\NE\\\\, SW\\\\, W\\\\\ SE\\\, NE\\\SE\\\; Sec. 34, NW % NW % NE %, NW % SW %. T. 14 S., R. 70 E., Sec. 4, NE%, NW%, N%SW%, SW%SW%; Sec. 5, E1/2, SW 1/4; Sec. 6, S1/4; Sec. 7, N 1/2; Sec. 8, Ny Sec. 3, N/2.
T. 14 S. R. 69 E.,
Sec. 14, E½SW¼, NW¼SW¼;
Sec. 15, SE¼SE¼;
Sec. 22, all;
Sec. 27, all; 28, NE14, N1/SE14, N1/SW1/4, SW1/4 SW14; Sec. 29. SW14; Sec. 32, N1/2NE1/4, SW1/4NE1/4, E1/2NW1/4, N1/2SW1/4, SW1/4SW1/4. T. 19 S. R. 60 E.

Sec. 1, lots 1, 2, 3, 4, S½N½, SE¼.

T. 19 S., R. 61 E., Sec. 5, S1/4;

Sec. 6, lots 1, 2, 3, 4, 5, 6, S%NE%, SE% NW%, NE%SW%, N%SE%; Sec. 7, lot 2, S%NE%, SE%NW%;

Secs. 8, 9, and 10, all; Sec. 15, N/2;

Sec. 16, N1/4.

T. 19 S., R. 62 E., Secs. 7 and 18, all.

T. 20 S., R. 60 E. Sec. D. Wine is seine in . Nw is eine in . Eine is in . Seine in . Sec. 10. Nw is eine in . Sec. 10. Nw is eine is swii. Wine in . Wine in . Sec. 10. Nw is eine . Sec. 10. Nw is eine

Sec. 33, lots 60 and 61.

T. 20 S., R. 62 E., Sec. 12, E4SW4, SE4, E4NE4;

Sec. 13, all; Sec. 24, all; Sec. 25, all; Sec. 35, SE¼; Sec. 36, all.

T. 20 S., R. 63 E. (unsurveyed) if surveyed, lands will probably be described as:

Sec. 7, all; Sec. 8, W1/2; Secs. 17 through 24, all; Sec. 26, all.

T. 21 S., R. 60 E. 21 S., R. 60 E.,
Sec. 3, lots 46, 47, 48, 57, 58, 65, and 66;
Sec. 4, lots 49, 50, 67, 69, 70, and 99;
Sec. 10, W½SW¼NE¼NW¼, E½SE¼
NW¼NW¼, SE¼NE¼SW¼;
Sec. 11, lots 18, 19, 20, 46, 47, and 50;
Sec. 13, W½SW¼SW¼NW¼, NW¼NW¼

NW4SW4; Sec. 17, E4NW4SE4NW4, NE4SE4 NW4, E4SE4NE4NW4; Sec. 28, SE4SE4;

Sec. 13, lot 15;

Sec. 31, 10ts 53, 54, 56, 57, 62, 69, 71, 73, 75, 76, 78, 79, 81, 82, SE1/4SW1/4NE1/4SW1/4, SW1/4NE1/4SW1/4, W1/4NW1/4SE1/4SW1/4, N1/4SW1/4SE1/4SW1/4, NW1/4NW1/4 SW14, N14 NE14SW14. T. 21 S., R. 62 E.

Sec. 1, N/4, SW/4; Sec. 35, W/2,NE/4,NW/4, NW/4,NW/4. T. 22 S., R. 61 E., Sec. 5, lots 133 and 134;

c. 8. W\%\nw\%\ne\%\sw\%. \sw\%\ne\%\sw\%. \sw\%\ne\%\sw\%. \ext{E\%\ne\%\sw\%.} SW14:

Sec. 10, lots 44 and 45; Sec. 15, E½ NW¼ SE¼ NE¼, E½ SW¼ NW¼ SE¼ NE¼, SW¼ SE¼ NE¼, E½ SE¼ NE014:

Sec. 20, lots 33, 34, and 60; Sec. 28, lots 18, 19, 20, 21, 31, 32, 33, 34, 115, 124, 131, and 132.

The land described aggregates approximately 21,300 acres of public land.

5. Segregation from appropriation under the general mining laws is terminated on the following described public lands:

MOUNT DIABLO MERIDIAN, NEVADA

T. 15 S., R. 71 E. (unsurveyed), Sec. 20, NW 1/4 NW 1/4.

The land described above totals approximately 40 acres.

6. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided in 43 CFR 2461.3.

> NOLAN F. KEIL, State Director, Nevada.

[F.R. Doc. 70-16782; Filed, Dec. 14, 1970; 8:47 a.m.]

[Serial Nos. N-1885-A, N-2345-A]

NEVADA

Notice of Classification of Public Lands for Multiple-Use Manage-

DECEMBER 8, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1412) and to the regulations in 43 CFR Parts 2420 and 2460, the public land described below is hereby classified for multiple-use management. Publication of this notice has the effect of segregating the described land from all forms of appropriation under the public land laws, including the general mining laws, but not the Recreation and Public Purposes Act (44 Stat. 741, 68 Stat. 173; 43 U.S.C. 869) or the mineral leasing and material sale laws. As used in this order, the term "public lands" means any lands

withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The land is located near the southern Lyon County line and northern Douglas County line, Sunrise Pass Road, a Bureau of Land Management maintained dirt roadway passes through the land. The topography of the land varies from level to rough. Recreation facilities could be developed on the meadowland.

3. The public land affected by this classification is shown on maps on file and available for inspection in the Carson City District Office, 801 North Plaza Street, Carson City, NV 89701, and the Nevada Land Office, Bureau of Land Management, Room 3104, Federal Building, 300 Booth Street, Reno, NV 89502.

4. The land involved is located in Lyon and Douglas Counties and is described as

MOUNT DIABLO MERIDIAN, NEVADA

T. 14 N., R. 22 E., Secs. 11, 12, 13, 14, that portion which en-compasses the Margaret Morella, Baby Ruth, Snow Bog, Homestead, Hallie, Porcupine, Myrtle, Sunrise and Balti-more Praction No. 1 Mining Claims; Sec. 12, SW 1/4 NW 1/4.

The land described aggregates 213.050 acres of public land.

5. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2461.3.

NOLAN F. KEIL, State Director, Nevada.

[P.R. Doc. 70-16783; Filed, Dec. 14, 1970; 8:47 a.m.]

[Serial No. N-257-B]

NEVADA

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 7, 1970. 1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2420 and 2460, the public lands within the area described below are hereby classified for multiple-use management. Publication of this notice has the effect of segregating the described lands from appropriation under the Homestead, Desert Land and Allotment Laws (43 U.S.C., Chapter 7 and 9; and 25 U.S.C. 334), and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the Public Land Sale Act of September 19, 1964 (43 U.S.C. 1421-27). The land described in paragraph 4 below is further segregated from appropriation under the general mining laws but not the mineral leasing and material sale laws. As used in this

order, the term "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or

2. No adverse comments were received following publication of a notice of proposed classification (35 F.R. 187), or at the public hearing at North Las Vegas, Nev., which was held on October 30, 1970. The record showing the comments received and other information is on file and can be examined in the Las Vegas District Office, Bureau of Land Management, 1859 North Decatur Boulevard, Las Vegas, Nev. The public lands affected by this classification are located within the following described area and are shown on maps designated N-257-B in the Las Vegas District Office, and at the Land Office, Bureau of Land Management, 300 Booth Street, Room 3104, Federal Building, Reno, NV.

3. The following described public lands are classified for multiple-use management:

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MOUNT DIABLO MERIDIAN, NEVADA
T. 16 S., R. 56 E.,
    Secs. 11, 12, 13, 14, 24.
T. 16 S., R. 57 E.,
    Sec. 17, NW 14, S1/2;
   Sec. 17, NW ¼, 5½;

Sec. 18, 19;

Sec. 20, N½, N½S½, SW¼SW¼;

Sec. 21, NW ¼, N½SW ¼, SE¼SW ¼, SE¼;

Sec. 27, NW ¼, S½;

Sec. 28, NE¼, NE¼, NW ¼, S½NW ¼, S½;

Sec. 29, NW ¼, NW ¼, S½N½, S½;

Sec. 29, NW ¼, NW ¼, S½N½, S½;
    Secs. 30, 32, 33, 34;
Sec. 35, NW 1/4, 81/4
T. 17 S., R. 50 E.,
    Sec. 35, E%NE%, N%NE%SE%.
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T. 17 S., R. 57 E.,

T. 17 S., R. 58 E., Sec. 5, NW 14, 81/2; Secs. 6, 7, 8; Sec. 9, NW14, 814;

Sec. 10. SW \(SW \\ \); Sec. 13. NE\(\), S\\ \\ \); Sec. 14. NW \(\) SW \(\), S\\ \\ \); Sec. 15. NW \(\) NE\(\), S\\ \\ \) NE\(\), NW \(\), S\\ \\ \); Secs. 16. 21. 22. 23. 24. 25. 26. 35. 36. T. 17 S., R. 59 E.,

Secs. 19, 20, 29, 30, 31, 32, T. 18 S., R. 50 E.,

Sec. 1, N\4N\4: Sec. 2, NE\4. T. 18 S., R. 58 E., Secs. 1, 12,

T. 18 S., R. 59 E., Secs. 1, 2, 3; Sec. 4, NE 14, S1/2; Sec. 4, NE 14, S1/2; Sec. 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20; Sec. 21, N1/2, N1/2S1/2; Secs. 27, 29, 30, 31.

The area described above totals approximately 41,800 acres.

4. The following described public lands are further segregated from appropriation under the general mining laws:

T. 17 S., R. 50 E. Sec. 35, E%NE%, N%NE%SE%; Sec. 36, NE14. W14. N1/2 SE14. SE1/4 SE1/4. T. 17 S., R. 51 E Sec. 31, NE%NE%, W%E%, W%.

T. 18 S., R. 50 E., Sec. 1, N%N%; Sec. 2, NE 1/4.

T. 18 S., R. 51 E., Sec. 6, NW4, N4SW4, W4NE4, SE4.

The area described above totals approximately 2,020 acres.

5. For a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided in 43 CFR 2461.3.

> NOLAN F. KEIL, State Director, Nevada.

[F.R. Doc. 70-18784; Filed, Dec. 14, 1970; 8:47 a.m. [

[Serial Nos. N-1128, 2421, 4180, 4690]

NEVADA

Notice of Public Sale

DECEMBER 7, 1970.

Under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988; 43 U.S.C. 1421-1427), 43 CFR Subpart 2720, four parcels of land will be offered for sale to the highest bidder at 10 a.m., Tuesday, May 4, 1971, at the Ely District Office, Pioche Star Route, Ely, Nev. 89301. The lands are more particularly described below.

MOUNT DIABLO MERIDIAN, NEVADA

PARCEL NO. 1

T. 14 N., R. 69 E., Sec. 24, NW4/NE4/SE4/NW4, NE4/NW4/ SEWNWW.

5 acres. Appraised value: \$600.

PARCEL NO. 2

T. 13 N., R. 67 E., Sec. 21, SW 1/4 NE 1/4.

40 acres, Appraised value: \$900.

PARCEL NO. 3

T. 13 N., R. 67 E.,

Sec. 15. SW\4SW\4SW\4SE\4; Sec. 22. W\5SW\4NE\4NW\4NE\4, W\5NW\4 NE\4, W\4NE\4SE\4NW\4NE\4, W\5E\4 NW\4NE\4, SE\4SE\4NW\4NE\4, SW\4 NE\4, W\4NW\4NW\4SE\4NE\4, SW\4 NW 4 SE 4 NE 4 S SW 4 SE 4 SE 4 NE 4 SW4SE4NE4.

87.50 acres. Appraised value: \$2,200.

PARCEL NO. 4

T. 13 N., R. 67 E. Sec. 16, SW 1/2 SW 1/4; Sec. 21, W%NW%, SW%, W%SE%, SE% SE14: Sec. 28, all;

1,040 acres. Appraised value: \$20,800.

The publication costs to be assessed for each parcel are estimated at \$4.

The lands will be sold subject to all valid existing rights. Reservations will be made to the United States of rightsof-way for ditches and canals in accordance with the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945), All minerals are to be reserved to the United States and withdrawn from appropriation under the public land laws, including the general mining laws.

Bids may be made by a principal or his agent, either at the sale, or by mail. An agent must be prepared to establish the eligibility of his principal. Eligible pur-chasers are: (1) Any individual (other than an employee, or the spouse of an employee, of the Department of the Interior) who is a citizen or otherwise a national of the United States, or who has declared his intention to become a citizen, aged 21 years or more; (2) any partnership or association, each of the members of which is an eligible purchaser, or (3) any corporation organized under the laws of the United States, or of any state thereof, authorized to hold title to real property in Nevada.

Bids must be for all the land in a parcel. A bid for less than the appraised value of the land is unacceptable. Bids sent by mail will be considered only if received by the Ely District Office, Bureau of Land Management, Pioche Star Route, Ely, NV 89301, prior to 4 p.m., on Monday, May 3, 1971. Bids made prior to the public auction must be in sealed envelopes and accompanied by certified checks, postal money orders, bank drafts, or cashier's checks, payable to the Bureau of Land Management, for the full amount of the bid plus estimated publication costs, and by a certification of eligibility, defined in the preceding paragraph. The envelopes must show the sale and parcel numbers and date of sale in the lower left hand corner: "Public Sale Bid, Sale N-1128, 2421, 4180, 4690, Parcel No. __ ___, 10 a.m., May 4, 1971."

The authorized officer shall publicly declare the highest qualifying sealed bid received. Oral bids shall then be invited in specified increments, After oral bids, if any, are received the authorized officer shall declare the high bid. A successful oral bidder must submit a guaranteed remittance, in full payment for the tract and cost of publication, before 4:30 p.m. of the day of the sale.

Any parcel not sold on Tuesday, May 4, 1971, shall be reoffered on the first Tuesday of subsequent months at 10 a.m., beginning June 2, 1971.

Any adverse claimants to the above described lands should file their claims, or objections, with the undersigned before the time designated for sale.

The lands described in this notice have been segregated from all forms of appropriation, including locations under the general mining laws, except for sale under this Act, from the date of notation of the proposed classification decision. Inquiries concerning this sale should be addressed to the Land Office Manager. Bureau of Land Management, Room 3008 Federal Building, 300 Booth Street, Reno, NV 89502, or to the District Manager, Bureau of Land Management, Pioche Star Route, Ely, NV 89301.

> ROLLA E. CHANDLER. Manager, Nevada Land Office.

[F.R. Doc. 70-16817; Filed, Dec. 14, 1970; 8:50 a.m.

[OR 6920]

OREGON

Notice of Classification of Public Lands for Multiple-Use Management

DECEMBER 7, 1970.

1. Pursuant to the Act of September 19. 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2400 and T. 19 S., R. 4 W. 2460, the public lands within the areas described below are hereby classified for multiple-use management, Publication of this notice has the effect of segregating the described lands from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. 334) and from sales under 2455 of the Revised Statutes (43 U.S.C. 1171). All the described lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands classified in this notice are within Linn, Lane, and Douglas Counties and are shown on maps designated OR 6920 on file in the Eugene District Office, Bureau of Land Management, 1255 Pearl Street, Eugene, OR 97401, and the Land Office, Bureau of Land Management, 729 Northeast Oregon Street, Portland, OR 97208.

The notice of proposed classification was published in 35 F.R. 15315-15316, October 1, 1970. A public hearing on the proposed classification was held October 15, 1970, at the Lane County Courthouse, Engene, Oreg. All of the comments received support the multiple-use classification of these lands. No changes have been made in the list of lands included in the proposed classification.

3. The description of the areas is as

WILLAMETTE MERIDIAN

LINN COUNTY

T. 15 S. R. 2 W. Sec. 10, NW 1/2 SW 1/4 and SE 1/4 SW 1/4; Sec. 20, lots 2 and 3.

T. 14 S., R. 1 E., Sec. 19, W14 NE14; Sec. 26, SE14 NE14. T. 14 S., R. 2 E.,

Sec. 6, NE 1/48W 1/4.

LANE COUNTY

T. 15 S., R. 1 W., Sec. 10, S\(\) SW\(\). T. 18 S., R. 1 W., Sec. 20, lot 4. T. 19 S., R. 1 W Sec. 26 SW 1/4 SW 1/4.

T. 20 S., R. 1 W., Sec. 6, lots 15, 16, 17, and 18.

T. 20 S., R. 2 W., Sec. 12, NW 1/4 NW 1/4. T. 21 S., R. 2 W., Sec. 32, lot 1. T. 22 S., R. 2 W.,

Sec. 12, SW 14 NE 14 and S1/2 NW 1/4.

T. 23 S., R. 2 W., Sec. 14, NW 4 NW 4: Sec. 18, lots 2, 3, and 4, SE¼NW¼, E½ SW¼, and SE¼; Sec. 20, NW¼NE¼, S½NE¼, NW¼, and

NW 4 SE 4:

Sec. 2, lots 1 and 2; Sec. 24, SW 14 NW 1/4. T. 16 S., R. 3 W., Sec. 30, lot 3. T. 22 S., R. 3 W., Sec. 2, lot 1;

Sec. 4, lot 1.

Sec. 3, SE 14 SE 14. T. 20 S., R. 4 W.,

Sec. 6, fractional NEW NEW.

T. 19 S., R. 5 W., Sec. 32, NW 14 NW 14. T. 20 S., R. 5 W.

Sec. 15, SE%SW%; Sec. 34, NW%SW%. T. 15 S., R. 6 W.

Sec. 34. SE¼SE¼.
T. 16 S., R. 6 W.,
Sec. 12, SW¼NE¼ and NE¼NW¼.
T. 19 S., R. 6 W.,

T. 19 S. R. 6 W.,
Sec. 8, SW¼ NW¼ and NW¼ SW¼;
Sec. 20, SW¼ NE¼ and E½ NW¼;
Sec. 34, SE¼ NE¼.
T. 20 S. R. 6 W.,
Sec. 4, SE¼ NE¼;
Sec. 24, SW¼ SW¼.
T. 20 S. R. 6½ W.,

Entire township (unsurveyed).

T. 16 S., R. 7 W., Sec. 18, lot 2; Sec. 26, lots 17, 18, 19, 20, and 21,

T. 17 S., R. 7 W., Sec. 32, NW 1/4 NW 1/4.

T. 19 S., B. 7 W., Sec. 30, lots 1, 2, 3, and 4, SE¼; Sec. 32, W½NW¼. T. 20 S., R. 7 W.,

Sec. 2, SE14SE14 Sec. 12, NW 1/4 NE 1/4, W 1/2, and SW 1/4 SE 1/4; Sec. 14, N1/2

T. 16 S., R. 8 W., Sec. 24, lots 13 and 15.

T. 17 S., R. 8 W., Sec. 2, lot 5; Sec. 6, lots 1 and 2; Sec. 18, NW ¼ SE ¼; Sec. 22, lots 1, 2, and 3; Sec. 28, lot 1. T. 18 S., R. 8 W.

Sec. 2, lot 1, SE% NE%: Sec. 4, lot 3, S%NW%, SW%, and SW% SEW:

Sec. 6, lot 7; Sec. 28, SE14; Sec. 32, NW 1/4 NE 1/4. T. 19 S., R. 8 W.,

Sec. 6, lots 4 and 5; Sec. 24, SE 1/4 SE 1/4.

T. 17 S., R. 9 W., Sec. 13. E%SW%; Sec. 14. SE%SE%. T. 18 S., R. 9 W.,

Sec. 6, lot 3;

Sec. 0, 101 3; Sec. 14, NW¼NE¼, NE¼NW¼, and NE¼ SW¼; Sec. 23, NE¼NW¼; Sec. 27, W½NE¼; Sec. 30, lots 1 and 4;

Sec. 31, lots 1, 2, and 3, NE 1/4 SW 1/4.

T. 18 S., R. 10 W., Sec. 3, lot 5; Sec. 10, S\(\) S\(\) \(\); Sec. 14, S\(\) \(\) \(\); Sec. 24, S\(\) S\(\) \(\);

T. 17 S., R. 11 W., Sec. 19 Jot 1 T. 18 S., R. 11 W.,

Sec. 7, NE 1/4 NW 1/4; Sec. 18, SE 1/4 SE 1/4. T. 19 S., R. 11 W.,

Sec. 19, NE% NE%; Sec. 34, NE% NE%; Sec. 35, N% N%, SE% NE%, SW% NW%, NW% SW%, and NE% SE%; Sec. 36, NW% SE%.

T. 18 S., R. 12 W., Sec. 2, lot 1; Sec. 3, lots 1, 2, 3, and 4, 8½NE¼; Sec. 15, SE 1/4 NE 1/4 and SE 1/4 NW 1/4.

T. 19 S., R. 12 W., Sec. 1, lots 1 and 2, T. 18 S., R. 1 E., Sec. 24, SW 1/4 SW 1/4. T. 19 S., R. 1 E.,

Sec. 2, SW 1/4 SW 1/4; Sec. 10, lots 3 and 4, S1/4 NW 1/4;

Sec. 12, SW 1/4 SW 1/4:

Sec. 14, NE 1/4 NE 1/4; Sec. 18, fractional NW 1/4 NW 1/4; Sec. 26, N 1/2 N 1/2 and SE 1/4.

T. 16 S., R. 2 E.,

Sec. 20, E½NE¼, NW¼NE¾, and NE¼ SW¼; Sec. 24, NW¼SW¼, E½SE¼, and SW¼ SE¼; Sec. 28, lot 9;

Sec. 30, lots 2 and 3;

Sec. 34, lot 10, SW 14 SE 1/4.

T. 17 S., R. 2-E., Sec. 2, lot 4, SW4, NW14; Sec. 4, SW4, SW4, and B4, SE4;

Sec. 8, N\4 NW\4; Sec. 10, 8\4 SW\4; Sec. 12, W\4;

Sec. 20, E14 NE14 and NE14 SE14.

DOUGLAS COUNTY

T. 20 S., R. 7 W. Sec. 6, lots 3, 4, 5, 6, 7, and 8, T. 19 S., R. 8 W.,

Sec. 8, SW 1/4 and W 1/4 SE 1/4; Sec. 18, lots 1, 7, and 8, SE 1/4 NE 1/4, and N 1/4 SE 1/4;

Sec. 22, SE14 SE14: Sec. 26, NW 14 Sec. 28. SE\(\delta\) SE\(\delta\).
T. 19 S., R. 9 W.,
Sec. 12, lots 1, 2, 3, 4, 5, and 6.

The areas described aggregate approximately 9,841.50 acres of public lands.

4. For a period of 30 days from the date of publication in the FEDERAL REG-ISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2461.3. During this 30-day period interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240.

ARTHUR W. ZIMMERMAN, Assistant State Director.

[P.R. Doc. 70-10762; Filed, Dec. 14, 1970; 8:45 a.m.)

[Utah 0148284]

UTAH

Provisional Notice of Offering of Land for Sale

DECEMBER 8, 1970.

With the provisions noted below, notice is hereby given that, pursuant to the Act of September 19, 1964 (78 Stat. 988). the Secretary of the Interior intends to offer the following lands for sale:

SALT LAKE MERIDIAN, UTAH

T. 4 S. R. 22 E., Sec. 17, 5½NW¼, N½SW¼, SE¼SW¼. T. 5 S., R. 23 E., Sec. 22, W½NW¼.

The lands described aggregate 280 acres.

The lands were classified by Bureau motion as suitable for transfer from Federal ownership to facilitate the orderly waste disposal programs of Uintah County and the city of Vernal. The county is in the process of formulating zoning regulations. When an ordinance is passed, the lands described above will

be zoned for garbage disposal sites. The land, however, cannot be sold until after adequate zoning regulations are adopted by Uintah County and only those lands actually needed for garbage disposal will be sold.

The tract in T. 4 S., R. 22 E is located approximately 2 miles northeast of Vernal, and the tract in T. 5 S., R. 23 E. is located approximately 2 miles east of Jensen, Utah.

After the adequate zoning regulations are adopted, it is the intention of the Secretary of the Interior to enter into an agreement with the authorized officials of Uintah County and the city of Vernal to purchase those portions of the lands needed for garbage disposal purposes at the then appraised fair market value.

Any patent resulting from sale of this land will be issued under the Act of September 19, 1964, supra, and shall contain a reservation to the United States of rights-of-way for ditches and canals under the Act of August 30, 1890 (43 U.S.C. sec. 945), and of all mineral deposits which shall thereupon be withdrawn from appropriation under the public land laws, including the mining and mineral leasing laws. The land will be sold subject to all valid existing rights and reservations for rights-of-way.

R. D. NIELSON, State Director.

[F.R. Doc. 70-16785; Filed, Dec. 14, 1970; 8:47 a.m.]

[Order No. 2508, Amdt. 89]

Office of the Secretary COMMISSIONER OF INDIAN AFFAIRS

Delegation of Authority With Respect to Specific Legislation

Section 30 of Order 2508, as amended, is further amended by the addition under paragraph (a) of a new subparagraph to read as follows:

Sec. 30. Authority under specific acts.
(a) In addition to any authority delegated elsewhere in this order, the Commissioner of Indian Affairs, except as provided in paragraph (b) of this section, is authorized to perform the functions and exercise the authority vested in the Secretary of the Interior by the following acts or portions of acts or any acts amendatory thereof:

(48) The Act of September 16, 1970 (Public Law 91-401, 84 Stat. 838): Which authorizes the use of funds arising from a judgment in favor of the Citizen Band of Potawatomi Indians of Oklahoma in Indian Claims Commission docket No. 96; the Act of September 25, 1970 (Public Law 91-413, 84 Stat. 865): Which provides for the disposition of funds appropriated to pay judgments in favor of the Yakima Tribes in Indian Claims Commission dockets Nos. 47-A, 162, and consolidated 47 and 164, and under all other acts which may authorize the Secretary of the Interior to establish

such procedures as he may deem necessary, including the establishment of trusts, to protect adequately the best interest of enrollees or their heirs or legatees who are less than 21 years of age or who are under a legal disability.

FRED J. RUSSELL, Acting Secretary of the Interior.

DECEMBER 8, 1970.

(F.R. Doc. 70-16786; Filed, Dec. 14, 1970; 8:48 a.m.)

DEPARTMENT OF AGRICULTURE

Office of the Secretary
WISCONSIN

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafternamed county in the State of Wisconsin natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Marqueite Wisconsin

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after June 30, 1971, except to applicants who previously received emergency or special livestock loan assistance and can qualify under established policies and procedures.

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

J. PHIL CAMPBELL, Acting Secretary.

[F.R. Doc. 70-16773; Filed, Dec. 14, 1970; 8:46 a.m.]

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. B-498]

BOAT ORCA, INC. Notice of Loan Application

DECEMBER 9, 1970.

Boat Orca, Inc., 17 A Spring Street, Cohasset, MA 02025, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 65.9foot registered length wood vessel to engage in the fishery for groundfish, flounders, whiting, and fish for industrial use.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c. Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National

Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, D.C. 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK, Chief,

Division of Financial Assistance.
[F.R. Doc. 70-16815; Filed. Dec. 14, 1970; 8:50 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ACTING ASSISTANT SECRETARY FOR RENEWAL AND HOUSING MAN-AGEMENT

Designation

G. Richard Dunnells, Acting Deputy Assistant Secretary for Renewal and Housing Management, is designated Acting Assistant Secretary for Renewal and Housing Management, with all the power and authority delegated to the Assistant Secretary for Renewal and Housing Management, during the current absence of Norman V. Watson, Deputy Assistant Secretary for Renewal and Housing Management.

(Sec. 7(d), Department of HUD Act; 42 U.S.C. 3535(d))

Effective date. This designation shall be effective as of December 10, 1970.

George Romney, Secretary of Housing and Urban Development.

[F.R. Doc. 70-16823; Filed, Dec. 14, 1970; 8:51 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-247]

OF NEW YORK, INC.

Notice of Availability of Detailed Statement on Environmental Considerations

Pursuant to the National Environmental Policy Act of 1969 and to the Atomic Energy Commission's regulations in 10 CFR Part 50, notice is hereby given that a document entitled "Detailed Statement on the Environmental Considerations by the Division of Reactor Licensing, U.S. Atomic Energy Commission, related to the proposed operation of Indian Point Nuclear Generating Unit No. 2 by the Consolidated Edison Company of New York, Inc.," is being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and in the Office of Dr. Eugene W. Booth, Hendrick Hudson High School, Albany Post Road, Montrose, NY, where it will be available for public inspection. Appended to the statement are the applicant's environmental report and the comments of various Federal, State, and local agencies. A public hearing on the application for an operating license for the Indian Point Nuclear Generating Unit No. 2, commences December 17, 1970 in Peekskill, N.Y.

Single copies of the Statement may be obtained by writing to the Director, Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 7th day of December 1970,

For the Atomic Energy Commission.

PETER A. MORRIS, Director, Division of Reactor Licensing.

[F.R. Doc. 70-16758; Filed, Dec. 14, 1970; 8:45 a.m.]

[Docket No. 50-323]

PACIFIC GAS AND ELECTRIC CO.

Notice of Issuance of Provisional Construction Permit

Notice is hereby given that, pursuant to the initial decision of the Atomic Safety and Licensing Board, dated December 8, 1970, the Director of the Division of Reactor Licensing has issued Provisional Construction Permit No. CPPR-69 to Pacific Gas and Electric Co. for the construction of a pressurized water nuclear reactor, designated as Unit No. 2 of the Diablo Canyon Nuclear Power Plant, at the applicant's Diablo Canyon site in San Luis Obispo County, Calif. The reactor is designed for operation at approximately 3,250 megawatts thermal.

A copy of the initial decision is on file in the Commission's Public Document Room, 1717 H Street NW., Washington, DC. Copies of Provisional Construction Permit No. CPPR-69 are also on file in the Commission's Public Document Room or may be obtained upon request addressed to Director, Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 9th day of December 1970.

For the Atomic Energy Commission.

PETER A. MORRIS, Director, Division of Reactor Licensing.

[F.R. Doc. 70-16774; Filed, Dec. 14, 1970; 8:46 a.m.]

CIVIL SERVICE COMMISSION

NURSING ASSISTANT AND LICENSED PRACTICAL NURSE POSITIONS IN SEVERAL LOCATIONS

Notice of Establishment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has established special minimum salary rates and rate ranges as follows:

[Table No. 333]

GS-621 NURSING ASSISTANT SERIES

(EXCLUDING LICENSED PRACTICAL NUBBE)

Geographic coverage: New York, New York Standard Metropolitan Statistical Area (Includes New York City, Nassau, Rockland, Suffolk, and Westchester Counties).

Effective date: First day of the first pay period beginning on or after November 29, 1970.

PER ANNUM RATES

Grade	1	2	3	4	ā	6	7	8	9	10
G8-2	6, 243	5,908 6,438	6, 082	6, 256	6, 430	6,604 7,218	6,778	6,952 7,608	7, 126	7,300

[Table No. 334]

GS-621 LICENSED PRACTICAL NURSE

Geographic coverage: New York, New York Standard Metropolitan Statistical Area.

Effective date: First day of the first pay period beginning on or after November 29, 1970.

PER ANNUA PATES

Grade	1	2	3	147	5	6.	0.70	8	0	10
G8-3	7,218	7, 413	7,608	8 202	7,998 8 510	8, 193	8,388	9, 164	9,383	9,600

[Table No. 335]

GS-621 NURSING ASSISTANT SERIES (EXCLUDING LICENSED PRACTICAL NURSE)

Geographic coverage: East Orange and Lyons Veterans Administration Hospitals, N.J. Effective date: First day of the first pay period-beginning on or after November 29, 1970.

PER ANNUM BATES

Grade	1	2	3	4	8	6	7.	8	9	10
GS-2	\$5, 237	\$5, 391	\$5, 545	\$5,000	\$5, 853	\$6,007	\$6, 161	\$6,315	\$6, 460	\$0,623
	5, 560	5, 734	8, 908	6,032	6, 250	6,430	6, 604	6,778	6, 552	7,126
	6, 048	6, 243	6, 438	6,633	6, 828	7,023	7, 218	7,413	7, 608	7,803

[Table No. 326]

GS-621 LICENSED PRACTICAL NURSE

Geographic coverage: East Orange and Lyons Veterans Administration Hospitals, N.J. Effective date: First day of the first pay period beginning on or after November 29, 1976.

PER ANNUM RATES

Grade	1	2	3	4	. 5	6	7	8	9	10
08-3	\$5, 082	\$6,256	\$6,430	\$6,604	\$6,778	\$6,952	\$7, 126	\$7, 300	\$7,474	\$7,648
	6, 438	6,633	6,828	7,023	7,218	7,413	7, 608	7, 803	7,998	8,193
	6, 766	6,984	7,202	7,420	7,638	7,856	8, 074	8, 292	8,510	8,728

Prable No. 3371

GS-621 LICENSED PRACTICAL NURSE

Geographic coverage: Cook County, Ill. (Including the city of Chicago). Effective date: First day of the first pay period beginning on or after November 29, 1970.

PER ANNUM BATES

Grade	1	2	3	- 4.	8	8	7	8	9	30
08-3 08-4	\$6,082 6,438 6,766	\$6, 256 6, 633 6, 984	\$6, 430 6, 828 7, 202	\$6,604 7,023 7,420	\$6,778 7,218 7,638	\$6,952 7,413 7,856	\$7, 126 7, 608 8, 074	\$7, 300 7, 803 8, 292	\$7, 674 7, 998 8, 510	\$7,665 8,193 8,728

All new employees in the specified occupational level will be hired at the new minimum rates.

As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the statutory rates shall receive basic compensation at the corresponding numbered rate authorized by this notice on or after each date. The pay adjustment will not be considered an

equivalent increase within the meaning million gallons per day and would be of 5 U.S.C. 5335.

Under the provisions of section 3-2b. Chapter 571, FPM, agencies may pay the travel and transportation expenses to first post of duty under 5 U.S.C. 5723, of new appointees to positions cited.

UNITED STATES CIVIL SERV-ICE COMMISSION. [SEAL] JAMES C. SPRY. Executive Assistant to the Commissioners.

[F.R. Doc. 70-16745; Filed, Dec. 14, 1970; 8:45 a.m.]

used to supply the City and surrounding service area in Northampton County, Pa.

Documents relating to the items on this hearing notice may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary to the Commission; Telephone (609) 883-9500

> W. BRINTON WHITALL, Secretary.

DECEMBER 4, 1970.

[P.R. Doc. 70-16816; Filed, Dec. 14, 1970; 8:50 a.m.]

TYPING AND STENOGRAPHIC SKILLS, NEW YORK CITY

Notice of Establishment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has established special minimum salary rates and rate ranges as follows:

[Table No. 900]

Occupational coverage: All positions in grades GS-2 through GS-5 with the following parenthetical titles: (Typing); or (Stenography); or (Dictating Machine Transcribing).

I Nove: Use of any of the parenthetical titles cited indicates that a substantial requirement for the skill identified exists in the position and the requirement is of sufficient significance to warrant selective certification from an appropriate derical register (or equivalent selectivity in noncompetitive actions). In all cases, the position description must reflect those duties which necessitated the use of the parenthetical title.

Geographic overage: New York, N.Y. (includes the counties of Bronx, Kings, New York, Queens, and Bishmond).

Effective date: First day of the first pay period beginning on or after November 15, 1970.

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
G8-2	88, 237	\$5,391	\$5, 545	\$5,609	\$5,853	\$6,007	\$6, 161	\$6,315	\$6, 400	86, 623
G8-3	5, 734	5,908	6, 082	6,256	6,430	6,604	6, 778	6,952	7, 126	7, 300
G8-4	6, 243	6,438	6, 633	6,828	7,623	7,218	7, 413	7,008	7, 803	7, 998
G8-5	6, 766	6,984	7, 202	7,420	7,638	7,856	8, 074	8,292	8, 510	8, 728

All new employees in the specified occupational level will be hired at the new minimum rates.

As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the statutory rates shall receive basic compensation at the corresponding numbered rate authorized by this notice on or after each date. The pay adjustment will not be considered an equivalent increase within the meaning of U.S.C. 5335.

Under the provisions of section 3-2b, Chapter 571, FPM, agencies may pay the travel and transportation expenses to first post of duty under 5 U.S.C. 5723, of new appointees to positions cited.

UNITED STATES CIVIL SERV-ICE COMMISSION, [SEAL] JAMES C. SPRY, Executive Assistant to

the Commissioners. [F.R. Doc. 70-16744; Filed, Dec. 14, 1970; 8:45 a.m.]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Thursday, December 17, 1970. The hearing will take place in the South Auditorium of the ASTM Building, 1916 Race Street in Philadelphia, beginning at 2 p.m. The hearing will be on proposals to amend the Comprehensive Plan so as to include the following projects:

1. Radnor-Haverford-A. arple Authority. A modification of the Authority's existing treatment plant in Haverford Township, Delaware County, Pa., as an interim measure to improve the degree of treatment. Ninety percent of BOD, will be removed from 5.4 million gallons per day of sewage flow prior to discharge into Darby Creek.

2. City of Bethlehem. Utilization of two existing wells as emergency water supply sources for the City of Bethlehem. Each facility has a capacity of 1,6

FEDERAL MARITIME COMMISSION

NORTH ATLANTIC WESTBOUND FREIGHT ASSOCIATION

Notice of Agreement Filed

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

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

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

Notice of agreement filed by:

Ronald A. Capone, Esq., Kirlin, Campbell & Keating, The Farragut Building, 900 17th Street NW., Washington, DC 20006.

Agreement No. 5850-15 between the member lines of the North Atlantic Westbound Freight Association deletes the present self-policing provisions of that Conference and establishes new provisions pursuant to General Order 7 revised as of October 28, 1970. The new self-policing provisions are the neutral body type with further recourse to arbitration.

Dated: December 11, 1970.

By order of the Federal Maritime Commission,

Francis C. Hurney, Secretary.

[F.R. Doc. 70-16881; Filed, Dec. 14, 1970; 8.51 a.m.]

PITTSTON STEVEDORING CORP. AND CHILEAN LINE, 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 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence, An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce,

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

Notice of agreement filed by:

Mr. Ronald A. Capone, Kirlin, Campbell & Keating, Attorneys for Chilean Line, Inc., The Farragut Building, 900 17th Street, NW., Washington, DC 20006.

Agreement No. T-2475, between Pittston Stevedoring Corp. (Pittston) and Chilean Line, Inc. (Chilean Line), provides for Pittston to render terminal services at Chilean Line's premises at the Port Authority Grain Terminal, Brooklyn, N.Y., as outlined in the agreement. Pittston will collect dockage, wharfage, and demurrage charges from all users of the terminal and pay such charges, less cost of clerical services, to Chilean Line subject to a minimum guarantee of \$150,000 per year.

Dated: December 11, 1970.

Francis C. Hurney, Secretary.

[F.R. Doc. 70-16882; Filed, Dec. 14, 1970; 8:51 a.m.]

PITTSTON STEVEDORING CORP. AND CHILEAN LINE, 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 agree-ment at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of dis-crimination 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:

Mr. Ronald A. Capone, Kirlin, Campbell & Keating, Attorneys for Chilean Line, Inc., The Parragut Building, 900 17th Street NW., Washington, DC 20006.

Agreement No. T-2476, between Pittston Stevedoring Corp. (Pittston) and Chilean Line, Inc. (Chilean Line), provides for Pittston to act as terminal operator and stevedore for Chilean Line as outlined in the agreement. Chilean Line agrees to employ Pittston as its sole contractor for stevedoring and related terminal services in the Port of Greater New York except when cargo must be discharged at certain locations where Pittston cannot perform services,

Dated: December 11, 1970.

Francis C. Hurney, Secretary.

[P.R. Doc. 10-16883; Filed, Dec. 14, 1970; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP70-191]

ALABAMA-TENNESSEE NATURAL GAS CO.

Notice of Petition To Amend

DECEMBER 8, 1970.

Take notice that on November 25, 1970, Alabama-Tennessee Natural Gas Company (petitioner), Post Office Box 918, Florence, AL 35630, filed in Docket No. CP70-191 a petition to amend the order issuing a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act in said docket by authorizing Petitioner to rearrange sales and deliveries of natural gas to certain existing customers, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that certain of its customers have requested reductions in daily deliveries, that other customers have requested increases in daily deliveries, and that the reductions and increases offset each other so that only a rearrangement is required. The proposed rearrangement calls for the reduction of 1,500 Mcf of gas per day and 450 Mcf per day in deliveries to the city of Tuscumbia and Reynolds Metals Co., respectively, and for increases of 1,500 Mcf per day and 450 Mcf per day in deliveries to USS Agri-Chemicals, Division of United States Steel, and Muscle Shoals Natural Gas Corp., respectively.

Petitioner states that no additional facilities or gas supply are required and there will be no appreciable overall effect on Petitioner's revenues, expenses and income.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 28, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

> GORDON M. GRANT, Secretary.

[F.R. Doc. 70-16795; Filed, Dec. 14, 1970;

[Docket No. CI62-4841

ARTEX OIL CO.

Notice of Redesignation

DECEMBER 7, 1970.

On September 14, 1970, Artex Oil Co., filed a letter to advise the Commission that effective May 25, 1970, Arco Industries ceased doing business as Arco Petroleum Co. and commenced doing business as Artex Oil Co. as evidenced by a certificate of abandonment of fictitious name dated May 28, 1970, and a certificate of corporation doing business under fictitious name dated May 28, 1970.

Accordingly, (1) the certificate of corporation doing business under fictitous name dated May 28, 1970, is accepted for filing effective as of May 25, 1970; (2) the name of the respondent in the proceeding pending in Docket No. RI70-1653 is changed from Arco Petroleum Co. to Artex Oil Co.; and (3) the name of the certificate holder in the following dockets is changed from Arco Petroleum Co. or Arco Petroleum Co. by Arco Industries to Artex Oil Co, and the related FPC gas rate schedules are redesignated with the same numerical designations:

FPC gas rate	Certificate
schedule No.	docket No.
1	CI69-379
2	CI62-484
3	CI63-1082
4	CI63-507
5	CI69-688
6 1	CI70-395
7.1	CI67-1091
8 1	CI67-1197

"By Arco Industries"

GORDON M. GRANT. Secretary.

[P.R. Doc. 70-16796; Filed, Dec. 14, 1970; 8:48 a.m.]

[Docket No. RP71-51]

CASCADE NATURAL GAS CORP. Notice of Proposed Increase in

Natural Gas Rates

DECEMBER 8, 1970.

Take notice that on December 1, 1970, Cascade Natural Gas Corp. (Cascade) tendered for filing a proposed change in Its FPC Gas Tariff, Rate Schedule No. (a contract dated Sept. 3, 1965), to be effective as of January 1, 1971. The filing proposes to implement the periodic price provision of article IV of the rate schedule to increase the level of rate from 21 cents per Mef to 22 cents. The impact of the change would increase the charges to its sole jurisdictional customer, Mountain Fuel Supply Co. (Mountain Fuel) by approximately \$128,000 per annum, based on operations for the 12month period ended July 31, 1970.

Cascade states that the filing is necessary because of the periodic increases in its purchase gas costs which become effective as of January 1, 1971, as well as increases in other operating costs. The company requests that in view of the deficiency in earnings after the proposed become effective without suspension.

Copies of the filing were served on Mountain Fuel and on interested state Commissions. Concurrently with the filing, Cascade submitted a copy of a letter from Mountain Fuel dated November 4. 1970, stating that that company does not oppose the increase in rate,

Any person desiring to be heard or to make any protest with reference to said tender should on or before December 23, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with 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.

> GORDON M. GRANT, Secretary.

[F.R. Doc. 70-16793; Filed, Dec. 14, 1970; 8:48 a.m.)

[Docket No. CP66-226]

CITIES SERVICE GAS CO.

Notice of Petition To Amend

DECEMBER 8, 1970.

Take notice that on November 27, 1970, Cities Service Gas Co. (petitioner), Post Office Box 25128, Oklahoma City, OK 75125, filed in Docket No. CP66-226 a petition to amend the order of the Commission dated August 15, 1967 (38 FPC 364), granting a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act so as to conform such certificate authorization to the facilities actually installed, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

On August 15, 1967, the Commission authorized Petitioner, inter alia, to in-stall various facilities to increase the peak day capacity of its Kansas-Hugoton pipeline from 505,000 to 605,000 Mcf and to take up to an additional 100,000 Mcf of natural gas per day into such pipeline from existing sources in the Kansas-Hugoton area.

Petitioner requests that the Commission amend the above mentioned certificate authorization in the following ways:

(a) To authorize Petitioner to construct 147.2 miles of 26-inch pipeline looping its Kansas-Hugoton pipeline in lieu of the authorized 176.64 miles of 26inch loop.

(b) To delete the authorization for an additional 135,000 Mcf per day capacity in its existing dehydration plant at the Hugoton Compressor Station, Grant County, Kans.

(c) To authorize Petitioner to construct 9.77 miles of 20-inch and 3.23

increase, such increase be permitted to miles of 26-inch pipeline in lieu of the authorized 13 miles of 20-inch pipeline.

(d) To authorize Petitioner to construct 0.5 mile of 6-inch and 0.4 mile of 4-inch pipeline to connect three producing wells in Kearny County, Kans., in lieu of the authorized 3 miles of 6-inch pipeline, in sections of approximately 1.5 miles each, to connect to petitioner's gathering system three producing wells in Kearny County, Kans., and two producing wells in Grant County, Kans.

(e) To delete the authorization for the authorized gathering facilities to con-nect 301 wells in the Panoma-Council Grove Field in view of the fact that the wells were not drilled.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 28, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

> GORDON M. GRANT. Secretary.

[F.R. Doc. 70-16797; Filed, Dec. 14, 1970; 8:49 a.m.]

[Docket No. CP71-153]

CONSOLIDATED GAS SUPPLY CORP.

Notice of Application

DECEMBER 8, 1970.

Take notice that on November 25, 1970. Consolidated Gas Supply Corp., a sub-sidiary of Consolidated Natural Gas Co. (applicant), 4 Gateway Center, Pitts-burgh, Pa. 15222, filed in Docket No. CP71-153 an application pursuant to section 3 of the Natural Gas Act for an order of the Commission authorizing applicant to import liquefied natural gas (LNG) from Algeria into the United States, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks authorization to import for an initial term of 25 years up to 82,125 billion B.t.u. of LNG annually.2

Applicant states that it is advised that the natural gas proposed to be imported will be produced and gathered in the

Equivalent to approximately 73 million Mcf per year of natural gas in vaporous state at 1.125,000 B.t.u./Mcf or 200,000 Mcf per day under like conditions,

^{*} Concurrently with the filing of the instant application, El Paso Eastern Company filed in Docket No. CP71-66 a notice of withdrawal of its application for authorization to import these volumes of LNG.

Société Nationale de Recherche et d'Exploration des Pétrols en Algérie, The gas will be transferred to the Société Nationale pour la Recherche, la Production, le Transport, la Transformation et la Commercialisation des Hydrocarbures (Sonatrach), an Algerian government corporation. Sonatrach will cause the quantities of natural gas so produced and gathered to be transported and delivered to its liquefaction plant site, to be situated near the seaport of Arzew, Algeria. There Sonatrach will liquefy such gas, store and load LNG through its facilities into LNG tankers, at which point the LNG will be sold to El Paso Algeria Corp. (El Paso Algeria), a Delaware corporation. The LNG will then be shipped to the United States via LNG tankers owned by the El Paso Marine Co., a Liberian corporation. Aboard ship, on the high seas at a point west of the 50th meridian. west longitude, the LNG will be sold by El Paso Algeria to applicant. The LNG will be transported to a point of unloading and storage to be located at Cove Point, Md., or such other port on the eastern seacoast of the United States as applicant shall select.

Applicant states that the base import price which it will pay to El Paso Algeria is 58.5 cents per million B.t.u., which includes the base cost of LNG purchased by El Paso Algeria from Sonatrach and the estimated base cost of transportation to be incurred by El Paso Algeria in causing such LNG to be shipped by El Paso Marine Co. and delivered to a terminal in Cove Point, Md. If another terminal is selected, a new base import price will be computed using the same factors and in the same manner as were utilized in arriving at the base price for Cove Point, Md. In either case, such base price will be subject to various adjustments.

Applicant states that it must seek alternative sources of gas supply if it is to maintain existing levels of service to its system and to meet the growth in requirements in the foreseeable future. Applicant further states that the proposed importation of LNG from Algeria will constitute an important and essential new source of gas supply for applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 28, 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

cordance with the Commission's rules.

GORDON M. GRANT, Secretary.

8:49 a.m.]

[Docket No. RP71-50]

EASTERN SHORE NATURAL GAS CO.

Notice of Proposed Increases in Natural Gas Rates

DECEMBER 4, 1970.

Take notice that on November 30, 1970, Eastern Shore Natural Gas Co. (Eastern Shore) tendered for filing proposed changes in its FPC Gas Tariff Original Volume No. 1, to be effective as of January 1, 1971. The filing proposes to increase the commodity component of Eastern Shore's Rate Schedules Nos. CD-1, CD-E, G, and PS-1 by 1 cent per Mcf (from 31.4 cents to 32.4 cents) and to increase the rate level of its interruptible service under Rate Schedule No. I-1 by 8 cents per Mcf (from 42 cents to 50 cents). The impact of such changes would increase its jurisdictional revenues by approximately \$32,000 per annum based on operations for the 12month period ended July 31, 1970.

Eastern Shore states that the filing is necessary to effectuate a partial tracking of the 1 cent per Mcf increase in the commodity component of its supplier's (Transcontinental's) Rate Schedule No. CD-3 on January 1, 1970, and a further increase thereof of 1 cent per Mcf on January 1, 1971. Eastern Shore also states that the filing reflects the traditional Seaboard cost allocation methodology using an overall rate of return of 8.25 percent. The filing also contains a "Stipulation as to Rates" providing for future rate reductions to track supplier rate reductions and a flow-through of supplier refunds.

Copies of the filing were served Eastern Shore's jurisdictional customers and upon interested State commissions.

Any person desiring to be heard or to make any protest with reference to said tender should on or before December 21, 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 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. The ten-

Hassi R'Mel field in Algeria by the must file a petition to intervene in ac- der is on file with the Commission and available for public inspection.

> GORDON M. GRANT, Secretary.

[F.R. Doc. 70-16798; Filed, Dec. 14, 1970; [F.R. Doc. 70-16794; Filed, Dec. 14, 1970; 8:48 a.m.)

[Docket No. CP71-154]

EL PASO NATURAL GAS CO.

Notice of Application

DECEMBER 8, 1970.

Take notice that on November 30, 1970. El Paso Natural Gas Co. (El Paso) Post Office Box 1492, El Paso, TX 79999, filed in Docket No. CP71-154 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the emergency standby sale and delivery of natural gas to Southern Union Gas Co. (Southern Union) and the construction and operation of certain pipeline facilities therefor for a limited term continuing through September 30, 1971, all as more fully set forth in the application on file with the Commission and open to public inspection.

The application states that El Paso and Southern Union have entered into a Service Agreement dated October 1, 1970. which provides for the limited term emergency standby sale and delivery of natural gas to Southern Union, Upon receipt of requisite authorization El Paso will deliver up to 7,000 Mcf of natural gas daily as and when needed by Southern Union on an emergency standby basis at a point of interconnection of El Paso's and Southern Union's facilities in Hutchinson County, Tex.

The application states that the service required by Southern Union is a result of a continuing decline in production pressure of the supply sources utilized by Southern Union for service to Borger, Tex., and environs. As a result of such pressure decline, supply may not be adequate to meet the needs of existing customers during the 1970-71 heating

El Paso states that the total estimated cost of the proposed facilities, consisting of a tap and necessary appurtenances, is \$2,650, which will be paid for and installed by Southern Union,

Any person desiring to be heard or to make any protest with reference to said application should on or before December 29, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party

³ Equivalent to approximately 65.8 cents per Mcf at 1,125,000 B.t.u./Mcf.

to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with

the Commission's rules.

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

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

> GORDON M. GRANT. Secretary.

P. R. Doc. 70-16799; Piled, Dec. 14, 1970; 8:49 a.m.]

[Docket No. CP71-1491

KANSAS-NEBRASKA NATURAL GAS CO., INC.

Notice of Application

DECEMBER 7, 1970.

Take notice that on November 23, 1970, Kansas-Nebraska Natural Gas Co., Inc. (applicant), Phillipsburg, Kans., filed in Docket No. CP71-149, an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to construct and operate certain facilities, to increase the working gas volume of its underground storage facilities, and to provide for increased firm market demands of certain of its existing customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to accept increased volumes of exchange gas from Panhandle Eastern Pipeline Co. (PEPL) and to purchase additional volumes of gas from PEPL as provided in an exchange agreement between the parties previously authorized by the Commission's order dated June 19, 1970, in Dockets Nos. CP 70-249 and CP70-243. Said gas is to be delivered at an existing delivery point for exchange gas near Douglas, Converse County, Wyo.

Applicant seeks authority to increase the working gas of Huntsman Storage Field, located in Cheyenne County, Nebr., to a maximum of 27 billion cubic feet. Applicant states that the increase is necessary and desirable in order to balance contractual minimum gas purchase obligations and system market demands.

Applicant further seeks authority to construct and operate a new 4,000 horsepower reciprocating compressor station near Guernsey, Wyo., and approximately 162 miles of 12-inch and 16-inch pipeline in Wyoming and Nebraska.

Applicant states that the new facilities are necessary to permit it to receive exchange gas and to purchase additional volumes of gas from PEPL and to meet increased firm market demands, estimated to increase 10,000 Mcf per day during the winter season of 1971-72.

Applicant estimates that the cost of these facilities will be approximately \$9,185,000, which will be financed out of current working capital and interim bank loans, which at a later date will be funded through a security issue.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 28, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules

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

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

> GORDON M. GRANT. Secretary.

[F.R. Doc. 70-16800; Filed, Dec. 14, 1970; 8:49 a.m.1

[Project No. 1097]

LEONARD LUNDGREN

Notice of Application for New License for Constructed Project

DECEMBER 7, 1970.

Public notice is hereby given that ap-

under the Federal Power Act (17 U.S.C. 791a-825r) by Leonard Lundgren (correspondence to: Leonard Lundgren, Post Office Box 70, Bend, OR 97701), for his constructed Jack Creek Project No. 1097. located on Jack Creek, tributary to Metolious River, in Jefferson County, Oreg., and affects lands of the United States within the Deschutes National Forest.

The existing Jack Creek Project consists of: (1) A rock fill timber-crib diversion dam about 2 feet high and 50 feet long, and a diversion canal about 11,900 feet long located on U.S. lands (2) 30inch steel penstock about 350 feet long; (3) powerhouse containing one generating unit with 93 kw. capacity; (4) 23 kv. transmission line about 3,135 feet long extending from the powerhouse to the Applicant's home and the home of an employee of the Applicant, and (5) appurtenant facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 8, 1971, 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. The application is on file with the Commission and available for public inspection.

> GORDON M. GRANT. Secretary.

[F.R. Doc. 70-16801; Filed, Dec. 14, 1970; 8:49 a.m.]

[Docket No. G-2335, etc.]

MID LOUISIANA GAS CO.

Notice of Petition To Amend DECEMBER 7, 1970.

Take notice that on September 15, 1970, as supplemented on November 25, 1970, Mid Louisiana Gas Co. (petitioner) filed in Docket No. G-2335 et al., a petition to amend the orders of the Commission issuing certificates of public convenience and necessity in the subject dockets by substituting the name "Mid Louisiana Gas Company" for "Humble Gas Transmission Company," all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that the certificates of public convenience and necessity issued in the subject dockets were issued to Humble Gas Transmission Co. Petitioner further states that Petitioner's Certificate of Incorporation was amendplication for new license has been filed ed on May 4, 1970, to change its name from Humble Gas Transmission Co. to Mid Louisiana Gas Co.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 28, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

> GORDON M. GRANT, Secretary.

[F.R. Doc. 70-16802; Filed, Dec. 14, 1970; 8:49 a.m.]

[Docket No. CP70-119 (Phase I)]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Petition To Amend

DECEMBER 8, 1970.

Take notice that on November 23, 1970, Natural Gas Pipeline Company of America (petitioner), filed in Docket No. CP70-119 (Phase I) a petition to amend the order dated March 5, 1970, issuing a certificate of public convenience and necessity, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Specifically, petitioner requests that said order be amended to delete the authorization for petitioner to construct and operate: (a) Approximately 7.98 miles of 24-inch pipeline looping in Ogle and Winnebago Counties, Ill.; (b) four injection-withdrawal wells and approximately 1 mile of 6-inch gathering pipeline at the Cairo Storage Field, Louisa County, Iowa; (c) four injection-with-drawal wells and approximately 1.50 miles of 6-inch gathering pipeline at the Columbus City Storage Field, Louisa County, Iowa, and (d) two injectionwithdrawal wells and approximately 0.75 mile of 12-inch gathering pipeline at the Herscher Northwest Storage Field, Kankakee County, Ill.

Petitioner states that it has been informed by Mid-Illinois Gas Co. that the proposed pipeline looping in Ogle and Winnebago Countles, Ill., will not be required at this time due to their pending merger with Northern Illinois Gas Co. The petitioner further states that as a result of development work in the Mount Simon formation in Iowa, any additional construction with regard to the Columbus City-St. Peter facility is being deferred. Furthermore, evaluation of withdrawals made during the winter of 1969–70 indicates that the existing facilities

at Cairo and Herscher Northwest are sufficient to meet the storage requirements of petitioner and that the additional proposed facilities are not required at this time.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before December 28, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

> GORDON M. GRANT, Secretary.

[F.R. Doc. 70-16803; Filed, Dec. 14, 1970; 8:49 a.m.]

[Project No. 1553]

NEW JERSEY ZINC CO.

Notice of Application for New License for Constructed Project

DECEMBER 7, 1970.

Public notice is hereby given that application for a new license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by The New Jersey Zinc Co. (correspondence to: A. L. Hayes, The New Jersey Zinc Co., Gilman, Colo. 81635) for its constructed Fall Creek Hydroelectric Plant, Project No. 1553 located on Fall Creek in Eagle County, Colo., in the region of Belden, Gilman, Redcliff, and Minturn and affects lands of the United States within White River National Forest. The last license for the project expired on June 27, 1970.

The existing project consists of: (1) A head gate and intake reservoir; (2) a 15-inch diameter pipeline approximately 3,000 feet in length extending from Fall Creek to the powerhouse; (3) a powerhouse, of concrete block construction, containing three Pelton wheels, two of which drive air compressors and the third a 100-ky,-a generator.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 11, 1971, 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. The application is on file with the Commission and available for public inspection.

> GORDON M. GRANT, Secretary.

[F.R. Doc. 70-16804; Filed, Dec. 14, 1970; 8:49 a.m.]

[Docket No. CP71-152]

PANHANDLE EASTERN PIPE LINE CO. Notice of Application

DECEMBER 4, 1970.

Take notice that on November 25, 1970, Panhandle Eastern Pipe Line Co. (applicant), Post Office Box 1642, Houtson, TX 77001, filed in Docket No. CP71-152 an application pursuant to section 7 of the Natural Gas Act requesting authorization to install two interconnections with Northern Natural Gas Co., operating as Peoples Natural Gas Division (Northern), and to transport gas for Northern through the use of applicant's existing system in accordance with an interconnection and transportation agreement dated November 19, 1970, between the parties, all as more fully set forth in the application which is on file with the Commission and open to public inspec-

Specifically, applicant requests Commission authorization to transport up to 20,000 Mcf of gas per day for Northern through a portion of applicant's existing system in the State of Kansas. The gas to be delivered to applicant near Ulysses, Kans., and will be transported through applicant's 26-inch Hugoton supply line and then into applicant's mainline for redelivery to Northern upstream of applicant's Haven Compressor Station in Reno County, Kans, An alternate point of redelivery will be con-structed in Harper County, Kans., where a connection between Northern's system and applicant's Elk City Supply Line will be made.

Applicant states that the estimated cost of the project is approximately \$37,000, to be financed from general funds.

Applicant states that the implementation of the proposed project will increase the utilization of applicant's facilities involved in the project but will not impair its ability to serve other customers, since the proposed transportation service is interruptible at applicant's option. Further, the project will enable Northern to make available to its Eastern System volumes of gas produced in the Hugoton Field with a minimum of new facilities and at minimum cost.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 28, 1970, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (118 CFR 157.10). All protests filed with the Commission will be considered by it in

determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

> GORDON M. GRANT, Secretary.

[P.R. Doc. 70-16805; Filed, Dec. 14, 1970; 8:49 a.m. J

[Docket No. CP71-151]

SOUTHERN ENERGY CO.

Notice of Application

DECEMBER 7, 1970.

Take notice that on November 25, 1970, Southern Energy Co. (applicant), Post Office Box 2563, Birmingham, Ala. 35202, filed in Docket No. CP71-151 an application pursuant to section 3 of the Natural Gas Act for an order of the Commission authorizing applicant to import liquefied natural gas (LNG) from Algeria into the United States, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks authorization to import for an initial term of 25 years up to 205,312,500 million B.t.u.1 of LNG annually."

Applicant states that it is advised that the natural gas proposed to be imported will be produced and gathered in the Hassi R'Mel field in Algeria by the Société Nationale de Recherche et d'Exploration des Pétrols en Algérie. The gas will be transferred to the Société Nationale pour la Recherche, la Production, le Transport, la Transformation et la Commercialisation des Hydrocarbures (Sonatrach), an Algerian government

¹ Equivalent to approximately 182,500,000 Mcf per year of natural gas in vaporous state at 1,125,000 B.t.u./Mcf or 500,000 Mcf per day under like conditions.

corporation. Sonatrach will cause the quantities of natural gas so produced and gathered to be transported and delivered to its liquefaction plantsite, to be situated near the seaport of Arzew, Algeria. There Sonatrach will liquefy such gas, store and load LNG through its facilities into LNG tankers, at which point the LNG will be sold to El Paso Algeria Corp. (El Paso Algeria), a Delaware corporation. The LNG will then be shipped to the United States via LNG tankers owned by the El Paso Marine Co., a Liberian corporation, Aboard ship, on the high seas at a point west of the 50th meridian, west longitude, the LNG will be sold by El Paso Algeria to applicant, The LNG will be transported to a point of unloading and storage to be located at Savannah, Ga.

Applicant states that the base import price which it will pay to El Paso Algeria is 65 cents per million B.t.u., which includes the base cost of LNG purchased by El Paso Algeria from Senatrach and the estimated base cost of transportation to be incurred by El Paso Algeria in causing such LNG to be shipped and delivered. Such base price will be subject to various adjustments.

Applicant states that the proposed importation will be of material assistance in alleviating gas supply problems being experienced in applicant's market area, and will provide a new source of natural gas presently in great demand for the reduction of air pollution.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 28, 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

> GORDON M. GRANT. Secretary.

[P.R. Doc. 70-16806; Piled, Dec. 14, 1970; 8:49 a.m.)

[Docket Nos. RP71-6, RP71-7]

TENNESSEE GAS PIPELINE CO. AND ALABAMA-TENNESSEE NATURAL GAS CO.

Order Amending Prior Orders Providing for Hearings, Rejecting Proposed Revised Tariff Sheets, and Accepting and Suspending Proposed Alternative Revised Tariff Sheets

DECEMBER 8, 1970.

On October 13, 1970, we issued orders in the above proceedings directing Tennessee and Alabama-Tennessee inter alia to indicate by appropriate notes to financial statements that each had sought Commission approval of a higher depreciation rate, that such depreciation rates had not been approved by the Commission, and that depreciation expenses were not to be charged on books of account at such higher rates.

The Commission has on its own motion reviewed these provisions of our October 13 orders. Upon reconsideration we deem it inappropriate for either to charge depreciation expenses on its books of account at a rate which is less than that claimed to establish charges to its customers for gas service. To that extent we reverse such orders of October 13, 1970, and will permit each to charge on its books of account com-mencing April 1, 1971, depreciation expenses calculated at its claimed depreciation rate. From April 1, 1971, until such time as the Commission prescribes appropriate depreciation rates the depreciation rates to be allowed herein should be considered to be contingent and appropriately so noted on financial statements issued to the public.

The Commission orders:

- (1) The paragraph beginning at the bottom of page 3 and ending at the middle of page 4, and ordering paragraph (E) of our October 13, 1970, order in Docket No. RP71-6 (Tennessee) are to be stricken
- (2) The second paragraph on page 4, and ordering paragraph (D) of our October 13, 1970, order in Docket No. RP71-7 (Alabama-Tennessee) are to be stricken.
- (3) Except as herein modified all provisions of such orders are to remain in full force and effect.

By the Commission.

[SEAL] GORDON M. GRANT. Secretary.

[F.R. Doc. 70-16807; Filed, Dec. 14, 1970; 8:49 a.m.]

[Project No. 1888]

YORK HAVEN POWER CO.

Notice of Application for New License for Constructed Project

DECEMBER 8, 1970.

Public notice is hereby given that application for new license has been filed under section 15 of the Federal Power Act (16 U.S.C. 791a-825r) by York Haven Power Co. (correspondence to: Roger D. Ley, Vice President, York Haven Power Co., Post Office Box 542, Reading, PA 19603) for its constructed York Haven Project No. 1888, located on the Susquehanna River, in Dauphin, Lancaster, and York Counties, Pa., in the vicinity of Harrisburg, Lancaster, and York,

The York Haven Project consists of: (1) A main dam about 4,970 feet long and 10 feet high (average) across the main channel of the River comprised of a combination rockfill crib with a concrete deck, a secondary dam of concrete gravity overflow type about 950 feet long

Concurrently with the filing of the instant application, El Paso Atlantic Co. filed in Docket No. CP71-67 a notice of withdrawal of its application for authorization to import these volumes of LNG.

Equivalent to approximately 73 cents per Mcf at 1,125,000 Btu/Mcf.

across the east channel of the River, and a stone masonry wall 3,000 feet long and 20 feet high (average) forming a headrace to conduct water to the powerhouse; (2) a forebay bulkhead wall, 115 feet long, extending from the powerhouse to the transformer building, and then 475 feet to the west bank of the River; (The head gates that admit water to the International Paper Co. plant, Project No. 2095, are located in this section of the forebay wall); (3) a reservoir extending upstream about 31/2 miles with a normal pool elevation of 276.5 feet (m.s.l.) and having about 1,980 acre feet of pondage and a surface area of 1,828 acres; (4) a powerhouse containing 20 generating units having an aggregate installed capacity of 19,620 kilowatts; (5) a transformer building and adjacent switching structure: (6) recreation facilities, and (7) all other facilities and interests required for operation of the project. The present recreation facilities consist of areas, rental cottages, boat picnic launching ramps, marinas, access bridge, visitors center and a fishing area. Enlargement and improvement of these facilities are planned.

According to the application: (1) The project power is used in the service area of the Metropolitan Edison Co's system, an integral part of General Public Utilities' integrated system which in turn is part of the Pennsylvania-New Jersey-Maryland Interconnection: (2) the estimated net investment in the project was \$1,356,000 for the year 1968, which is less than the estimated fair value; (3) the estimated severance damages amount to \$330,400 in the event of "takeover" by the United States; and (4) the annual taxes paid to State and local government agencies is estimated to be \$99,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 1, 1971, 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. The application is on file with the Commission and available for public inspection.

> GORDON M. GRANT, Secretary.

[P.R. Doc. 70-16808; Filed, Dec. 14, 1970; 8:49 a.m.]

FEDERAL TRADE COMMISSION

RESPONDENTS UNABLE TO AFFORD COUNSEL

Statement of Policy

In American Chinchilla Corp., Docket No. 8774 (Dec. 23, 1969), the Commission stated its policy with respect to respondents who are financially unable to retain F.R. 17454) stating that an application counsel in the following terms:

We have no doubt that in a proper case where a showing of financial inability is made out, a respondent is entitled to counsel. We can think of nothing less conducive to fairness and due process in administrative procedures than to pit the power of the state, armed with all of the panoply of the legal machinery (funds, investigatory resources, staff of skilled attorneys, etc.) against a single individual and then to deny that individual the right to counsel when he denies the allegations and specifically asserts that he cannot afford counsel.

In the interest of further clarifying the principles established in the American Chinchilla opinion, the Commission hereby states its policies and procedures for assessing the claims of respondents who assert that they are financially unable to retain counsel.

If, at any time following the issuance of a proposed complaint, a request for counsel on the grounds of indigency is made by a natural person or partnership, the Commission shall immediately assign a Hearing Examiner for the purpose of making findings on the indigency claim. The Hearing Examiner shall furnish the claimant with a form of affidavit, shall require its prompt execution, and may conduct such interrogations of the claimant or require the production of such documents as he deems necessary in order to make findings on the claimant's alleged financial inability to retain counsel. Such findings shall be promptly forwarded to the Commission, which shall then rule on the claim on the basis of the claimant's financial condition, including his present and potential income and assets in relation to his existing obligations to provide himself and his dependents with the necessities of life.

If the Commission concludes that the claimant is financially unable to retain counsel, the matter will then be referred to the Committee on the Federal Trade Commission of the Antitrust Section of the American Bar Association for the designation of counsel from a panel of attorneys screened by such Committee as competent and available to represent respondents in Federal Trade Commission proceedings. Claimant shall thereupon proceedings. Claimant shall thereupon said designated counsel or to appear prose in any subsequent proceedings.

Issued: December 15, 1970.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,

Secretary.

[F.R. Doc. 70-16776; Filed, Dec. 14, 1970; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

MESBIC OF WASHINGTON, INC.

Notice of Issuance of License to Operate as Minority Enterprise Small Business Investment Company

On November 13, 1970, a notice was published in the Federal Register (35

F.R. 17454) stating that an application had been filed with the Small Business Administration pursuant to § 107.102 of the regulations Governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107) for a license to operate as a minority enterprise small business investment company by MESBIC of Washington, Inc., 3300 Rainier Avenue South, Seattle, WA 98144.

Interested parties were invited to submit their written comments to SBA. No comments were received.

Notice is hereby given that pursuant to the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.), after having considered the application and all other pertinent information and facts with regard thereto, SBA has issued License No. 12/13-5026 to MESBIC of Washington, Inc., to operate as a minority enterprise small business investment company.

A. H. SINGER, Associate Administrator for Investment.

NOVEMBER 23, 1970.

[F.R. Doc. 70-16787; Filed, Dec. 14, 1970; 8:48 a.m.]

SMALL BUSINESS INVESTMENT

Notice of Filing of Application for Transfer of Control of Licensed Small Business Investment Company

The Small Business Investment Company of Connecticut, License No. 01/02-0052, 1115 Main Street, Bridgeport, CT 06603, a licensed small business investment company under the Small Business Investment Act of 1958, as amended, has filed an application with the Small Business Administration for approval of a change of control. Prior approval of change of control is required under \$107.701 of SBA rules and regulations (13 CFR Part 107, 33 F.R. 326).

Small Business Investment Company of Connecticut was licensed January 31, 1961. Its paid-in capital was \$252,984 as of March 31, 1970. As of August 11, 1970. 25,631 shares of its common stock were outstanding and held by 101 stockholders.

The names and addresses of the persons who propose to purchase 15,878 shares (61.9 percent) of the licensee's outstanding common stock are listed below:

Number of shares Purchasers Sigmund L. Miller, 2625 Park Avenue, 2,000 Bridgeport CT 06604__ 1,000 1,000 sister, Benita Burstein ... Sigmund L. Miller, as Trustee for mother, Fanny Miller 1,000 Benita Burstein, for herself and as custodian for a minor, 140 Fairfield Woods Road, Fairfield, CT. 1,000 Lani Schechter, 64 East 86th Street, 1,100 New York, NY
Panny Miller, 2625 Park Avenue,
Bridgeport, CT 06604
Miss Julie Sombati, 117 Scofield Ave-500 150 nue, Bridgeport, CT 06605

	umber
Ben White, 212 Buena Vista Road, Pairfield, CT.	
Kenneth Zarrilli, 10 Oak Bluff Road, Fairfield, CT.	
George Jiler, 2600 Park Avenue, Bridgeport, CT 05604	
Edward Jon Harrold, 1083 Cut Spring Road, Stratford, CT	
A. Reynolds Gordon, I Melon Patch Lane Westport, CT 06880—For him- self and as custodian of minors- 1,100, and as Trustee for Katherine	
and Mark Siladi, minors-700	1,800
Elmer Rogers, 32 East 57th Street, New York, NY	
Philip Weinstein, 187 Judwin Avenue, New Haven, CT	
Louis Pickow, 527 Whalley Avenue, New Haven, CT	
Jack Holden, M.D., 814 Grassy Hill Road, Orange, CT.	350
Edith Herman, 80 Cartright Street, Bridgeport, CT	1,000
Total shares	15, 878

Mr. Sigmund L. Miller, attorney and a former director of the licensee, is the only person who presently owns 10 percent or more of the stock, and will control 35½ percent of the outstanding common stock after the sale. No other stockholder will own as much as 8 percent of licensee's stock after the proposed change of control.

The proposed owners do not intend to make any significant changes in management or operations, particularly in the licensee's operations and investment policy. As a regulated investment company under the Investment Company Act of 1940, the licensee will continue to pay out at least 90 percent of its net income to stockholders, with emphasis on stock dividends as a means of increasing its capitalization. There will be no change in officers and directors in connection with the transfer of shares.

SBA's consideration of the application includes the general business character and reputation of the above-named persons and their commitment to actively operate the company within the intent and purpose of the Act and SBA Regulations.

Interested persons should address their comments on the proposed transfer of control to the Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, DC 20416, within 10 days after date of publication of this notice.

A similar notice shall be published by the proposed purchasers in a newspaper of general circulation in Bridgeport, Conn.

> A. H. SINGER, Associate Administrator for Investment.

NOVEMBER 24, 1970.

[P.R. Doc. 70-16765; Piled, Dec. 14, 1970; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 207]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 9, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FED-ERAL REGISTER, ISSUE of April 27, 1965. effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the Fen-ERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 94350 (Sub-No. 284 TA), filed December 3, 1970. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Havwood Road at Transit Drive, Greenville, SC 29602. Applicant's representative: Mitchell King, Jr. (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Trailers designed to be drawn by passenger automobiles, in initial shipments, from Ripley and Blue Mountain, Miss., to points in Alabama, Arkansas, Georgia, Louisiana, Kentucky, and Tennessee, Indiana, Illi-nois, Ohio, North Carolina, South Carolina, Virginia, West Virginia, Florida, Texas, Oklahoma, and Missouri, for 180 days. Supporting shipper: La Salle Homes, Post Office Box 518, Ripley, Miss. 38663. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 300 Columbia Building, 1200 Main Street, Columbia, SC 29201.

No. MC 110420 (Sub-No. 624 TA), filed December 3, 1970. Applicant: QUALITY CARRIERS, INC., Mailing: Post Office Box 186. Pleasant Prairie, WI 53158, Office: Bristol, Kenosha County, Wis. Applicant's representative: A. Bryant Torhorst (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Waste fermenta-

tion solids, liquid, in bulk, from Harbor Beach, Mich., to Skokie, Ill., for 180 days. Supporting shipper: Dawe's Laboratories, Inc., 450 State Street, Chicago Heights, Ill. 60411 (J. M. Hansen Manager Distribution Services). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 114290 (Sub-No. 55 TA), filed December 3, 1970. Applicant: EXLEY EXPRESS, INC., 2610 Southeast Eighth Avenue, Portland, OR 97202. Applicant's representative: James T. Johnson, 1610 IBM Building, 1200 Fifth Avenue, Seattle, WA 98101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned goods, from (1) Walla Walla, Wash., to points in California and (2) from points in Umatilla, Multnomah, Marion, Washington, Polk, Lane and Benton Countles, Oreg., and Vancouver, Wash., to points in that part of California north of a line drawn east and west through Chico, Calif., for 180 days. Supporting shippers: Rogers Walla Walla, Inc., Post Office Box 998, Wa'la Walla, WA 99362. Robert Arneson Sales agent for North Pacific Canners & Packers, Inc. 5200 Southeast Mcloughlin Boulevard Portland, OR 97202. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, OR 97204.

No. MC 116073 (Sub-No. 145 TA), filed December 3, 1970. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., Post Office Box 919, 1825 Main Avenue, Moorhead, MN 56560, Applicant's repre-sentative: Robert G. Tessar (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wooden doors and partitions and equipment, materials and supplies, including electric motors, aluminum, iron and steel tracks, rollers, screws used in the installation and operation of doors and partitions, from Dyersville, Iowa, to points in New York, Connecticut, Louisiana, Florida, Georgia, New Jersey, California, Washington, and North Carolina, for 180 days, Supporting shipper: Coll-Wal Partitions, Inc., Dyersville, Iowa 52040, Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 2340, Fargo, ND 58102.

No. MC 118159 (Sub-No. 106 TA), filed December 3, 1970. Applicant: EVER-ETT LOWRANCE, INC., 4916 Jefferson Highway, Post Office Box 10216, New Orleans, LA 70121. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, OK 73102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Inedible meat and meat products, from Green Bay, Wis., to Houston, Tex., for 180 days. supporting shipper: F. & W. Meat Co.,

Dallas, Tex. Send protests to: Paul D. Collins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room T-4009, Federal Building, 701 Loyola Avenue, New Orleans,

LA 70113.

No. MC 127042 (Sub-No. 69 TA), filed December 3, 1970. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, IA 51108, Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: Meat, meat products and meat byproducts, and articles distributed by meat packinghouses, as described in sections A and C of appendix 1 to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, except hides and commodities in bulk, from Green Bay, Wis., to points in Colorado, Florida, Georgia, Louisiana, Mississippi, North Carolina, Tennessee, Texas, and Minnesota, for 180 days. Supporting shipper: Packerland Packing Co., Inc., Route 6, Lime Kiln Road, Box 1184, Green Bay, WI. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, IA 51101.

No. MC 128539 (Sub-No. 4 TA), filed December 3, 1970. Applicant: EAGLE TRANSPORT CORPORATION, 315 West Ridge Street, Post Office Box 2508, Rocky Mount, NC 27801. Applicant's representative: A. Donald Stallings (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Clay, in bulk quantity, from points in Aiken County, S.C., to points in Brunswick and Hertford Countles, N.C., for 180 days. Supporting shipper: United Sierra Division Cyprus Mines Corp., Box 1201, Trenton, NJ 08606. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission. Bureau of Operations, Post Office Box

26896, Raleigh, NC 27611.

No. MC 134071 (Sub-No. 3 TA), filed December 3, 1970. Applicant: MODULAR TRANSPORTATION CO., 421 West Fulton Street, Grand Rapids, MI 49502. Applicant's representative: William D. Parsley, 1200 Bank of Lansing Building, Lansing, MI 48933. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Sectionalized buildings, for the account of Prestige Structures, Inc., from Charlotte, Mich., to Erie, Pa., for 180 days. Note: Applicant states tacking or interlining intended. Supporting shipper: Prestige Structures, Inc., 1111 Mikesell Street, Charlotte, MI 48113 (by Norman J. Walker, Executive Vice-President). Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 225 Federal Building, Lansing, MI 48933.

No. MC 134364 (Sub-No. 4 TA), filed December 3, 1970. Applicant: A. F. & SONS, INC., 509 Liberty Street, Syracuse, NY 13204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Electric motors, from Watertown,

N.Y., to St. Paul, Minn., for 180 days. Supporting shipper: Whirlpool Corp., St. Paul Division, 850 Arcade Street, St. Paul, MN 55106. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 104, 301 Erie Boulevard West, Syracuse, NY 13202.

No. MC 134441 (Sub-No. 3 TA), filed December 3, 1970. Applicant: ARIZONA-WESTERN EXPRESS, INC., 1103 Evans Street, Los Angeles, CA 90015. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, CA 90027. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Bananas and fresh fruits and vegetables, when moving with bananas, from points in the Los Angeles Harbor, Calif., com-mercial zones to Phoenix and Tucson, Ariz. Supporting shippers: Associated Grocers, Post Office Box 20511, 624 South 25th Avenue, Phoenix, AZ 85038; A. J. Bayless Markets, Inc., Post Office Box 21152, Phoenix, AZ 85036; El Rancho Super Markets, 3435 West Buckeye Road, Phoenix, AZ 85009. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

No. MC 135141 TA, filed December 3, 1970. Applicant: H AND H EXPEDITING SERVICE, INC., 7076 Ruskin Lane, Upper Darby, PA 19082, Applicant's representative: John H. Toal, 21 West Front Street, Media, PA 19063. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, having prior or subsequent movement by air, between Philadelphia International Airport, Philadelphia, Pa., and points in New Castle County, Del., for 180 days. Supporting shipper: General Motors Corp., Post Office Box 1512, Boxwood Road, Wilmington, DE 19899; Joyce Expediting Service, Inc., 5794 Twelfth Street, Detroit, MI 48208. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1518 Walnut Street, Philadelphia, PA 19102.

MOTOR CARRIERS OF PASSENGERS

No. MC 125221 (Sub-No. 4 TA), filed December 1, 1970, Applicant: BI-STATE DEVELOPMENT AGENCY OF THE METROPOLI-MISSOURI-ILLINOIS TAN DISTRICT, 3869 Park Avenue, St. Louis, Mo. 63110. Applicant's representatives: Guilfoil, Symington & Petzall, 818 Olive Street, Room 434, St. Louis, MO 63101. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Passengers and their baggage in the same vehicle with passengers, between Waterloo, Ill., and St. Louis, Mo., from St. Louis, Mo., across the Veterans Bridge, to East St. Louis, Ill., thence south on Sixth Street, to Broadway Street, thence east on Broadway Street, to Eighth Street, thence South on Eighth Street, to State Highway 3, thence south on State Highway 3 to Water Street, thence continue

on State Highway 3 through Dupo, Ill., to Columbia Road, thence southeast along Columbia Road, to Main Street, thence South on Main Street, to its junction with State Highway 3, thence south on State Highway 3 to First and Market Streets, Waterloo, Ill., and return over the same route serving all intermediate points, for 180 days. Supported by: Mayor Robert C. Krump, Waterloo, Ill.; Mayor W. H. Kremmel, Columbia, Ill.; Mayor Barney Metz, Dupo, Ill. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 North 12th Street, St. Louis, MO 63101.

By the Commission.

ROBERT L. OSWALD, [SEAL] Secretary.

[F.R. Doc. 70-16811; Filed, Dec. 14, 1970; 8:50 a.m.]

[Notice 625]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 8, 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-72457. By order of December 1, 1970, the Motor Carrier Board approved the transfer to Lecon Trans. Inc., Brooklyn, N.Y., of the operating rights in certificate No. MC-93147 issued January 11, 1961, to Jatar Trucking, Inc., Brooklyn, N.Y., authorizing the transportation of general commodities, with exceptions, over various specified highways, between Newark, N.J., and Peckskill, Port Chester, White Plains, and Elmsford, N.Y., serving all intermediate points, Arthur L. Max, 744 Broad Street, Newark, NJ 07102, attorney for applicants.

No. MC-FC-72478. By order of December 1, 1970, the Motor Carrier Board approved the transfer to The H and H Co., a Maryland corporation, Owings Mills, Md., of the operating rights in certificate No. MC-96424 issued February 16, 1961, to W. E. Harr, Inc., Lutherville, Md., authorizing the transportation of horses (other than livestock) and equipment and paraphernalia incidental to the care, transportation and exhibition of such horses between points in Maryland, on the one hand, and, on the other, Charles Town, W. Va., and points in Delaware, New Jersey, Pennsylvania, New York, Virginia, Maryland, and the District of Columbia. Lloyd J. Hammond, 104 Jefferson Building, Towson, MD 21204, attorney for applicants.

No. MC-FC-72510. By order of December 2, 1970, the Motor Carrier Board approved the transfer to Okmulgee Express, Inc., Tulsa, Okla., of the operating rights in certificate No. MC-126616 issued June 22, 1965, in the name of Cherokee Freight Lines, Inc., Tahlequah, Okla, authorizing the transportation of General commodities, with usual exceptions, between Tulsa, Okla., and Wagoner, Okla., serving no intermediate points and serving Wagoner for the purpose of joinder only; between Wagoner, Okla., and Stilwell, Okla., serving all intermediate points; and between Stilwell, Okla., and Westville, Okla., serving all intermediate points, Rufus H. Lawson, 2400 Northwest 23d Street, Post Office Box 75124, Oklahoma City, OK 73107, attorney for applicants.

No. MC-FC-72523. By order of December 1, 1970, the Motor Carrier Board approved the transfer to Harry Kopf Horse Transportation, Inc., East Northport, N.Y., of the operating rights in certificates Nos. MC-10366 and MC-10366 (Sub-No. 1) issued March 1, 1941, and April 15, 1946, respectively, to Harry Kopf, Westbury, N.Y., authorizing the transportation of horses, groom's household goods and equipment, between New York, N.Y., on the one hand, and, on the other, Washington, D.C., Wheeling, W. Va., Raleigh, N.C., West Ossipee, N.H., Lexington, Ky., Wilmington, Del., Aiken and Columbia, S.C., Bar Harbor and Portland, Maine, Chicago and Lake Forest, Ill., Boston, Fall River, and South Hamilton, Mass., Providence, Newport, and Narragansett, R.I., Ambler, Penllyn, and Philadelphia, Pa., Youngstown, Columbus, and Cinncinnati, Ohio, Augusta, Atlanta, and Savannah, Ga., West Palm Beach, Delray Beach, and Miami, Fla., Darien, New Haven, Greenwich, and Fairfield, Conn., Peapack, Rumson, Eatontown, Jersey City, and Bordentown, N.J., Monkton, Laurel, Havre de Grace, Bowle, and Baltimore, Md., and Middleburg, Warrenton, Upperville, Flint Hill, Boyce, Port Royal, Richmond, Orange, and Culpeper, Va., traversing Indiana for operating convenience only; and flowers and plants, during the season extending from March 1, to December 31, inclusive, of each year, between points in Nassau County, N.Y., on the one hand, and, on the other, points in Connecticut,

Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and the District of Columbia, Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica, NY 11432, attorney for applicants.

[SEAL] ROBERT L. OSWALD, Secretary.

[F.R. Doc. 70-16812; Piled, Dec. 14, 1970; 8:50 a.m.]

[Ex Parte No. MC-64; General Temporary Order 5]

TRANSPORTATION OF PASSENGERS OR PROPERTY BY MOTOR VEHICLES

Cessation of Normal Railroad Transportation Occasioned by Work Stoppages

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D.C., on the 10th of December 1970.

The Interstate Commerce Commission having under consideration the urgent need for motor carrier services due to the cessation of normal railroad transportation occasioned by work stoppages, the national transportation policy, the public interest, and, among others, sections 202(a), 204(a) (6), and 210a(a) of the Interstate Commerce Act, and

It appearing, that due to a labor dispute, the common carriers by railroad are unable to transport passengers and property tendered to them; and that an emergency exists in all sections of the United States requiring immediate action on the part of the Commission to make provision for adequate transportation service in the interest of the public and the national defense;

It further appearing, that there exists an immediate and urgent need for additional motor carrier service to supplement temporarily the transportation facilities of the Nation for the movement of military and other freight, and passengers;

And it further appearing, that the present transportation emergency and immediate need for maximum utilization of motor carrier facilities, equipment, and service have made it necessary for the Commission to provide and authorize a more flexible method whereby motor carriers, and other persons, may obtain temporary authorizations to ren-

der the required motor service necessary in the public interest and to the national defense:

It is ordered, That pursuant to section 210a(a) of the Interstate Commerce Act (49 U.S.C. 310a(a)), all persons who shall apply to any regional director, assistant regional director, or district supervisor of the Commission's Bureau of Operations are hereby granted temporary authority to transport passengers or property by motor vehicle for a period of not more than 30 days to the extent and scope that such regional director or district supervisor shall certify that due to the existing transportation emergency, there is an immediate and urgent need for the service applied for, and there is no available carrier service capable of meeting such need:

It is further ordered, That the grant of such temporary authority be, and it is hereby, conditioned upon satisfying the said regional director, assistant regional director, or district supervisor of full compliance by the grantee with all applicable statutory and Commission requirements concerning tariff publications, evidence of security for the protection of the public, and designation of agents for service of process, and further conditioned upon such tariff publications quoting rates, fares, and charges no lower than those of existing rail, water, or motor carriers in the territory in which the operations are to be authorized:

It is further ordered, That temporary authority granted pursuant to this order shall expire as of the first midnight after rail carrier service shall have been reinstituted, except as to passengers or property, the transportation of which was begun prior to that time;

It is further ordered. That this order shall become effective on the 10th day of December, 1970.

And it is further ordered, That notice of this order shall be given to motor carriers, other parties of interest, and to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, Washington, D.C., and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission, Division 1.

[SEAL] ROBERT L. OSWALD, Secretary.

[F.R. Doc. 70-16813; Filed, Dec. 14, 1970; 8:50 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED-DECEMBER

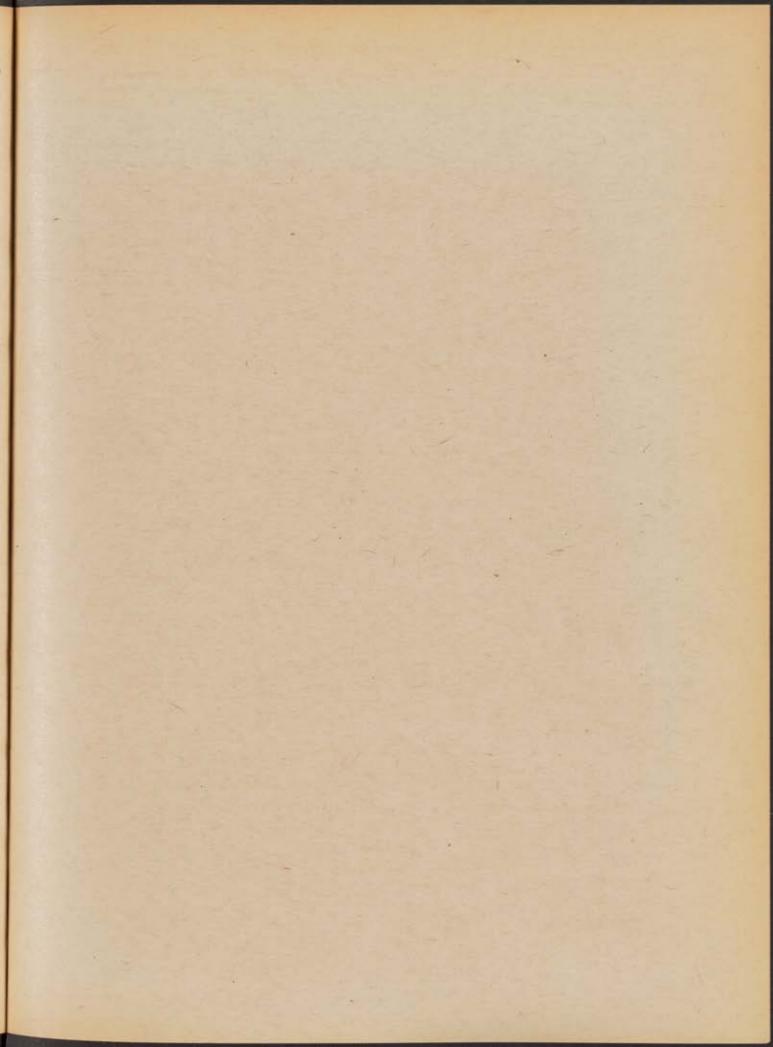
The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during December.

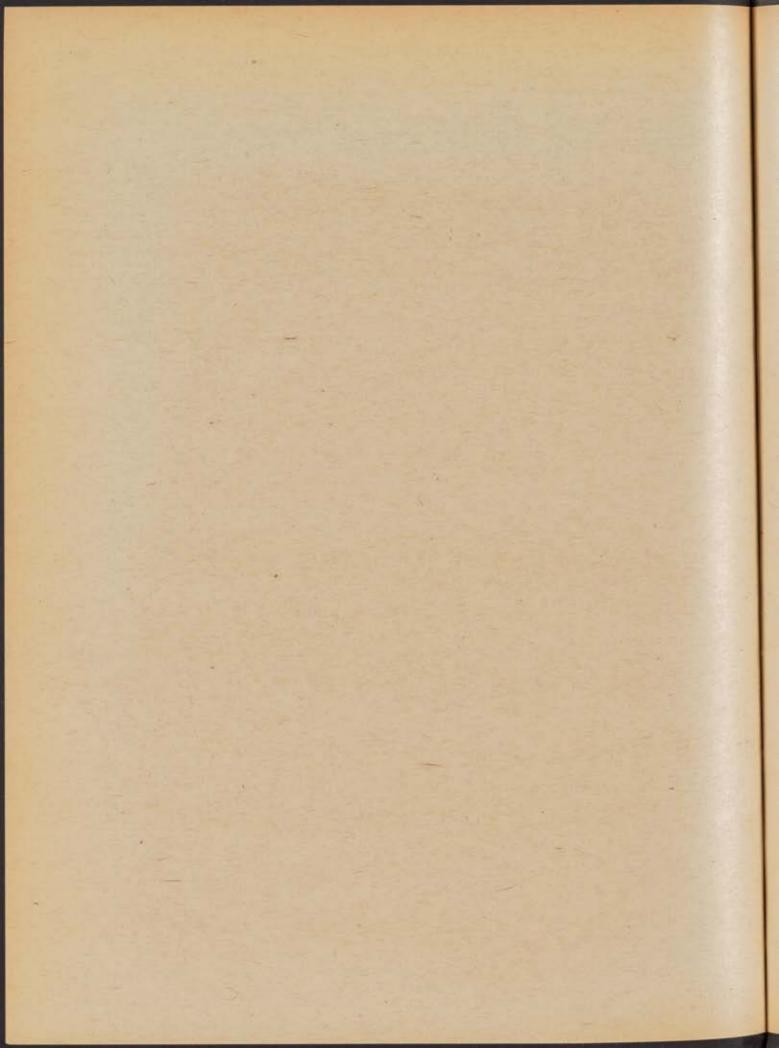
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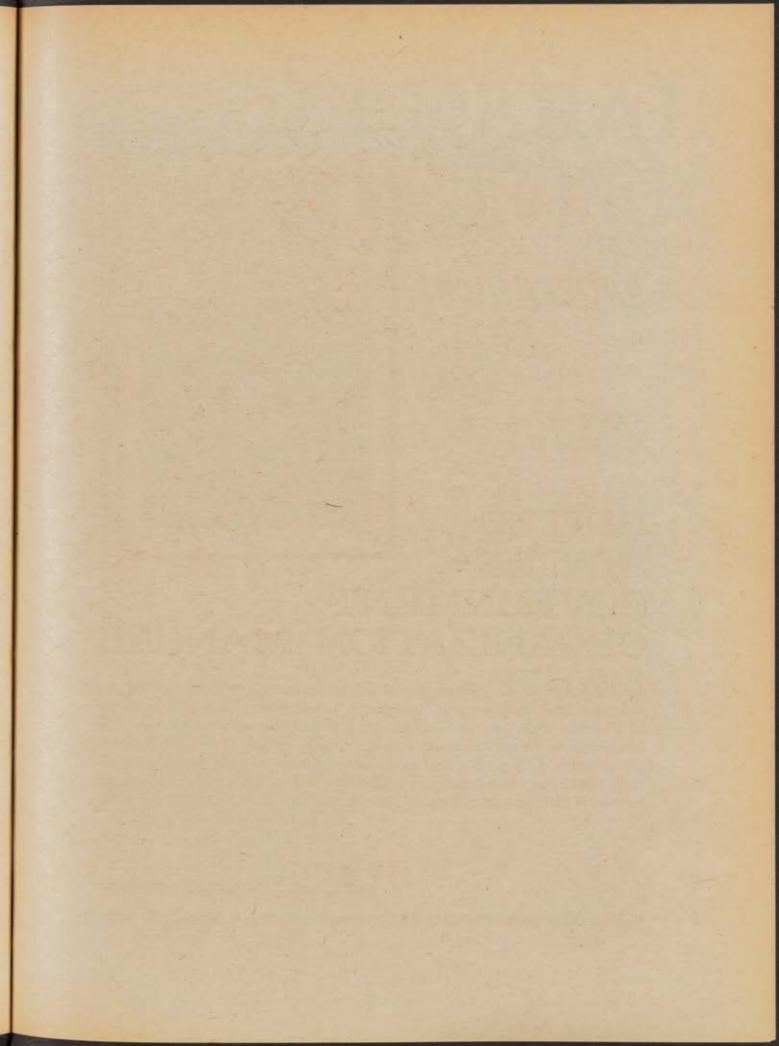
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