

FEDERAL REGISTER

VOLUME 30 • NUMBER 137

Saturday, July 17, 1965 • Washington, D.C.

Pages 8987-9043

PART I

(Part II begins on page 9033)

Agencies in this issue—

The President
Agricultural Research Service
Army Department
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Commerce Department
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Federal Aviation Agency
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Food and Drug Administration
Housing and Home Finance Agency
Internal Revenue Service
International Commerce Bureau
Interstate Commerce Commission
Labor Department
Land Management Bureau
Post Office Department
Securities and Exchange Commission
State Department
Treasury Department
Wage and Hour Division

Detailed list of Contents appears inside.



Subscriptions Now Being Accepted

SLIP LAWS

89th Congress, 1st Session
1965

Separate prints of Public Laws, published immediately after enactment, with marginal annotations and legislative history references.

Subscription Price:

\$12.00 per Session

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402

FEDERAL REGISTER

Area Code 202

Phone 963-3261



Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C. ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

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

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

THE PRESIDENT

PROCLAMATION

Fire Prevention Week, 1965..... 8991

EXECUTIVE AGENCIES

AGRICULTURAL RESEARCH SERVICE

Notices

Gypsy and brown-tail moths; establishments eligible to ship stone and quarry products without certification..... 9012

AGRICULTURE DEPARTMENT

See Agricultural Research Service; Commodity Credit Corporation; Consumer and Marketing Service.

ARMY DEPARTMENT

Rules and Regulations

National cemeteries..... 8993

ATOMIC ENERGY COMMISSION

Notices

General Electric Co.; issuance of construction permit..... 9020

State of Oregon and AEC; agreement regarding discontinuance of certain Commission regulatory authority and responsibility within the State..... 9020

CIVIL AERONAUTICS BOARD

Rules and Regulations

Uniform system of accounts and reports for certificated air carriers; allocation of income taxes; correction..... 9001

Notices

Investigation of excess baggage charges; postponement of hearing..... 9021

CIVIL SERVICE COMMISSION

Notices

Mathematics series; prescribed minimum educational requirements..... 9021

COMMERCE DEPARTMENT

See also International Commerce Bureau.

Notices

Interagency committees chaired by Department of Commerce..... 9019

COMMODITY CREDIT CORPORATION

Notices

Sales of certain commodities; July sales list..... 9014

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Fruit grown in Arizona and California; handling limitations:

Lemons..... 8998

Oranges, Valencia..... 8998

Proposed Rule Making

Milk in Northwestern Indiana marketing area; hearing..... 9008

CUSTOMS BUREAU

Rules and Regulations

Vessels; special tonnage tax and light money; Indonesia..... 9006

Vessels and aircraft; manifests..... 9006

DEFENSE DEPARTMENT

See Army Department.

FEDERAL AVIATION AGENCY

Rules and Regulations

Control zone; alteration..... 8999

Control zones and transition area; alteration and designation..... 8999

Control zone, control area extension, and transition area; alteration, designation, and revocation..... 8999

Federal airways:

Alteration..... 9000

Alteration; correction..... 9000

Alteration and designation..... 9000

Alteration; modification..... 9000

Transition areas:

Alteration..... 9001

Designation..... 9001

Designation; correction..... 8999

Redesignation..... 9001

Proposed Rule Making

Federal airway; designation..... 9008

Federal airways and reporting points:

Realignment and alteration..... 9009

Realignment, revocation, and designation..... 9008

Federal airways, jet routes, and reporting points; alteration, revocation, and designation..... 9009

FEDERAL MARITIME COMMISSION

Notices

Intra-Mar Shipping Corp. et al.; agreements filed for approval... 9021

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:

Home Gas Co..... 9023

United Gas Pipe Line Co..... 9023

Superior Oil Co. et al..... 9023

FISH AND WILDLIFE SERVICE

Rules and Regulations

Elizabeth Alexandria Morton National Wildlife Refuge, New York; public access, use, and recreation..... 9007

Sport fishing in Bombay Hook National Wildlife Refuge, Delaware..... 9006

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Pesticide chemicals; ammonium nitrate; exemption..... 9002

Proposed Rule Making

Olefin polymers; correction..... 9008

Notices

American Cyanamid Co.; filing of petition regarding food additive..... 9019

Ethicon, Inc.; filing of petition regarding color additive..... 9019

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

HOUSING AND HOME FINANCE AGENCY

Notices

Urban Renewal Commissioner et al.; delegation of authority.... 9024

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau.

INTERNAL REVENUE SERVICE

Notices

Acting Regional Commissioner and certain other officials; delegation order..... 9011

INTERNATIONAL COMMERCE BUREAU

Notices

Lewo, Joseph, et al.; order extending temporary denial of export privileges..... 9018

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief..... 9028

Motor carrier temporary authority applications..... 9028

(Continued on next page)

LABOR DEPARTMENT*See also Wage and Hour Division.***Rules and Regulations**

Occupational training of unemployed persons; miscellaneous amendments 9002

LAND MANAGEMENT BUREAU**Notices**

Alaska; amendment of proposed withdrawal and reservation of lands 9012

POST OFFICE DEPARTMENT**Rules and Regulations**

Fractions; revocation 9006

SECURITIES AND EXCHANGE COMMISSION**Notices**

Louisville Industrial Foundation, Inc.; application and opportunity for hearing 9024

STATE DEPARTMENT**Rules and Regulations**

International traffic in arms 9034

TREASURY DEPARTMENT*See also Customs Bureau; Internal Revenue Service.***Notices**

Ferrochromium from Sweden; tentative determination 9011

WAGE AND HOUR DIVISION**Notices**Certificates authorizing employment of full-time students working outside school hours in retail or service establishments at special minimum rates 9025
Certificates authorizing employment of learners at special minimum rates 9025

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

3 CFRPROCLAMATION:
3663 8991**7 CFR**908 8998
910 8998
PROPOSED RULES:
1031 9008**14 CFR**71 (11 documents) 8999-9001
241 9001
PROPOSED RULES:
71 (4 documents) 9008, 9009
75 9009**19 CFR**4 (2 documents) 9006
6 9006**21 CFR**120 9002
PROPOSED RULES:
121 9008**22 CFR**121 9034
122 9037
123 9037
124 9041
125 9042
126 9043
127 9043**29 CFR**

20 9002

32 CFR

553 8993

39 CFR

6 9006

50 CFR28 9007
33 9006

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3663

FIRE PREVENTION WEEK, 1965

By the President of the United States of America

A Proclamation

Losses by fire—especially those resulting from fires which could have been prevented—constitute a tragic waste of human and material resources.

Much of this waste is avoidable. Community fire prevention programs, effectively conducted, have contributed substantially to local and national development by reducing sharply the number of destructive fires.

Further progress can be made if every individual recognizes his responsibility for eliminating fire hazards and for participating in community fire prevention programs and related activities.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the week beginning October 3, 1965, as Fire Prevention Week.

I bid all citizens to support and promote the fire prevention and control efforts of their respective community fire departments. I urge State and local governments, the Chamber of Commerce of the United States, the American National Red Cross, and business, labor, and farm organizations, as well as schools, civic groups, and public information agencies to observe Fire Prevention Week, to provide useful fire safety information to the public, and to enlist the active participation of all citizens in year-round fire prevention programs. I also direct the appropriate Federal agencies to assist in this effort to reduce the needless waste of life and property caused by preventable fires.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 14th day of July in the year of our Lord nineteen hundred and sixty-five, and of the [SEAL] Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 65-7618; Filed, July 15, 1965; 2: 38 p.m.]

Rules and Regulations

The following rules and regulations shall govern the conduct of all members of the organization. It is the duty of every member to observe these rules and regulations and to report any violation to the proper authorities.

1. All members must adhere to the highest standards of moral and ethical conduct. Any member found guilty of dishonesty, fraud, or other illegal activities shall be expelled from the organization.

2. Members are prohibited from engaging in any activity that would bring the organization into disrepute or cause it to be the subject of public criticism.

3. All members must maintain the confidentiality of the organization's affairs and not disclose any information to the public or to any other person without the express written consent of the governing body.

4. Members are required to attend all meetings and conferences of the organization and to participate actively in its activities. Failure to attend meetings without a valid excuse shall result in the suspension of membership.

5. The organization is a non-profit entity and all members are expected to contribute to its financial well-being. Contributions should be made promptly and in full.

6. Members are prohibited from using the organization's name or logo for any commercial purpose without the prior written approval of the governing body.

7. The organization is committed to the promotion of peace and understanding between different cultures and religions. Any member who engages in activities that are contrary to this commitment shall be expelled.

8. All members must respect the rights and dignity of every individual and must not engage in any form of discrimination or harassment.

9. The organization is a democratic body and all members have the right to participate in the decision-making process. Any member who attempts to undermine the democratic process shall be expelled.

10. These rules and regulations shall be subject to change from time to time as the organization's needs and circumstances evolve.

Rules and Regulations

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER D—MILITARY RESERVATIONS AND NATIONAL CEMETERIES

PART 553—NATIONAL CEMETERIES

Revision

Part 553 is revised to read as follows:

Sec.	
553.1	Purpose.
553.2	Definition.
553.3	Scope.
553.4	Responsibilities.
553.5	Names for national cemetery activities.
553.6	Cemetery inclosure.
553.7	Federal jurisdiction.
553.8	Donations.
553.9	Layout design of national cemetery activities.
553.10	Arlington Memorial Amphitheater.
553.11	Power of arrest.
553.12	Solicitations.
553.13	Procurement.
553.14	Blank ammunition for veterans' organizations for use in national cemeteries.
553.15	Approach roads.
553.16	Encroachments and revocable licenses.
553.17	Standards of construction, maintenance and operations.
553.18	Interments and disinterments.
553.19	Headstones and markers.

AUTHORITY: The provisions of this Part 553 issued under sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply Ch. 7, 24 U.S.C.

SOURCE: AR 290-5, Jan. 18, 1965.

§ 553.1 Purpose.

The regulations of this part define the authority and responsibility for the development, operation, maintenance, and administration of the National Cemetery System, a civil functions activity of the Department of the Army.

§ 553.2 Definition.

The National Cemetery System consists of 119 CONUS Class II activities of the Chief of Support Services (includes four National Cemetery Supervising Offices) and three activities outside CONUS under the supervision of the respective oversea commanders and staff supervision of the Chief of Support Services (§ 553.4(b)). National cemetery activities consist of national and Confederate cemeteries, soldiers' lots and Confederate plots located in private cemeteries, monuments, and a memorial park.

§ 553.3 Scope.

Except as specifically provided otherwise in this part or by directive of the Chief of Support Services, this part and TM 10-287 will govern the development, operation, maintenance, and administration of all activities within the National Cemetery System. (Post and/or installation cemeteries are not included in the National Cemetery System. AR 210-190 defines the responsibilities for the opera-

tion, maintenance, and administration of Army post cemeteries and also covers eligibility for burial in post sections of national cemeteries.)

§ 553.4 Responsibilities.

(a) *Supervision of National Cemetery System.* Pursuant to AR 10-5, GO 44 (July 23, 1962), and GO 45 (July 24, 1962), the Chief of Support Services, Headquarters, Department of the Army, under the direction of the Secretary of the Army, is responsible for the development, operation, maintenance, and administration of the National Cemetery System and for the formulation of plans, policies, procedures, and regulations pertaining thereto (act of September 12, 1950 (64 Stat. 844; 24 U.S.C. 278)). The Chief of Support Services exercises command supervision over national cemetery activities in the continental United States and DA staff supervision over those outside the continental United States.

(b) *Supervising offices and commands.* Responsibilities for immediate supervision of the national cemetery activities specified in Appendix II, TM 10-287 are assigned as follows:

(1) Commanding General, Military District of Washington, U.S. Army, as specifically delegated by the Chief of Support Services by written agreement.

(2) Chiefs of national cemetery supervising offices in CONUS established by the Chief of Support Services pursuant to GO 45, July 24, 1962.

(3) The Commander in Chief, U.S. Army, Pacific; Commander, U.S. Army Forces Southern Command; and the Commanding General, U.S. Army, Alaska.

In the interest of brevity, supervising officers/offices and commanders/commands will be referred to hereinafter as "supervising officers/offices."

(c) *Functions.* The supervising officers specified in paragraph (b) of this section will accomplish the following functions:

(1) Operation, maintenance, repairs, and utilities, including repair of motor vehicles and other authorized equipment.

(2) Procurement of national cemetery supplies and equipment, except permanent grave and memorial markers, within funds made available and the limitations prescribed by TM 10-287 or special instructions of the Chief of Support Services.

(3) Periodic operating inspections of national cemetery installations and special inspections, when required.

(4) Employment and administration of civilian personnel, except as specifically assigned the Chief of Support Services by applicable civilian personnel regulations.

(5) Property accountability, including real estate.

(6) Development and submission to the Chief of Support Services of budgetary requirements data and justifications

for national cemetery activities in accordance with annual special instructions and program guidance provided by the Chief of Support Services.

(7) Administration of funds provided for national cemetery activities.

(8) Developing and maintaining appropriate public relations programs for national cemetery activities; establishing and maintaining close and harmonious working relationships with local, Federal, State, county, and civic agencies and other organizations who transact business with, or have an inherent interest in, national cemetery activities.

(9) Preparation, review, consolidation, and approval of reports required by regulations or special instructions, including personnel, manpower management, funding, real estate, property accountability and safety.

(10) Safety management.

§ 553.5 Names for national cemetery activities.

(a) *Responsibility.* The Chief of Support Services is responsible for naming national cemetery activities and features therein, such as drives, walks, or special structures.

(b) *Basis for names.* The names of national cemetery activities are based on physical and area characteristics, the nearest important city (town), or a historical characteristic related to the area. Newly constructed interior thoroughfares for vehicular traffic in national cemetery activities will be known as "drives." To facilitate location of graves by visitors, drives will be named in accordance with their physical location within the cemetery; e.g., East Mall Drive, West Mall Drive, Inner Drive, Outer Drive, Southeast Drive.

§ 553.6 Cemetery inclosure.

National cemetery activities will be inclosed with a good and substantial stone or iron fence, or suitable equivalent if required, as determined by the Chief of Support Services. (Act of February 22, 1867; 14 Stat. 399; 24 U.S.C. 279.)

§ 553.7 Federal jurisdiction.

Where the State legislature has given the consent of the State to the purchase of the land which now comprises the national cemetery, the jurisdiction and power of legislation of the United States over national cemeteries will, in all courts and places, be held to be the same as is granted by Section 8, Article I, Constitution of the United States. (Act of July 1, 1870; 16 Stat. 188; 24 U.S.C. 287.)

§ 553.8 Donations.

(a) *Policy.* Under Department of the Army policy, proffered donations or gifts may be accepted from legitimate societies and organizations or reputable individuals for beautifying national cemetery activities subject to the following additional provisions:

(1) The name of the Department of the Army is not associated in any manner by the society, organization, or individual with the solicitation or the donation.

(2) Delivery is made to the cemetery or to such other point designated by the Department of the Army, without expense to the Government.

(3) Installation, placing, or planting is in keeping with the planned development of the cemetery and the donor agrees to the use thereof at any place within the cemetery.

(4) Donor is not permitted to affix to the items donated or to place in the cemetery or elsewhere on Department of the Army property any commemorative tablet or plaque.

(b) *Processing.* All proffers of donations for national cemetery activities will be referred to the Chief of Support Services, Attention: SPTS-MC, Department of the Army, Washington, D.C., 20315, with the recommendations of the supervising officer as to the action to be taken.

(c) *Conditional gifts.* The Secretary of the Army is authorized in his discretion to accept, receive, hold, administer, and expend any gift, devise, or bequest of property, real or personal, made on condition that it be used for the benefit of, or in connection with, the operation, maintenance, or administration of any national cemetery activity under the jurisdiction of the Department of the Army. The Chief of Support Services will take appropriate action on conditional gifts in accordance with AR 1-100.

(d) *Unconditional gifts.* All proffers of donations or gifts which are unconditional will be accompanied by a report setting forth all material facts in connection with the source, nature, and purpose of the gift.

§ 553.9 Layout design of national cemetery activities.

The Chief of Support Services is responsible for the general design requirements of national cemetery activities and the layout of specific sections therein.

(a) *Burial sections and memorial plots.* Official detailed plans will be prepared and maintained by the Office of the Chief of Support Services (Memorial Division) for these sections. The sizes of all gravesites and/or plots will conform to those shown by the official plans. The standard size for all gravesites in sections established subsequent to January 1, 1947, is 5 feet by 10 feet. The size of plots for memorial markers is 5 feet by 5 feet.

(b) *Activation of new sections.* New sections will be activated for burials or the installation of memorial markers only with the prior approval of the Chief of Support Services and after permanent site control monumentation has been established.

(c) *Establishment and/or expansion of post sections.* No new post sections will be established and existing post sections will not be expanded.

§ 553.10 Arlington Memorial Amphitheater.

(a) The act of September 2, 1960 (74 Stat. 739; 24 U.S.C. 295a), provides that the Secretary of Defense or his designee may send to Congress in January of each year recommendations with respect to the memorials to be erected and the remains of deceased members of the Armed Forces to be entombed in the Arlington Memorial Amphitheater, Arlington National Cemetery, Arlington, Va. The act further provides that—

(1) No memorial may be erected and no remains may be entombed in the Arlington Memorial Amphitheater, unless specifically authorized by Congress;

(2) The character, design, or location of any memorial authorized by Congress is subject to the approval of the Secretary of Defense or his designee.

(b) Under the provisions of the act of September 2, 1960, the Secretary of the Army has been designated as the official to act in behalf of the Secretary of Defense.

(c) Any requests relative to inscriptions, memorials, or entombments within the Arlington Memorial Amphitheater will be referred to the Chief of Support Services, Attention: SPTS-MC, for appropriate disposition. The Department of the Army will obtain the advice of the Commission of Fine Arts concerning such matters.

§ 553.11 Power of arrest.

The superintendent in charge of any national cemetery is authorized to arrest any person who wilfully destroys, mutilates, defaces, injures, or removes any monument, gravestone, or other structure, or who wilfully destroys, cuts, breaks, injures, or removes any tree, shrub, or plant within the limits of any national cemetery, and to bring such person before any U.S. commissioner or judge of any district court of the United States within any State or district where any of the cemeteries are situated, for the purpose of holding such person to answer for such misdemeanor, and then and there will make complaint in due form. (Act of March 3, 1911 (36 Stat. 1167; 24 U.S.C. 286).)

§ 553.12 Solicitations.

Solicitation of any type of business, including guide service and sale of souvenirs and refreshments, from the public within a national cemetery activity is prohibited. Violators not leaving when so ordered, or unlawfully reentering the cemetery after such eviction, will be subject to prosecution under 18 U.S.C. 1382. See TM 10-287.

§ 553.13 Procurement.

National cemetery supplies and services will be procured in accordance with the provisions of the Armed Services Procurement Regulations (Subchapter A, Chapter I of this title), the Army Procurement Procedure (Subchapter G of this chapter), and such special procedures as may be issued by the Chief of Support Services.

§ 553.14 Blank ammunition for veterans' organizations for use in national cemeteries.

(a) Local units of national veterans' organizations recognized by the Veterans Administration are authorized free issue of caliber .30 blank ammunition for use at funerals and other ceremonies within national cemeteries (10 U.S.C. 4683). The following is a list of veterans' organizations recognized by the Veterans Administration. Additional organizations may qualify from time to time as they are recognized by the Veterans Administration.

- (1) American Legion.
- (2) American Red Cross.
- (3) American Veterans Committee, Inc.
- (4) AMVETS—American Veterans of World War II.
- (5) Army and Navy Union, USA.
- (6) Army Mutual Aid Association.
- (7) Blinded Veterans Association.
- (8) Catholic War Veterans of the United States of America.
- (9) Coast Guard League.
- (10) Disabled American Veterans.
- (11) Fleet Reserve Association.
- (12) Jewish War Veterans of the United States.
- (13) Marine Corps League.
- (14) Military Order of the Purple Heart, Inc.
- (15) Military Order of the World Wars.
- (16) National Jewish Welfare Board.
- (17) National Society—Army of the Philippines.
- (18) National Tribune.
- (19) Navy Mutual Aid Association.
- (20) Disabled Officers Association.
- (21) Regular Veterans Association.
- (22) United Indian War Veterans, USA.
- (23) United Spanish War Veterans.
- (24) Veterans of Foreign Wars of the United States.

(b) Supervising officers will be responsible for requisitioning, accounting for, proper storage, and issuance of such ammunition.

§ 553.15 Approach roads.

(a) Appropriations for national cemeteries will not be expended for the construction or maintenance of more than one approach road to any national cemetery. (Act of February 12, 1925 (43 Stat. 926; 24 U.S.C. 288).)

(b) The Secretary of the Army is authorized to convey to any State, county, municipality, or proper agency thereof, in which the same is located, all right, title, and interest of the United States in and to any Government-owned or controlled approach road to any national cemetery: *Provided*, That, prior to the delivery of any instrument of conveyance hereunder, the State, county, municipality, or agency to which the conveyance herein authorized is to be made will notify the Secretary of the Army in writing of its willingness to accept and maintain the road included in such conveyance: *Provided further*, That, upon the execution and delivery of any conveyance herein authorized, the jurisdic-

tion of the United States of America over the road conveyed will cease and determine and will thereafter vest in the State in which said road is located. (Act of June 11, 1938 (52 Stat. 668; 24 U.S.C. 289).)

(c) Any action tending to affect the status or ownership of the approach road will be reported promptly to the Chief of Support Services, Attention: SPTS-MC.

§ 553.16 Encroachments and revocable licenses.

(a) *Encroachments.* No railroads will be permitted upon the right-of-way acquired by the United States leading to a national cemetery or to encroach upon any roads or walks thereon and maintained by the United States. (Act of February 12, 1925, as amended (43 Stat. 926; 24 U.S.C. 290).)

(b) *Revocable licenses.* The construction or erection of poles and lines, including underground lines, for the transmission and distribution of electric power; poles and lines, including underground lines, for telephone and telegraph purposes; and water and sewer pipes will not be permitted without the authority of the Department of the Army. Requests for revocable licenses to construct water, gas, or sewer lines or other appurtenances on or across the cemetery or an approach road in which the Government has a right-of-way or fee simple title or other interest will be submitted to the superintendent concerned, accompanied by a complete description of the privilege desired, together with a map showing the location of the project on the roadway in question. The superintendent will forward the application and inclosures with his comments and recommendations to the Chief of Support Services, Attention: SPTS-MC, through the appropriate supervising officer who will also include his comments and recommendations.

§ 553.17 Standards of construction, maintenance, and operations.

The following standards of the Department of the Army will be observed in the development, operation, maintenance, administration, and support of national cemetery activities, including budgetary reviews within the Department of the Army:

(a) As permanent national shrines provided by a grateful nation to the honored dead of the Armed Forces of the United States, the standards for construction, maintenance, and operation of national cemetery activities will be fully commensurate with the high purpose to which they are dedicated.

(b) Structures and facilities provided for national cemetery activities will be permanent in nature and of a scope, dignity, and aesthetic design suitable to the purpose for which intended.

(c) National cemetery activities will be beautified through landscape planting and by means of appropriate special features based on historical aspects, location, or other factors of major significance to the activity.

(d) The accommodations and services provided to next of kin of the

honored dead and the general public will be of a high order.

§ 553.18 Interments and disinterments.

(a) *Definitions.* (1) "Armed Forces" of the United States (hereinafter referred to as "Armed Forces") means the Army, Navy, Air Force, Marine Corps, and Coast Guard.

(2) "Army National Guard" means that part of the organized militia of the several States and territories, Puerto Rico, the Canal Zone, and the District of Columbia, active and inactive, that is—

- (i) A land force;
- (ii) Trained, and has its officers appointed, under the 16th clause of section 8, Article I, of the Constitution;
- (iii) Organized, armed, and equipped wholly or partly at Federal expense; and
- (iv) Federally recognized.

(3) "Army National Guard of the United States" means the Reserve component of the Army, all of whose members are members of the Army National Guard.

(4) "Air National Guard" means that part of the organized militia of the several States and territories, Puerto Rico, the Canal Zone, and the District of Columbia, active and inactive, that is—

- (i) An air force;
- (ii) Trained, and has its officers appointed, under the 16th clause of section 8, Article I, of the Constitution;
- (iii) Organized, armed, and equipped wholly or partly at Federal expense; and
- (iv) Federally recognized.

(5) "Air National Guard of the United States" means the Reserve component of the Air Force, all of whose members are members of the Air National Guard.

(6) Reserve components of the Armed Forces are—

- (i) Army National Guard of the United States.
- (ii) Army Reserve.
- (iii) Naval Reserve.
- (iv) Marine Corps Reserve.
- (v) Air National Guard of the United States.
- (vi) Air Force Reserve.
- (vii) Coast Guard Reserve.

(7) *Members of the National Guard:* It will be noted from subparagraphs (2) and (4) of this paragraph that a person is not a member of the Army or Air National Guard unless his unit has been federally recognized. Therefore, this determination must be made before interment of National Guardsmen may be authorized.

(8) "Active duty" means full-time duty in the active military service of the United States. It includes duty on the active list, full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned.

(9) "Inactive duty training" means—

- (i) Duty prescribed for Reserves by the Secretary concerned under section 301 of Title 37, U.S.C., or any other provisions of law; and
- (ii) Special additional duties authorized for Reserves by an authority designated by the Secretary concerned and

performed by them on a voluntary basis in connection with the prescribed training or maintenance activities of the units to which they are assigned.

It includes those duties when performed by reservists in their status as members of the National Guard.

(10) "Unmarried adult child," in the application of this regulation, will be interpreted to include stepchildren, adopted children, widows, widowers, divorcees, and unmarried persons 21 years of age or over and will be restricted to those who were in fact, up to the time of death, dependent for support upon the service-connected parent or surviving parent because of physical or mental condition or on others if both parents are deceased (paragraph (b) (2) (v) (c) of this section).

(11) "Minor child" includes natural, step, or adopted sons or daughters of the service-connected parent who, at the time of death, were less than 21 years of age.

(12) *President or former President of the United States:* The President or former President of the United States in his capacity as Commander-in-Chief of the Armed Forces is a "member or former member of the Armed Forces who served on active duty * * *" within the meaning of 24 U.S.C. 281. (Based on JAGT 1963/7692(SS) dated Dec. 17, 1963.)

(b) *Interments—*(1) *Authority.* The act of May 14, 1948 (62 Stat. 234), as amended by the act of September 14, 1959 (73 Stat. 547; 24 U.S.C. 281), and other laws specifically cited herein authorize burial in national cemeteries under such regulations as the Secretary of the Army may, with the approval of the Secretary of Defense, prescribe.

(2) *Persons eligible for burial.* (i) Any member or former member of the Armed Forces who served on active duty (other than for training) and whose last such service terminated honorably.

(ii) Any member of a Reserve component of the Armed Forces and any member of the Army National Guard or the Air National Guard whose death occurs under honorable conditions while he is—

(a) On active duty for training, or performing full-time service under sections 316, 503, 504, or 505 of Title 32, U.S.C.;

(b) Performing authorized travel to or from that duty or service;

(c) On authorized inactive duty training, including training performed as a member of the Army National Guard or the Air National Guard. (Inactive duty training performed under section 502 of Title 32, U.S.C., is "authorized inactive duty training" within the meaning of 24 U.S.C. 281(a) (2) (c). Based on JAGT 1964/7509(SS).)

(d) Hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

(1) On that duty or service;

(2) Performing that travel or inactive duty training; or

(3) Undergoing that hospitalization or treatment at the expense of the United States.

(iii) Any member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force whose death occurs under honorable conditions while he is—

(a) Attending an authorized training camp or on an authorized practice cruise;

(b) Performing authorized travel to or from that camp or cruise; or

(c) Hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

(1) Attending that camp or on that cruise;

(2) Performing that travel; or

(3) Undergoing that hospitalization or treatment at the expense of the United States.

(iv) Any citizen of the United States who, during any war in which the United States is or has been engaged, served in the Armed Forces of any government allied with the United States during that war and whose last such service terminated honorably. (To be eligible under this authority, persons must have been citizens of the United States at the time of entering the service of such Armed Forces and at the time of death.)

(v) The wife, husband, surviving spouse, minor child, and, in the discretion of the Secretary of the Army, unmarried adult child (paragraph (a) (10) of this section and (c) of this subdivision) of any of the persons listed in subdivisions (i) through (iv) of this subdivision.

(a) The term "wife/husband" includes widows/widowers of any member of the Armed Forces lost or buried at sea or officially determined to be permanently absent in a status of missing or missing in action.

(b) Widows or widowers of service members interred in a national cemetery as a part of a group burial may be interred in the same cemetery if space is available but not in the same grave. If space is not available in the same cemetery, they may be buried in any national cemetery in which space is available.

(c) An unmarried adult child may be interred in the same grave in which a parent has been or will be interred, provided such adult child was incapable of self-support up to the time of death because of physical or mental condition. At the time of death of an adult child, request for interment will be submitted to the superintendent of the national cemetery in which interment is desired, and must be accompanied by a notarized statement from an individual who has direct knowledge as to the marital status and degree of dependency of the deceased child and the name and service data of said child's parent upon whose military service burial is being requested. A certificate of a physician who has attended the decedent as to the nature and duration of the physical and/or mental disability must also be submitted. These data will be submitted to the Chief of Support Services, Attention: SPTS-MC, for approval prior to interment.

(vi) Commissioned officers, United States Coast and Geodetic Survey, who

die during and subsequent to the service specified in the following categories and whose last service terminated honorably are eligible for interment in national cemeteries regardless of time of death:

(a) Commissioned officers assigned to areas of immediate military hazard described in the act of December 3, 1942 (56 Stat. 1038; 33 U.S.C. 855a), as amended.

(b) Commissioned officers serving in the Philippine Islands on December 7, 1941.

(c) Commissioned officers actually transferred to the Department of the Army or the Department of the Navy under the provisions of the act of May 22, 1917 (40 Stat. 87; 33 U.S.C. 855).

(vii) Interment in national cemeteries of the remains of commissioned officers of the United States Public Health Service who were detailed for duty with the Army or Navy during World War I pursuant to the act of July 1, 1902 (32 Stat. 712, 713), as amended, and Executive Order 2571, April 3, 1917, is authorized. (Act of April 30, 1956 (40 U.S.C. 654; 70 Stat. 124).)

(a) By virtue of authority granted by section 216, act of July 1, 1944 (58 Stat. 690; 42 U.S.C. 217), Executive Order 9575, June 21, 1945, superseded by Executive Order 10349, April 26, 1952, and as amended by Executive Order 10356, May 29, 1952, Executive Order 10362, June 14, 1952, and Executive Order 10367, June 30, 1952, established the Public Health Service as a military service for the period of World War II and consecutive periods thereafter.

(b) Accordingly, all officers of the commissioned corps of the Public Health Service who served at any time during the period December 8, 1941 to, and including July 3, 1952, and whose services terminated honorably are entitled to burial in national cemeteries regardless of when death occurs.

(3) *Persons ineligible for burial.* (i) A person otherwise eligible for burial in a national cemetery who is convicted in a Federal, State, or United States military court of a crime or crimes, the result of which is the loss of United States citizenship or nationality, a sentence of death, or a sentence to imprisonment for 5 years or more, will not be buried in a national cemetery, except that any such person who, subsequent to such conviction and sentence, is pardoned or serves in the Armed Forces of the United States and whose last service therein terminates honorably may be buried in a national cemetery.

(a) Where a minimum and maximum term is imposed, the maximum will be used. An indeterminate sentence is considered to be a sentence of 5 years or more when the maximum term equals or exceeds 5 years. A suspended sentence will not be considered as imposing a term of imprisonment, except to the extent that such sentence is actually served.

(b) A person excluded from burial under this subdivision may, with prior approval of the Chief of Support Services, be buried in such other military burial ground as the Chief of Support Services may select, but no military ceremony will be performed at such burial.

(ii) Fathers, mothers, and in-laws are not eligible for interment in a national cemetery by reason of relationship to an eligible service person regardless of whether they are dependent upon the service member for support and/or are members of his household.

(iii) Persons whose last separation from the Armed Forces of the United States was under other than honorable conditions are not eligible for burial in a national cemetery notwithstanding the fact that they may have received veterans benefits, treatment in a Veterans Administration hospital, or that they died in such a hospital.

(iv) Persons who, although they may have been ordered to report to an induction station, but were "discharged from draft" and were not actually inducted into the military service, are not eligible.

(v) Non-service-connected spouses who have been divorced from the service-connected spouse or who have remarried subsequent to the interment of the service-connected spouse are not eligible based on his/her service (paragraph (a) (10) of this section).

(vi) Members of the family of the service persons listed in subparagraphs (2) (ii) and (iii) of this paragraph, are not eligible for burial (except when eligible in their own right) unless such service member actually dies on the training duty specified or under one of the other conditions cited pertaining to such training duty and his remains are interred in a national cemetery.

(vii) Dependents are not eligible for burial in a national cemetery unless the service-connected family member has been or will be interred in the national cemetery in which interment of the dependent is desired. This does not apply to widows/widowers of members of the Armed Forces lost or buried at sea or officially determined to be permanently absent in a status of missing or missing in action.

(4) *Special provisions.* (i) Until grave space is exhausted in sections that were in existence prior to January 1, 1947, burials may be made in accordance with procedures and policies in effect at the time such sections were established, provided, however, that no person otherwise eligible will be denied burial by reason of policies in existence prior to January 1, 1947, if burial space exists anywhere in the cemetery. In all burial sections established on or after January 1, 1947, burials will be made in accordance with policies or procedures in effect on or after January 1, 1947.

(ii) Government-owned Confederate cemeteries, Confederate plots, soldiers' lots, monument sites, and memorial parks are closed to burials. No additional interments will be made in these national cemetery activities.

(iii) Burials will not be made in memorial sections.

(iv) Pursuant to Executive Order 6166, June 10, 1933, as amended by Executive Order 6228, July 28, 1933, and Executive Order 8428, June 3, 1940, the national cemeteries listed below are under the jurisdiction of the National Park Service of the Department of the Interior. Cemeteries that are active for

burial purposes are indicated by an asterisk (*).

District of Columbia:

Battle Ground.

Louisiana:

Chalmette (Arabi).

Maryland:

Antietam (Sharpsburg).

Mississippi:

Vicksburg.

Montana:

*Custer Battlefield (Crow Agency).

Pennsylvania:

*Gettysburg.

Tennessee:

*Andrew Johnson (Greeneville).

*Fort Donelson (Dover).

*Shiloh (Pittsburg Landing).

*Stones River (Murfreesboro).

Virginia:

Fredericksburg.

Poplar Grove (Petersburg).

Yorktown.

By agreement between the Department of the Army and the Department of Interior, the Chief of Support Services is responsible for determining eligibility for burial, and for maintaining records of interment and interment statistics for the above-listed cemeteries.

(c) *Assignment of gravesites.* (1) Under present policy of the Department of the Army, only one gravesite is authorized for the burial of the service member and eligible members of his immediate family. This policy will be applied to all national cemeteries under the jurisdiction of the Department of the Army, except in those cases in which the Chief of Support Services specifically determines this to be infeasible.

(2) Gravesites will not be reserved in cemeteries in which the one-gravesite-per-family-unit policy has been placed in effect.

(3) Gravesite reservations made in writing prior to the establishment of the one-gravesite-per-family-unit policy will remain in effect as long as the reservee remains eligible for burial in a national cemetery.

(d) *Disinterments.* (1) Interments of eligible decedents in national cemetery activities are considered permanent and final, and disinterments will be permitted only for cogent reasons and then only with the prior written authorization of the Chief of Support Services (SPTS-MC). Disinterments and removal of remains from a national cemetery activity will be approved only when all living close relatives of the decedent give their written consent or in recognition of a court order directing the disinterment.

(2) All requests for authority to disinter remains, except for cases covered by subparagraph (5) of this paragraph, will include the following information:

(i) A full statement of reasons for the proposed disinterment.

(ii) Notarized statements by all close living relatives of the decedent that they interpose no objection to the proposed disinterment. "Close relatives" are defined as widow (widower), parents, adult brothers and sisters, and adult children of the decedent and will include the person who directed the initial interment, if living, even though the legal relationship of such person to the decedent may have changed. Sample copies of the required affidavits will be furnished by the Office of the Chief of Support Services (SPTS-MC) upon request.

(iii) A sworn statement, by a person having knowledge thereof, that those who supplied affidavits comprise all the living close relatives of the deceased, including the person who directed the initial interment.

(3) In lieu of the documents required in subparagraph (2) of this paragraph, an order of a court of competent jurisdiction will be considered. The Department of the Army or officials of the cemetery should not be made a party to the court action since this is a matter between the family members involved.

(4) Any disinterment that may be authorized under this paragraph must be accomplished without expense to the Government, except those covered by subparagraph (5) of this paragraph.

(5) According to law (73 Stat. 547; 24 U.S.C. 281), the remains of any person listed in paragraph (b)(2)(v) of this section, may, in the discretion of the Secretary of the Army, be removed from a national cemetery proper and interred in the post section of a national cemetery or in a post cemetery if, upon death, the related person named in paragraph (b)(2)(i) through (iv) of this section, is not buried in the same or an adjoining gravesite; provided, however, that the remains of a person listed in paragraph (b)(2)(v) of this section, will not be removed from a national cemetery proper if the service member is—

(i) Lost or buried at sea;

(ii) Officially determined to be permanently absent in a status of missing or missing in action;

(iii) Officially determined to be dead for the purpose of terminating his status of missing or missing in action; or

(iv) One whose remains have not been recovered.

§ 553.19 Headstones and markers.

(a) *General—(1) Authority.* All graves in national cemetery activities will be appropriately marked. The act of August 27, 1954 (68 Stat. 880), as amended, provides that the Secretary of the Army will set aside, when available, suitable plots in the national cemeteries under his jurisdiction to honor the memory of members of the Armed Forces missing in action or who died or were killed while serving in such Forces and whose remains have not been identified, have been buried at sea, or have been determined to be nonrecoverable. The act of July 1, 1948, as amended by the acts of August 14 and 28, 1958 (24 U.S.C. 279a), authorizes and directs the Secretary of the Army to furnish, when requested, an appropriate memorial marker or grave marker. Except as provided in paragraphs (b)(1), (2)(ii), and (3), and (c)(1) and (3) of this section, headstones will be of white marble, upright slab design.

(2) *Applications.* Headstones and markers furnished by the Government for graves in national and Army post cemeteries will be ordered from Reports of Interment (DA Form 2122). Applications from next of kin are not required. However, Applications for Headstone or Marker (DD Form 1330) are required for memorial markers and must be submitted or approved by the next of kin of the decedent.

(3) *Inscriptions.* Inscriptions on Government headstones, markers, and private monuments will be in accordance with policies and specifications of the Chief of Support Services. The section designation and grave number will be incised on the reverse side, near the top of the upright headstone. The section designation and grave number on flat granite markers and flat marble markers will be incised on the front (face) of the stone in the upper right corner. Instructions concerning the section designation and grave number on private monuments are contained in chapter 4, TM 10-287.

(4) *Replacement policy.* (i) Headstones and markers will be replaced only if they are damaged or weathered to the extent that they are no longer serviceable, if they constitute a safety hazard, or if the inscriptions are illegible.

(ii) All Government replacement headstones and inscriptions thereon will be identical with the original headstone so far as practicable and desirable.

(iii) If the Chief of Support Services determines that private monuments are not maintained in a safe and serviceable condition, the next of kin will be given an opportunity to effect necessary repairs or to replace the monument. If the next of kin cannot be located or if he/she will not accept responsibility for repairing or replacing the monument, the Department of the Army reserves the right to remove the monument from the cemetery and replace it with a standard Government headstone or marker.

(b) *Furnished by the Government—(1) Individual graves.* In those cemeteries where the use of flat markers for marking individual graves has been approved specifically by the Secretary of the Army, the markers will be granite and will conform to specifications approved by the Chief of Support Services.

(2) *Multiple interments.* (i) Whenever an additional interment is made in a grave, the stone will be replaced with a multiple-inscribed stone of the same type. Upright replacement stones will be inscribed on the face with the names of all decedents, together with other pertinent inscription data, if space permits. When space is insufficient to accommodate the inscription of all decedents, inscription for the service-connected decedent and his spouse will be placed on the face of the stone, if possible; and inscriptions for the additional interments will be cut on the reverse side.

(ii) In those cemeteries where flat granite stones are authorized specifically in lieu of upright headstones, inscription data for additional decedents will be placed on the face of the stone, if space permits. When space is inadequate for this purpose, two stones will be provided and will be placed side by side at the head of the grave with the long sides in alignment with the stones marking the adjoining graves on each side. In lieu of two flat markers for multiple interments, one stone of special design may be furnished, as determined by the Chief of Support Services.

(3) *Group burials.* The design of headstones or markers erected for group interments will be as determined specifically by the Office of the Chief of Support Services.

(4) *Memorial markers.* Memorial markers may be erected in national cemetery sections established for this purpose, and such markers will be of the standard design authorized for the cemetery in which they are to be erected. In addition to the authorized inscription, the words "In Memoriam" or "In Memory Of" are mandatory.

(c) *Monuments and inscriptions at private expense.* (1) The erection of markers and monuments at private expense to mark graves in lieu of Government headstones and markers requires prior approval of the Chief of Support Services and is permitted only in sections in existing national cemeteries in which private monuments and markers were authorized as of January 1, 1947. Such monuments will be simple in design, dignified, and appropriate to a military cemetery. The name of the person(s) or the name of an organization, fraternity, or society responsible for the purchase and erection of the marker will not be permitted on the marker or anywhere else in the cemetery.

(2) Where a headstone or monument has been erected to an individual interred in a national cemetery and the next of kin desires to inscribe thereon the name and appropriate data pertaining to a deceased spouse, parent, son, daughter, brother or sister whose remains have not been recovered and who would have been eligible in their own right for burial in a national cemetery, such inscriptions may be incised on the headstone or monument at no expense to the Government with the prior written approval of the Chief of Support Services. The words "In Memoriam" or "In Memory Of" are mandatory elements of such inscriptions.

(3) Except as may be authorized under paragraph (b) (3) of this section, for marking group burials, ledger monuments, monuments of free-standing cross design, narrow shafts, mausoleums, or overground vaults are prohibited. Underground vaults may be placed at private expense, if desired, at the time of interment.

(4) Specific instructions concerning private monuments and markers are contained in TM 10-287.

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 65-7562; Filed, July 16, 1965;
8:46 a.m.]

Title 7—AGRICULTURE

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

[Valencia Orange Reg. 129]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.129 Valencia Orange Regulation 129.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and

Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia 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 Valencia 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 Valencia 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 section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 15, 1965.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., July 18, 1965, and ending at 12:01 a.m., P.s.t., July 25, 1965, are hereby fixed as follows:

- (i) District 1: 175,000 cartons;
- (ii) District 2: 400,000 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," and "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: July 15, 1965.

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

[F.R. Doc. 65-7649; Filed, July 16, 1965;
11:19 a.m.]

[Lemon Reg. 170]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.470 Lemon Regulation 170.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, 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 Lemon 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 lemons, 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 section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 13, 1965.

(b) *Order.* (1) The respective quantities of lemons grown in California and

Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., July 18, 1965, and ending at 12:01 a.m., P.s.t., July 25, 1965, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
 - (ii) District 2: 325,500 cartons;
 - (iii) District 3: Unlimited movement.
- (2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: July 15, 1965.

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

[F.R. Doc. 65-7630; Filed, July 16, 1965; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 64-AL-3]

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

Alteration of Control Zone, Designation of Transition Area, and Revocation of Control Area Extension

On April 27, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 5854) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Nome, Alaska, control zone, revoke the Nome control area extension and designate a transition area at Nome.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments, but no comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth.

1. In § 71.165 (29 F.R. 17557), the Nome, Alaska, control area extension is revoked.

2. In § 71.171 (29 F.R. 17581), the Nome, Alaska, control zone is amended to read:

Within a 5-mile radius of Nome FAA Airport (latitude 64°31' N., longitude 165°27' W.); within 2 miles each side of the Nome RR E course, extending from the 5-mile radius zone to 10 miles E of the RR; within 2 miles each side of the Nome VOR 107° and 287° radials, extending from the 5-mile radius zone to 8 miles E of the VOR.

3. In § 71.181 (29 F.R. 17643), the following transition area is added:

NOME, ALASKA

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the Nome VOR, extending clockwise from the 319° radial to the 125° radial; and that airspace extending upward from 1,200 feet

above the surface within a 25-mile radius of the Nome VOR.

(Secs. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348, 1510; E.O. 10854 (24 F.R. 9565))

Issued in Washington, D.C., on July 12, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-7543; Filed, July 16, 1965; 8:45 a.m.]

[Airspace Docket No. 64-WE-36]

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

Alteration and Designation of Control Zones and Designation of Transition Area

On March 30, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 4137) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Bellingham, Wash., terminal area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth.

In § 71.171 (29 F.R. 17585), the Bellingham, Wash., control zone is amended to read:

BELLINGHAM, WASH.

Within a 5-mile radius of Bellingham Municipal Airport (latitude 48°47'40" N., longitude 122°32'10" W.); within 2 miles each side of Bellingham RR NW course, extending from the 5-mile radius zone to 8 miles NW of the RR and within 2 miles each side of the Bellingham VOR 169° radial, extending from the 5-mile radius zone to 1 mile S of the VOR.

In § 71.171 (29 F.R. 17581), the following control zone is added:

ABBOTSFORD, BRITISH COLUMBIA, CANADA

Within a 5-mile radius of Abbotsford Airport (latitude 49°01'00" N., longitude 122°22'00" W.), excluding the portion outside the United States.

In § 71.181 (29 F.R. 17643), the following transition area is added:

BELLINGHAM, WASH.

That airspace extending upward from 700 feet above the surface bounded on the E by longitude 122°15'00" W., on the S by latitude 48°52'00" N., and on the W and N by the United States/Canadian border; and that airspace extending upward from 1,200 feet above the surface within 6 miles NE and 8 miles SW of the 138° and 318° bearings from the Bellingham RR, extending from latitude 48°52'00" N., to 9 miles SW of the RR.

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

Issued in Los Angeles, Calif., on July 9, 1965.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 65-7544; Filed, July 16, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-79]

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

Alteration of Control Zone

The purpose of this amendment to § 71.171 of the Federal Aviation Regulations is to alter the time of designation of the Riverside, Calif., control zone.

The Riverside control zone is presently designated from 0500 to 2130 hours, local time, daily to coincide with the hours of the weather reporting service furnished by Bonanza Airlines. In July 1965, the Federal Aviation Agency will commission a part-time control tower at the Riverside Airport. Upon commissioning, communication and weather reporting services will be furnished by the control tower from 0600 to 2200 hours, local time, daily. Therefore, action is taken herein to redesignate the Riverside control zone coincident with the hours of operation of the control tower.

Since the amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective July 28, 1965, as hereinafter set forth.

In § 71.171 (30 F.R. 5830), the Riverside, Calif. (Municipal Airport), control zone is amended as follows: "0500 to 2130 hours, local time daily" is deleted and "0600 to 2200 hours, local time daily" is substituted therefor.

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

Issued in Los Angeles, Calif., on July 9, 1965.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 65-7545; Filed, July 16, 1965; 8:45 a.m.]

[Airspace Docket No. 65-CE-8]

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

Transition Area; Correction

On May 7, 1965, Federal Register Document 65-4799 was published in the FEDERAL REGISTER (30 F.R. 6385) amending § 71.181 of the Federal Aviation Regulations. Therein, the Malden, Mo., transition area was designated, in part, as that airspace "within 5 miles SW and 8 miles NE of the Malden VOR 120° radial." The correct designation is "within 5 miles SW and 8 miles NE of the Malden VOR 120° and 300° radials." Action is taken herein to correct this discrepancy.

Since this amendment is editorial in nature, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the effective date of the final rule, as initially adopted, may be retained.

In consideration of the foregoing, effective immediately, Federal Register Document 65-4799 is altered as follows:

MALDEN, Mo.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Malden Municipal Airport (latitude 36°36'30" N., longitude 89°59'00" W.), and within 2 miles each side of the Malden VOR 120° radial, extending from the 6-mile radius to 8 miles SE of the VOR; and that airspace extending upward from 1,200 feet above the surface within 5 miles SW and 8 miles NE of the Malden VOR 120° and 300° radials, extending from 2 miles NW to 12 miles SE of the VOR.

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

Issued in Kansas City, Mo., on July 7, 1965.

DONALD S. KING,
Acting Director, Central Region.

[F.R. Doc. 65-7546; Filed, July 16, 1965;
8:45 a.m.]

[Airspace Docket No. 65-CE-38]

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

Alteration of Federal Airway

On April 15, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 5383) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign VOR Federal airway No. 129 from Cordova, Ill., via the intersection of the Polo, Ill., 268° and Janesville, Wis., 239° True radials, Dubuque, Iowa, to Waukon, Iowa. It was proposed that the airspace of the segment at and below 1,200 feet above the surface between Cordova and Waukon would be excluded.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments, but no comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth.

In § 71.123 (29 F.R. 17509), V-129 is amended by deleting "From Polo, Ill., via Rewey, Wis.; Waukon, Iowa;" and substituting "From Cordova, Ill., 12 AGL via INT Polo, Ill., 268° and Janesville, Wis., 239° radials; 12 AGL Dubuque, Iowa; 12 AGL Waukon, Iowa;" therefor.

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

Issued in Washington, D.C. on July 12, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-7547; Filed, July 16, 1965;
8:45 a.m.]

[Airspace Docket No. 63-EA-74]

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

Designation of Federal Airway; Correction

On September 22, 1964, Federal Register Document 64-9572 was published in

the FEDERAL REGISTER (29 F.R. 13137) amending Part 71 of the Federal Aviation Regulations by altering VOR Federal airway No. 196 to read "From Utica, N.Y., via the INT of the Utica 016° and Plattsburgh, N.Y., 235° radials; to Plattsburgh." The effective date of this amendment was December 10, 1964. This description should have referred to the "Plattsburgh, N.Y., 236° radial." Therefore, action is taken herein to correct this error.

Since this amendment is minor in nature and essentially editorial, notice and public procedure hereon are unnecessary and the amendment may be made effective on less than 30 days' notice.

In consideration of the foregoing, Federal Register Document 64-9572 is amended, effective immediately, as hereinafter set forth.

In the text of the amendment set forth in Federal Register Document 64-9572 (29 F.R. 13137) "Plattsburgh, N.Y., 235° radials;" is deleted and "Plattsburgh, N.Y., 236° radials;" is substituted therefor.

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

Issued in Washington, D.C. on July 12, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-7548; Filed, July 16, 1965;
8:45 a.m.]

[Airspace Docket No. 64-SW-47]

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

Alteration and Designation of Federal Airways

On March 25, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 3884) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter VOR Federal airways Nos. 13, 54, 71, 140, 74, and 205, designate a new airway between Hot Springs, Ark., and Fort Smith, Ark., and that would designate a new airway between El Dorado, Ark., and Little Rock, Ark.

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

Subsequent to the publication of the notice of proposed rule making, it was determined that Flippin, Ark., should be revoked as a reporting point since its designation would no longer serve a useful purpose, in light of the pertinent proposed airspace actions. Therefore, action is taken herein to delete the Flippin VOR from the airway structure as a reporting point. Since the revocation of this reporting point is essentially editorial in nature, notice and public procedure hereon are unnecessary.

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

is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth.

1. § 71.123 (29 F.R. 17509, 30 F.R. 2928, 7312) is amended as follows:

a. In V-13 "Fort Smith, Ark., including a W alternate via INT of Page 007° and Fort Smith 223° radials; Fayetteville, Ark.;" is deleted and "Fort Smith, Ark.; Fayetteville, Ark., including a W alternate from Page to Fayetteville via INT of Page 007° and Fayetteville 203° radials;" is substituted therefor.

b. In V-54 "including an N alternate via INT of Texarkana 033° and Little Rock 255° radials;" is deleted and "including an N alternate from Texarkana to Little Rock via INT of Texarkana 037° and Hot Springs, Ark., 223° radials and Hot Springs;" is substituted therefor.

c. V-71 is amended to read:

V-71 From Baton Rouge, La., via Natchez, Miss.; Monroe, La.; El Dorado, Ark.; Hot Springs, Ark.; INT Hot Springs 358° and Harrison, Ark., 176° radials; Harrison; to Springfield, Mo., including a W alternate from Hot Springs to Springfield via Fayetteville, Ark., excluding the airspace between the main and this W alternate.

d. In V-74 "Little Rock, Ark., including an N alternate;" is deleted and "Little Rock, Ark., including an N alternate and also an S alternate via INT of Fort Smith 133° and Little Rock 278° radials;" is substituted therefor.

e. In V-140 "Flippin, Ark.;" is deleted and "Harrison, Ark.;" is substituted therefor.

f. In V-205 "From Springfield, Mo., via Blue Springs, Mo.;" is deleted and "From Walnut Ridge, Ark., via Dogwood, Mo.; Springfield, Mo.; Blue Springs, Mo.;" is substituted therefor.

g. V-303 is added as follows:

V-303 From Hot Springs, Ark., to Fort Smith, Ark., including an E alternate via INT Hot Springs 395° and Fort Smith 096° radials.

h. V-305 is added as follows:

V-305 From El Dorado, Ark., to Little Rock, Ark.

2. In § 71.203 (29 F.R. 17711) "Flippin, Ark.;" is revoked.

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

Issued in Washington, D.C., on July 12, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-7549; Filed, July 16, 1965;
8:46 a.m.]

[Airspace Docket No. 64-WE-72]

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

Alteration of Federal Airways

The purpose of this amendment is to correct the description of a segment of Victor 187 west alternate between Grand Junction, Colo. and Vernal, Utah.

On June 29, 1965, Federal Register Document No. 65-6761 was published in the FEDERAL REGISTER (30 F.R. 8265) effective August 19, 1965, which in part designated the Victor 187 west alternate from Grand Junction, Colo. with a floor

of 10,300 feet MSL for 45 miles, 8,500 feet MSL for 59 miles, and 1,200 feet AGL to Vernal, Utah. It was intended that the segment having a floor of 8,500 feet MSL extend for 14 miles beyond the 10,300-foot MSL segment instead of 59 miles. Accordingly, action is taken herein to correct this error.

Since this is a minor amendment in which the public is not particularly interested, notice and public procedure hereon are unnecessary. More than 30 days will elapse from the time of publication of this alteration to the effective date of the rule as initially adopted, therefore, this amendment is made in compliance with section 4 of the Administrative Procedure Act.

In consideration of the foregoing, effective immediately, Federal Register Document No. 65-6761 is amended as follows:

In paragraph b. "59 mi. 85 MSL," is deleted and "14 mi. 85 MSL," is substituted therefor.

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

Issued in Washington, D.C. on July 12, 1965.

H. B. HELSTROM,
*Acting Chief, Airspace Regulations
and Procedures Division.*

[F.R. Doc. 65-7550; Filed, July 16, 1965;
8:46 a.m.]

[Airspace Docket No. 65-CE-53]

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

Redesignation of Transition Area

On May 4, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 6225) stating that the Federal Aviation Agency proposed to alter controlled airspace in the Muskegon, Mich., terminal area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth.

In § 71.181 (29 F.R. 17643) the Muskegon, Mich., transition area is amended to read:

MUSKEGON, MICH.

That airspace extending upward from 700 feet above the surface within 8 miles NE and 6 miles SW of the Muskegon County Airport ILS localizer SE course, extending from 3 miles NW of the OM SE to the arc of an 18-mile radius circle centered on the Muskegon County Airport (latitude 43°10'16" N., longitude 86°14'09" W.), and within a 4-mile radius of Grand Haven Memorial Airport, Grand Haven, Mich. (latitude 43°02'00" N., longitude 86°11'50" W.); and that airspace extending upward from 1,200 feet above the surface within an 18-mile radius of the Muskegon County Airport (latitude 43°10'16" N., longitude 86°14'09" W.) including the air-

space SW of Muskegon bounded on the NE by the 18-mile radius areas; on the SE by the Grand Rapids, Mich., transition area, on the SW by V-30 and on the NW by V-216. (Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on July 6, 1965.

DONALD S. KING,
Acting Director, Central Region.

[F.R. Doc. 65-7551; Filed, July 16, 1965;
8:46 a.m.]

[Airspace Docket No. 65-CE-54]

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

Designation of Transition Area

On May 7, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 6402), stating that the Federal Aviation Agency proposed to designate controlled airspace in the Reed City, Mich., terminal area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth.

In § 71.181 (29 F.R. 17643), the following is added:

REED CITY, MICH.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Miller Field, Reed City, Mich. (latitude 43°53'30" N., longitude 83°31'00" W.), and within 5 miles E and 8 miles W of the 345° bearing from Miller Field, extending from Miller Field to 17 miles N of the airport.

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

Issued in Kansas City, Mo., on July 6, 1965.

DONALD S. KING,
Acting Director, Central Region.

[F.R. Doc. 65-7552; Filed, July 16, 1965;
8:46 a.m.]

[Airspace Docket No. 65-WE-15]

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

Alteration of Transition Area

On May 25, 1965 a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 6986), stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the transition area at Astoria, Oreg.

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

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

is amended, effective 0001 e.s.t., September 16, 1965, as hereinafter set forth.

In § 71.181 (29 F.R. 17643), the Astoria, Oreg., transition area is amended to read as follows:

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Astoria VOR 309° radial, extending from the arc of a 5-mile radius circle centered at the Clatsop County Airport, Astoria, Oreg. (latitude 46°09'25" N., longitude 123°52'40" W.) to 8 miles NW of the Fort Stevens FM (latitude 46°12'31" N., longitude 123°57'51" W.), and within 2 miles each side of the Astoria VOR 347° radial, extending from the arc of a 5-mile radius circle centered at the Clatsop County Airport to 8 miles N of the VOR; and that airspace extending upward from 1,200 feet above the surface within 6 miles NE and 5 miles SW of the Astoria VOR 147° and 327° radials, extending from 7 miles SE to 13 miles NW of the VOR; within 9 miles S and 2 miles N of the Astoria VOR 268° radial, extending from the VOR to 13 miles W of the VOR, and within 5 miles NE and 8 miles SW of the Astoria VOR 309° radial, extending from the Fort Stevens FM to 12 miles NW of the FM.

(Secs. 307(a) and 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510 and Executive Order 10854 (14 F.R. 9565))

Issued in Washington, D.C., on July 12, 1965.

H. B. HELSTROM,
*Acting Chief, Airspace Regulations
and Procedures Division.*

[F.R. Doc. 65-7553; Filed, July 16, 1965;
8:46 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. No. ER-437]

PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Allocation of Income Taxes

Correction

In F.R. Doc. 65-7441, appearing at page 8829 of the issue for Wednesday, July 14, 1965, the following corrections are made:

1. In paragraph (c) of section 6-2131, amended by item 1, "Deferred Investment Tax Credits" should read "Deferred Investment Tax Credits".

2. The amendatory language of item 4 should read as follows:

4. Amend section 15—Objective Classification—Income Taxes for Current Period by changing the title of account 91 to "Provision for Income Taxes"; adding two new subaccounts to account 91; deleting account 95 "Excess Profits Taxes"; and adding new account 93 "Investment Tax Credits Deferred and Amortized", so that the section reads:

3. In the "Frequency" column of the tabular matter under item 6, the word "do" should appear for each of the two entries.

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Ammonium Nitrate Formulated With Ammonium Chloride or Ammonium Thiosulfate: Exemption From Requirement of Tolerance

A petition was filed with the Food and Drug Administration by Union Oil Co. of California, Post Office Box 76, Brea, Calif., 92621, requesting the establishment of an exemption from the requirement of a tolerance for residues of ammonium nitrate formulated with ammonium chloride or ammonium thiosulfate when used as desiccants or defoliant in the production of cottonseed.

The Secretary of Agriculture has certified that these pesticide chemical formulations are useful for the purposes for which exemption from the requirement of a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material, the Commissioner of Food and Drugs has concluded that tolerances are not necessary to protect the public health and that the exemption established in this order is safe. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner by the Secretary (21 CFR 2.90), Part 120 is amended by adding to Subpart D a new section reading as follows:

§ 120.1018 Ammonium nitrate formulated with ammonium chloride or ammonium thiosulfate; exemption from the requirement of a tolerance.

Ammonium nitrate formulated with ammonium chloride or ammonium thiosulfate is exempted from the requirement of a tolerance when used as a desiccant or defoliant of the cotton plant, in the production of cottonseed.

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

sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: July 9, 1965.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 65-7569; Filed, July 16, 1965; 8:47 a.m.]

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 20—OCCUPATIONAL TRAINING OF UNEMPLOYED PERSONS

Miscellaneous Amendments

Pursuant to authority contained in section 207 of the Manpower Development and Training Act of 1962 (42 U.S.C. 2587), I hereby amend Title 29, Part 20, of the Code of Federal Regulations in the light of the amendments to the Act made by the Manpower Act of 1965 (Pub. Law 89-15), as set forth below.

The provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) which require notice of proposed rule making, opportunity for public participation, and delay in effective date are not applicable because these rules involve only matters that relate to public benefits. I do not believe such procedures will serve a useful purpose here. Accordingly, these amendments shall become effective immediately.

The amendments read as follows:

1. Section 20.1 is amended to read as follows:

§ 20.1 Definitions.

As used in this part, unless the context clearly indicates otherwise, the term:

(a) "Act" means the Manpower Development and Training Act of 1962, Public Law 87-415, as amended by Public Law 87-729, Public Law 88-214, and the Manpower Act of 1965, Public Law 89-15.

(b) "Annual net farm family income" means the net income as computed or reported in the preceding year by the head of a farm family under Internal Revenue rules applicable to farm income.

(c) "Basic education" means elementary education in the general areas of reading, writing, language skills, and arithmetic.

(d) "Dependent" means (1) the spouse of the trainee, (2) any child of the trainee under 18 years of age or any child living with the trainee under 18 years of age for whom the trainee stands in the place of a parent, (3) any parent, grandparent, sister, brother, or child of the trainee 18 years or older, who is a member of the trainee's household but who because of physical or mental disability is unemployable and (4) any person who would qualify as a dependent of the trainee under section 151(e) of the Internal Revenue Code of 1954 (26 U.S.C. 151(e)).

(e) "Farm family" means a family headed by an individual whose principal employment during the year was in agriculture as defined in section 3 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. § 203(f)).

(f) "Good cause" means justifiable reasons determined in accordance with a standard of conduct expected of an individual acting as a reasonable person in the light of all the circumstances, and includes but is not limited to reasons beyond the control of the individual or factors connected with the capabilities of the individual to progress satisfactorily or complete the training.

(g) "Head of family" means an individual who is primarily responsible for supporting one or more members of his family, including any relative.

(h) "Head of household" means an individual, not a nonresident alien, who is unmarried and either—

(1) Maintains as his home a household which constitutes the principal place of abode, as a member of such household, of any person who qualifies as a dependent of the individual under section 151(e) of the Internal Revenue Code of 1954 (26 U.S.C. 151(e)); or

(2) Maintains a household which constitutes the principal place of abode of the father or mother of the individual, if the father or mother qualifies as a dependent of the individual under section 151(e) of the Internal Revenue Code of 1954 (26 U.S.C. 151(e)).

An individual shall be considered as maintaining a household only if over half of the cost of maintaining the household is furnished by such individual.

(i) "Regular place of residence" is the city, town, or other place where an individual has his principal place of abode.

(j) "Secretary" means the Secretary of Labor of the United States, or his authorized representatives.

(k) "Special youth program" means a program exclusively for youth who are out-of-school and out-of-work, who come from a seriously impoverished environment and who cannot be expected to benefit from regular occupational training programs. Such a program includes guidance, counseling, testing, and occupational training, and may include basic education, social adjustment, job development, placement, and followup services and other instruction or special services tailored to meet the needs of individual youths.

(l) "State" includes the 50 States, the District of Columbia, Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

(m) "State agency" means the agency of the State which administers the employment security program or any other agency of the State designated to cooperate with the Secretary of Labor to effectuate the purposes of the Act.

(n) "Training" means a planned and systematic sequence of instruction on an individual or group basis under competent supervision which is designed to impart skills, knowledge, or abilities to prepare individuals for suitable employment.

(o) "Training facility" means (1) A public or private educational or training institution which provides training under section 231 of the Act, or

(2) An institution, including but not limited to, a private or public agency, employer, trade association, labor organization, or other industrial or community group, conducting on-the-job training approved by the Secretary under Title II of the Act.

(p) "Training program" means a specified course of instruction for the occupational training or retraining of individuals selected for training pursuant to section 202 of the Act. Such a program may include, where appropriate, basic education, guidance, testing, counseling, prevocational preparation, and other needed instruction or special services.

(q) "Unemployment compensation" means the compensation payable for weeks of unemployment in accordance with the provisions of a State or Federal law, including but not limited to the unemployment compensation laws of the several States, the Railroad Unemployment Insurance Act and Title XV of the Social Security Act.

(r) "Week" means a calendar week or any 7 consecutive day period other than a calendar week.

(s) "Weekly" means once a week.

(t) "Youth" means a person who has attained the age of 16 years but has not reached his 22d birthday.

2. Section 20.2 is amended to read as follows:

§ 20.2 Effective period of program.

No commitment of funds shall be made pursuant to the authority conferred upon the Secretary under Title II of the Act after June 30, 1969, unless by Act of Congress the Act is extended beyond that date.

§ 20.5 [Deleted]

3. Section 20.5 entitled *Standards for vocational training* is deleted.

4. Paragraph (b) of § 20.10 is amended to read as follows:

§ 20.10 Determination of employment opportunities.

(b) *Jobs or opportunities excluded.* The determination of employment opportunities shall not include jobs or opportunities which:

(1) Do not meet prevailing standards of the industry in the labor area, as defined by the Secretary, in which they exist with respect to wages (subject to the standards for on-the-job training prescribed in §§ 20.20 to 20.23), hours and conditions of employment;

(2) Exist due to the transfer of any establishment, production, business, or service which has caused an increase in unemployment in the area of original location or in any other area where such establishment, production, business, or service conducts business operations;

(3) Require less than 2 weeks training, unless there are immediate employment opportunities in such an occupation; or

(4) Could not be filled by the U.S. Employment Service under its policies and regulations with respect to referrals to employment as contained in the Code of Federal Regulations (20 CFR Pt. 602) and as implemented by the pertinent provisions of the Employment Security Manual.

5. Section 20.12 is amended to read as follows:

§ 20.12 Selection and referral of trainees.

(a) Persons, including youth, who are otherwise eligible for training shall be selected for training programs which are commensurate with their training needs, if at the time of their selection and referral, they are:

(1) Unemployed or underemployed and cannot reasonably be expected to secure appropriate full-time employment without training;

(2) Registered at the appropriate local public employment service office or such other agency as may be designated by the Secretary; and

(3) Available for counseling or other personal interviews and for aptitude, proficiency, or other occupational tests which may be required.

(b) In selecting and referring applicants for training programs, priority shall be extended to:

(1) Unemployed over underemployed individuals; and

(2) Subject to the priority above individuals are to be trained for employment; first, within the labor area, as defined by the Secretary, in which they reside; second, within the State of their residence; and third, outside the State in which they reside if not in the same labor area.

(c) Trainees shall not be referred to training programs to qualify them for employment where the terms or conditions of employment are contrary to Federal, State, or local law.

(d) Selection and referral of applicants shall be made in accordance with the policies and regulations of the U.S. Employment Service relating to referral to employment or such other criteria as may be established.

(e) For purposes of this section, a person is unemployed if he is able to work and available for full-time employment and has no job, or if he is a farmworker in a farm family which has less than \$1,200 annual net farm family income.

(f) For purposes of this section, a person is underemployed if (1) he is working below his skill capacity, or (2) he is working less, or has received notice that he will be working less, than full-time in his industry or occupation, or (3) he has received notice that he will be unemployed because his skill is becoming obsolete.

6. The introductory paragraph and paragraph (c) of § 20.20 are amended to read as follows:

§ 20.20 Standards for on-the-job training.

On-the-job training, as used in this part, refers to a program of occupational

training which uses instruction combined with work to qualify a trainee for a particular occupation. Such programs shall:

(c) Provide methods of instruction, scheduling of sessions, progression of trainees, size of the training class or group, all of which shall meet the approval of the Secretary, and be comparable in duration to similar programs, and adequate in content to qualify trainees for employment;

7. The introductory paragraph and paragraph (a) of § 20.21 are amended to read as follows:

§ 20.21 Requirements for agreements for on-the-job training.

Prior to entering into an agreement with a training facility it shall first be determined that there is:

(a) Joint agreement to the training program and the wage scale by the training facility and the bargaining agent where there is a collective bargaining agreement applicable to the establishment and the occupation;

8. The introductory paragraph and paragraph (b) of § 20.22 are amended to read as follows:

§ 20.22 Rates under agreements.

The agreement with the training facility shall include the rate of compensation to be paid to trainees by the training facility, determined as follows:

(b) If experienced workers in the establishment are paid on a time rate basis, trainees shall be paid on a time rate basis, which is to be expressed as a progressively increasing proportion of the rate paid to experienced workers and determined on a basis of information about the typical output curve of a trainee and the length of time required to reach the proficiency of an experienced worker, provided that the training program is of such duration that periodic increases are reasonable; and

9. Section 20.30 is amended to read as follows:

§ 20.30 Eligibility for training allowances.

(a) An unemployed individual selected and referred to training pursuant to the provisions of section 202 of the Act and who is 17 years of age or older may be eligible for a training allowance in accordance with the provisions of this subpart, or the Railroad Retirement Board's account or a State's account in the Unemployment Trust Fund may be reimbursed, if he has had at least 2 years' experience in gainful employment prior to the week of training involved and, for the week for which an allowance is sought, has been enrolled in accordance with the requirements of the training facility in a training program: *Provided*, That not more than two persons in any family or household shall receive a training allowance, other than a youth train-

ing allowance, payment for any week except in an area designated as a re-development area under any Federal Act authorizing such designation.

(b) Training allowances provided for in (a) above shall not be paid to a member of a family or household in which the head of the family or the head of the household is employed, nor shall they be paid to any member of a family or household if the Secretary determines that the head of such family or household has terminated his employment for the purpose of qualifying such member for training allowances under section 203 of the Act.

(c) For purposes of (a) above, an individual is unemployed, if he has worked less than 40 hours for which compensation is payable in the week, or less than a full workweek scheduled for his industry or occupation, or if he is a farmworker in a farm family which has less than \$1,200 annual net farm family income. For purposes of (b) above, the head of the family or household is employed only if he or she is engaged in full-time work of a permanent or indefinite duration that can reasonably be expected to provide the trainee or trainees with sufficient resources to undertake or continue training.

(d) A youth referred to training in a special youth program in accordance with subsection 202(b) of the Act and who is not eligible for a training allowance under (a) above may be eligible for a youth training allowance if:

(1) Prior to the week of training involved, he has reached his 17th birthday, and

(2) In the event such youth has not graduated from high school, the Secretary has satisfied himself that he has continuously failed to attend school for a period of not less than 1 year and that the local authorities, after pursuing all appropriate procedures, including guidance and counseling, have concluded, after considering any assistance available under section 13 of the Vocational Education Act of 1963, that further school attendance by him in any regular academic or vocational program is no longer practicable under the circumstances.

(e) A youth receiving a youth training allowance who becomes 22 years old during the course of his training may be eligible for continued payments of youth training allowances if he has completed more than half the weeks of his training program on his 22d birthday.

10. Section 20.31 is hereby amended to read as follows:

§ 20.31 Attachment to the labor force.

The "2 years' experience in gainful employment" required under § 20.30(a) above refers to any combination of qualifying periods of gainful employment for pay (including military service), self-employment for profit, or employment as a worker in a family enterprise for which he receives no salary, that do not overlap and which aggregate 2 years. This attachment to the labor force need not be continuous and may have occurred at any time in the individual's lifetime.

Qualifying periods for the 2 years' experience are:

(a) A calendar year in which the individual had 150 days of work regardless of the months or quarters in the year in which the work was performed;

(b) A calendar quarter in which the individual had 35 days of work regardless of the months within the quarter in which they occurred; or

(c) A calendar month in which the individual had 10 days of work; and

(d) For purposes of this section a day of work shall include any day on which work was performed, even though less than a full day's work.

11. Section 20.32 is amended to read as follows:

§ 20.32 Periods of ineligibility for training allowances.

(a) A person otherwise eligible for a training allowance may not receive a training allowance for the week or any part of the week for which he has received or is seeking unemployment compensation under any Federal or State law, except that:

(1) If he is seeking unemployment compensation and his claim is finally denied by the responsible agency involved, this restriction shall not apply, or

(2) If he receives unemployment compensation in a lesser amount than the amount of the allowance to which he is otherwise entitled under this Act but for the receipt of such payment, he shall be entitled to the difference provided under this Act.

(b) An individual may not receive a training allowance and no reimbursement shall be made to a State or the Railroad Retirement Board for unemployment compensation paid for a week of training that begins within 1 year following the date that the individual:

(1) Is terminated from training pursuant to certification under subsection 202(h) of the Act;

(2) Refuses, without good cause, to accept training under the Act: *Provided however*, That no individual shall be required to accept training in an occupation which is below the economic or skill level of his present occupation; or

(3) Completes, or terminates prior to completion (for other than good cause), training in connection with which the individual received a training allowance under this Act or any other Federal Act, or received unemployment compensation payments which were reimbursed under this Act or any other Federal Act, or would have been reimbursed but for the fact that such payments were made under a Federal Act, and which were paid with respect to such training. There is a completion of training when the individual has taken training for the number of weeks for which he was scheduled or rescheduled in a training program, or in the opinion of the training facility has achieved the objective of the training program. Nothing in this paragraph, however, shall prohibit a trainee who has completed a course in basic education skills from receiving an allowance while enrolled in an occupational training course, nor shall it prohibit a trainee who has completed a severable portion

of a program prescribed for said trainee on the basis of his training needs and which includes more than one training course from receiving a training allowance while enrolled in any subsequent course that is a part of said prescribed training.

12. Section 20.33 is amended to read as follows:

§ 20.33 Maximum period for training allowances.

Training allowances may be paid to an individual for 104 weeks of occupational training combined with, if necessary, basic education. A payment under Title XV of the Social Security Act, or any other Federal law, or any payment (for which reimbursement is made under this Act) to an individual while taking training shall be applied against the 104-week maximum period.

13. Section 20.35 is amended to read as follows:

§ 20.35 Amount of training allowance.

(a) The amount of the training allowance shall be as follows:

(1) *Regular training allowance.*—(i) *Basic amount.* Except for persons selected and referred to training in Guam, the basic amount of a training allowance shall be the average of payments of State gross unemployment compensation (including allowances for dependents) for weeks of total unemployment paid by the State in the four-calendar-quarter period preceding the quarter in which the basic amount is computed and shall be payable for weeks of training that begin within the second calendar quarter following the four-calendar-quarter period for which the data are compiled. This amount shall be computed quarterly by dividing the total amount of such payment by the number of weeks of total unemployment compensation. The computed average, if not an exact dollar amount, shall be rounded to the next higher dollar. The basic amount of a training allowance payable to an eligible individual taking training under the Act in Guam shall be the average of payments of State gross unemployment compensation (including allowances for dependents) for weeks of total unemployment paid by all other States in the four-calendar-quarter period preceding the quarter in which the basic amount is computed, and shall be payable for weeks of training that begin within the second calendar quarter following the period for which the data are compiled.

(ii) *Augments.* Any trainee eligible in any week for a training allowance under § 20.30(a) may receive the basic amount described in (i) above plus an additional payment for such week in accordance with the following:

(a) For a trainee with no dependents, \$10 per week after the first 10 weeks of training.

(b) For a trainee with one dependent, \$5 per week for the first 10 weeks of training and \$10 per week for each week of training thereafter.

(c) For a trainee with two dependents, \$10 per week for each week of training.

(d) For a trainee with more than two dependents, \$10 per week for each week

of training plus a payment of \$5 per week for each dependent in excess of two up to a maximum of four additional dependents.

(iii) Except as provided in (a) (3) (i) of this section, the amount of the regular training allowance shall not exceed 80 percent of the average weekly wage in employment covered by the unemployment insurance law of the State making the payment.

(iv) In determining the number of dependents for the purposes of this paragraph, no individual receiving a training allowance under section 203 of the Act, including a youth receiving a youth training allowance, shall be counted.

(2) *Youth training allowances.* Training allowances payable to youth in accordance with § 20.30(d) shall be paid at the rate of \$20 a week or at the weekly rate of 50 percent of an amount determined by adding \$10 to the basic amount of the regular training allowance, computed in accordance with (a) (1) (i) of this section, whichever is the lesser.

(3) *Adjustments because of unemployment compensation.* (i) A trainee who, but for his training, would have been entitled to unemployment compensation under a Federal or State law in an amount greater than the regular training allowance, shall have his training allowance increased to the amount he would have been entitled to under the State or Federal law for those weeks during which he would be entitled to unemployment compensation, including extended durations. All adjustments required by the applicable State or Federal law shall be made; e.g., deduction for pension or workmen's compensation and vacation pay. The amount and duration of an increase provided under this subdivision shall be for as long as the individual would draw unemployment compensation under the law of the State or under the Railroad Unemployment Insurance Act if the Unemployment Trust Fund were not reimbursed under this Act. The State will make the determination to be used in determining the weeks and amounts to which a trainee is entitled in those States that vary weekly benefit amounts during the benefit year because of (a) per employer determinations, (b) change in number of dependents, or (c) change in the State law.

(ii) With respect to any week for which a person receives unemployment compensation which is less than the regular training allowance for which he is eligible, the difference shall be paid as a supplemental training allowance.

(b) Payment of a training allowance to an on-the-job trainee shall be reduced by 2½ percent of such allowance for each compensated hour of the week spent in work under the training program. The allowance of an on-the-job trainee or a person engaged in full-time training at a training or education institution authorized under section 231 of the Act shall not be reduced on account of employment (other than employment under an on-the-job training program under sec. 204) which does not exceed 20 hours per week, but shall be reduced in an amount equal to his full earnings for hours worked (other than

employment under an on-the-job training program under sec. 204) in excess of 20 hours per week. Except as the Secretary shall otherwise provide, earnings as used in this paragraph shall mean remuneration for services, the receipt of which is applied to reduce the amount of unemployment compensation due under the applicable State unemployment insurance law. For this purpose dollar amounts forgiven under the State law shall be included as earnings, but earnings shall not include remuneration for work on the family farm by a member of a farm family with an annual net farm family income of less than \$1,200. No allowance to which an individual may otherwise be entitled under this Act shall be diminished in any respect because of his receipt or entitlement to any supplemental unemployment benefits or separation allowances provided under any collective bargaining agreement.

(c) Payment of a training allowance to a trainee shall be reduced for each day of absence, without good cause, from training, by an amount computed by dividing the training allowance to which he would otherwise be entitled by the number of days of training normally scheduled in the week. For this purpose, holidays which would otherwise be days of training shall be considered as days of training normally scheduled.

(d) The amount of the allowances referred to in this section which is payable with respect to weeks of training which begin on or after July 1, 1965, shall be adjusted in accordance with the requirements herein.

14. Paragraph (a) of § 20.36 is amended to read as follows:

§ 20.36 Request for training allowance.

(a) *Furnishing of Request form.* Training allowances shall be paid to eligible individuals upon the filing of a request for same made in accordance with instructions issued by the Secretary. The form shall be furnished by the training facility to such trainee immediately following each week of training: *Provided*, That in the event the training facility fails to furnish the request form promptly, the State agency shall furnish the trainee with a form for late filing.

15. Section 20.40 is amended to read as follows:

§ 20.40 Subsistence allowances.

(a) *Eligibility.* A person engaged in training under the Act at a facility which is not within commuting distance of his regular place of residence is eligible for an allowance to defray subsistence expenses for separate maintenance for the period of such training without regard to eligibility for a training allowance under section 203 of the Act.

(b) *Amount.* In determining the amount of a subsistence allowance the exact days that elapse shall be taken into account beginning with the day when the trainee departs and ending with the day in which he returns. Travel time shall not exceed the time required by the mode of public transportation

that the trainee could reasonably be expected to take to and from his regular place of residence. The weekly subsistence allowance payments may be rounded to the next higher dollar. Subsistence allowance shall be paid at the rate of \$35 per week, and \$5 per day, except that in Alaska the per diem allowance shall be \$8: *Provided*, That when the training facility furnishes or makes lodgings and meals available to trainees at a rate of \$4 or less per day, the subsistence allowance shall not exceed the amount charged for those accommodations plus an allowance of \$1 per day for incidentals.

(c) *Request for subsistence allowance.* Subsistence allowance will be paid to an eligible trainee upon the filing of a completed request. Allowance for subsistence is payable upon completion of a week of training except that the State agency may, if it determines it to be necessary to enable the trainee to accept training, advance the allowance for a week at the beginning of his training.

16. Section 20.41 is amended to read as follows:

§ 20.41 Transportation allowances.

(a) *Transportation within commuting area.* A person engaged in training under the Act and who commutes between his residence and the training facility is eligible for an allowance to defray the cost of his daily local transportation expenses by the most economical mode of public transportation. Any person drawing a subsistence allowance by reason of his referral to training outside the commuting area of his residence is eligible for such daily transportation allowance if his choice for the location of his temporary residence is reasonable in view of such factors as living costs and availability of facilities. A person engaged in on-the-job training, however, shall not be eligible for such allowance for any week in which he has worked in his training program a full workweek customary in the industry for the occupation for which he is being trained.

(b) *Travel from outside commuting area.* (1) Any person drawing subsistence allowance by reason of his referral to training outside the commuting area of his residence is eligible for an allowance, not exceeding the rate of \$0.10 per mile, to defray the cost of travel between his home and the area of training at the beginning and end of his training program. When the training facility is closed for one or more days and the trainee elects to return home, he shall be entitled to receive either the transportation allowance provided in this subparagraph or the subsistence allowance provided under § 20.40, whichever is less.

(2) A person, including an individual enrolled in an on-the-job training program, who has been referred to training outside the commuting area may elect to substitute for the subsistence allowance provided under § 20.40 a transportation allowance to cover the cost of daily transportation from his home to the area in which the training facility is located. This allowance, however, may not exceed the actual cost of transportation up to \$0.10 per mile or the daily subsistence

allowance to which the trainee would otherwise be entitled under § 20.40, whichever is lesser.

(3) In noncontiguous States or in areas outside the continental United States where the per diem allowance prescribed under section 836 of Title V, United States Code, exceeds the maximum per diem allowance prescribed under that section for contiguous States, a person who is referred to training at a facility that is not within commuting distance of his regular place of residence shall be paid the cost of transportation from his residence to the training facility by the least expensive form of transportation reasonably available to him even though the cost of such transportation exceeds the rate of \$0.10 per mile.

(c) *Method of payment.* A transportation allowance will be paid to an eligible trainee upon his filing a completed request, in accordance with instructions provided by the Secretary. When the payment is made in advance, the trainee shall acknowledge receipt of the allowance.

(Sec. 207, 76 Stat. 29, 42 U.S.C. 2587)

Signed at Washington, D.C., this 12th day of July 1965.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 65-7575; Filed, July 16, 1965;
8:48 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 56440]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Special Tonnage Tax and Light Money; Indonesia

JULY 9, 1965.

The Secretary of State has advised the Secretary of the Treasury that on June 21, 1965, the Department of State obtained satisfactory proof from the Government of Indonesia that no discriminating duties of tonnage or imposts are imposed or levied in ports of Indonesia upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported into Indonesia in such vessels from the United States or from any foreign country.

Therefore, by virtue of the authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U.S.C. 141), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951, as amended by Executive Order No. 10882, July 18, 1960 (3 CFR Ch. II), and pursuant to authorization given to me by Treasury Department Order No. 190, Rev. 2, October 23, 1963 (28 F.R. 11570), I declare that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of Indonesia, and the produce, manufactures, or merchandise

imported into the United States in such vessels from Indonesia or from any other foreign country. This suspension and discontinuance shall take effect from June 21, 1965, and shall continue for so long as the reciprocal exemption of vessels wholly belonging to citizens of the United States and their cargoes shall be continued and no longer.

In accordance with this declaration, § 4.22, Customs regulations, is amended by the insertion of "Indonesia" immediately after "India" in the list of countries exempt from the payment of any higher tonnage duties than are applicable to vessels of the United States and from the payment of light money.

(R.S. 161, as amended, 4219, as amended, 4225, as amended, 4228, as amended; sec. 3, 23 Stat. 119, as amended; 5 U.S.C. 22, 46 U.S.C. 3, 121, 128, 141)

[SEAL]

JAMES A. REED,
Assistant Secretary
of the Treasury.

[F.R. Doc. 65-7566; Filed, July 16, 1965;
8:47 a.m.]

[T.D. 56439]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

PART 6—AIR COMMERCE REGULATIONS

Manifests; Vessels and Aircraft

Section 4.7(a) of the Customs regulations concerning the production of a manifest for a vessel arriving in the United States and required to enter provides that if the manifest is in a foreign language a translation shall be furnished with the original and with each copy. To make clear that the translation of the vessel manifest shall be in the English language; to authorize the acceptance of aircraft entry and clearance documents in a foreign language if a translation in English is furnished; and to specify that customs forms obtainable from collectors of customs for use in entering and clearing aircraft are in the English language, the Customs regulations are amended as follows:

I. The last sentence of § 4.7(a) is amended by substituting "a translation in English" for "a translation" so that the sentence will read: "If the manifest is in a foreign language, a translation in English shall be furnished with the original and with each copy."

(Secs. 431, 624, 46 Stat. 710, as amended, 759; 19 U.S.C. 1431, 1624)

II. Section 6.6 is amended as follows:

1. Paragraph (a) is amended by deleting "in the English language," in the fourth sentence so that the sentence as amended will read: "These forms and the entries thereon must be dittoed, typewritten, or printed with ink or dye that will not fade or "feather" within 20 years."

2. Paragraph (a) is further amended by adding the following sentence at the end thereof: "If a document or the entries thereon are in a foreign language, a translation in English shall be furnished with the original and with each copy."

3. The first sentence of paragraph (b) is amended by inserting "customs" before the word "forms" and substituting "are in the English language and are obtainable" for "may be obtained" so that the sentence as amended shall read: "The customs forms described in §§ 6.7 and 6.8 are in the English language and are obtainable from collectors of customs upon payment by the owner or operator of the aircraft."

(R.S. 161, as amended, 251, sec. 624, 46 Stat. 759, sec. 1109, 72 Stat. 799, as amended; 5 U.S.C. 22, 19 U.S.C. 66, 1624, 49 U.S.C. 1509)

[SEAL]

LESTER D. JOHNSON,
Acting Commissioner of Customs.

Approved: July 9, 1965.

JAMES A. REED,
Assistant Secretary of the
Treasury.

[F.R. Doc. 65-7565; Filed, July 16, 1965;
8:46 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 6—FRACTIONS

Part 6—Fractions published in the FEDERAL REGISTER of December 6, 1961 (26 F.R. 11515) is hereby revoked.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501)

HARVEY H. HANNAH,
Acting General Counsel.

[F.R. Doc. 65-7564; Filed, July 16, 1965;
8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Bombay Hook National Wildlife Refuge, Del.

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

DELAWARE

BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Sport fishing on the Bombay Hook National Wildlife Refuge, Smyrna, Del., is permitted in tidal waters from July 1 to December 31, 1965, inclusive. These open areas, comprising 2,500 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass., 02109. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(1) Fishing from boats only is permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas, generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1965.

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

JULY 8, 1965.

[F.R. Doc. 65-7585; Filed, July 16, 1965;
8:49 a.m.]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Elizabeth Alexandra Morton National Wildlife Refuge, N.Y.

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

§ 28.28 Special regulations: Recrea- tion; for individual wildlife refuge areas.

Entry to the refuge area is permitted for the purpose of bird watching, photography, nature study, hiking, sunbathing, picnicking, and fishing during daylight hours. Dogs are permitted on leash not exceeding 10 feet in length.

The refuge, comprising 187 acres, is delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass., 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through April 30, 1966.

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

JULY 8, 1965.

[F.R. Doc. 65-7586; Filed, July 16, 1965;
8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

OLEFIN POLYMERS

Notice of Proposed Rule Making

Correction

In F.R. Doc. 65-7345, appearing at page 8794 of the issue for Tuesday, July 13, 1965, the following corrections are made: In the fifth line of the second paragraph, delete "121.2500" and insert in its place "121.1180"; in the first line of item 1, delete "121.1130" and insert in its place "121.1180"; the third line of 121.2501(d) (3) (i) should begin with "50 C."

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1031]

[Docket No. AO 170-A16]

MILK IN NORTHWESTERN INDIANA MARKETING AREA

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

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Pick Oliver Hotel, 105 North Main Street, South Bend, Ind., beginning at 9:30 a.m., local time, on July 22, 1965, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Northwestern Indiana marketing area.

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

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

Proposed by Lake County Milk Dealers Association, Inc.:

Proposal No. 1. In § 1031.51, change the figures "\$1.40, \$1.00, and \$1.20," as they now appear, to "\$1.36, \$0.96, and \$1.16."

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 2. Make such changes as may be necessary to make the entire

marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Post Office Box 216, South Bend, Ind., 46624, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250, or may be there inspected.

Signed at Washington, D.C., on July 14, 1965.

J. C. BLUM,
Acting Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 65-7588; Filed, July 16, 1965; 8:45 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-CE-79]

FEDERAL AIRWAY

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a W alternate to VOR Federal airway No. 181 from Yankton, S. Dak., to Sioux Falls, S. Dak., via the intersection of the Yankton 016° and Sioux Falls 230° True radials.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

At present, IFR traffic operating via V-181 between Yankton and Sioux Falls conflicts with traffic executing ILS approaches at Sioux Falls. Presently, there are four scheduled air-carrier trips operating via this segment of V-181. Designation of the W alternate, as proposed above, would allow aircraft to operate between Yankton and Sioux Falls with-

out conflicting with arrival aircraft executing ILS approaches.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on July 12, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-7554; Filed, July 16, 1965; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-SO-5]

FEDERAL AIRWAYS AND REPORTING POINTS

Proposed Realignment, Revocation, and Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would realign VOR Federal airway No. 54 from Chattanooga, Tenn., via the Harris, Ga., VORTAC, to be installed in December 1965, at approximately latitude 34°56'34" N., longitude 83°54'57" W., to Spartanburg, S.C.; that would realign VOR Federal airway No. 287 from Norcross, Ga., via the Harris VORTAC, to Knoxville, Tenn.; that would revoke the Nottely Intersection as a low altitude reporting point; and that would designate the Harris, Ga., VORTAC as a low altitude reporting point.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed airway realignments supported by the Harris VORTAC would provide improved navigation on these routes over area that is designated as mountainous terrain. The Harris VORTAC would replace the Nottely Intersection as a designated reporting point for air traffic control purposes.

These amendments are proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on July 12, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-7555; Filed, July 16, 1965;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-EA-53]

FEDERAL AIRWAYS AND REPORTING POINT

Proposed Realignment and Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would realign, in part, VOR Federal airways Nos. 252, 35, and 423 and that would re-describe the Scipio INT low altitude reporting point.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

V-252 is designated in part from Geneseo, N.Y., via Watkins Glen, N.Y., to Binghamton, N.Y. V-35 is designated in part from Elmira, N.Y., via Watkins Glen to Syracuse, N.Y. V-423 is designated in part from Ithaca, N.Y., via the INT of Ithaca 356° and Syracuse 211° True radials, to Syracuse. Scipio INT is a designated reporting point and described as the INT of Syracuse 211° and Georgetown, N.Y., 272° True radials.

The Agency is considering the realignment of V-252 from Geneseo direct to Binghamton, and the realignment of V-35 from Elmira direct to Syracuse. If this action is taken, it would be necessary to re-describe V-423 and the Scipio INT. Both of the latter are described via the Syracuse direct radial to Watkins Glen which is the Syracuse 211° True radial. The Syracuse direct radial to Elmira is the Syracuse 210° True radial. Accordingly, the Agency is also considering realignment of V-423 from Ithaca via the intersection of the Ithaca 357° and Syracuse 210° True radials to Syracuse and the re-description of the Scipio INT

low altitude reporting point as the INT of Syracuse 210° and Georgetown 272° True radials.

These amendments are proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on July 12, 1965.

H. B. HELSTROM,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-7557; Filed, July 16, 1965;
8:46 a.m.]

[14 CFR Parts 71, 75]

[Airspace Docket No. 64-SO-58]

FEDERAL AIRWAYS, JET ROUTES AND REPORTING POINT

Proposed Alteration, Revocation, and Designation

The Federal Aviation Agency is considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would alter VOR Federal airways Nos. 1, 3, and 437, and Jet Routes Nos. 77, 79, 103, and 53 for the purpose of alleviating traffic congestion in the Jacksonville, Fla., terminal area; that would provide controlled airspace for Jet Route segments outside the continental control area, and designate a high altitude reporting point at Daytona Beach, Fla.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that

its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

Serious air traffic congestion exists in the vicinity of Jacksonville, Fla., because of the convergence of airways and jet routes on the Jacksonville VORTAC and the lack of bypass airways and jet routes. To relieve the congestion and increase the capability of air traffic service in this area, certain modifications and designations of airways and jet routes are proposed as follows:

1. Alter V-1 between Jacksonville, Fla., and Charleston, S.C., so as to include the airspace up to, but not including, 18,000 feet MSL; thence as presently designated to Poughkeepsie, N.Y. At the present time the segment of V-1 between Jacksonville and Charleston excludes that airspace below 17,000 feet MSL.

2. a. Revoke that portion of V-437 which extends upwards from 18,000 feet MSL. At the present time the portion of this airway which is outside the United States (Daytona Beach, Fla., to Savannah, Ga.), has no upper limit.

b. Revoke V-437 W alternate. This segment presently extends from Charleston, S.C., direct to Florence, S.C., and excludes the airspace above 12,000 feet MSL.

c. Alter V-437 between Charleston and Florence by realignment from Charleston direct to Florence. This segment would extend up to, but not include, 18,000 feet MSL. V-437 is presently designated from Charleston via the intersection of the Charleston 029° and the Florence 179° radials to Florence to accommodate military activities at Charleston AFB. The Air Force mission at Charleston AFB has changed to the extent that the airway can be aligned via the direct route and the altitude exclusion can be revoked.

d. Designate V-437 E alternate from Charleston via the intersection of the

Charleston 029° and the Florence 179° radials to Florence.

3. Alter V-3 E alternate between Jacksonville, Fla., and Savannah, Ga., to include the airspace up to, but not including, 18,000 feet MSL. At the present time the portion of this airway which is outside the United States has no upper limit.

4. Redesignate Jet Route No. 77 from Miami, Fla., to West Palm Beach, Fla.; from Jacksonville, Fla., via Charleston, S.C.; Wilmington, N.C.; thence as presently designated to the United States/Canadian border. Jet radar advisory service would be provided where this jet route extends outside positive control area.

5. Redesignate Jet Route No. 79 from Miami, Fla., via West Palm Beach, Fla.; Vero Beach, Fla.; Daytona Beach, Fla.; intersection of the Daytona Beach 360°, Savannah, Ga., 180° and Jacksonville, Fla., 027° True radials; Charleston, S.C.;

Wilmington, N.C.; thence as presently designated to Kennedy, N.Y. Jet radar advisory service would be provided where this jet route extends outside positive control area.

6. Redesignate Jet Route No. 103 from St. Petersburg, Fla., via Orlando, Fla.; Daytona Beach, Fla.; to Savannah, Ga. Jet radar advisory service would be provided where this jet route extends outside positive control area.

7. Redesignate Jet Route No. 53 as presently designated to Vero Beach, Fla.; thence via Daytona Beach, Fla.; Jacksonville, Fla.; thence as presently designated to the United States/Canadian border.

8. Retain Daytona Beach, Fla., as a designated low altitude reporting point and add Daytona Beach as a designated high altitude reporting point.

9. Provide controlled airspace for jet route segments outside the continental

control area by adding the following to § 71.161:

a. J-77 from Jacksonville, Fla., to Charleston, S.C.

b. J-79 from Daytona Beach, Fla., to Charleston, S.C.

c. J-103 from Daytona Beach, Fla., to Savannah, Ga.

Warning Areas W-132 and W-157 would be altered as required to accommodate the proposed airspace actions set forth above.

These amendments are proposed under sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510), and Executive Order 10854 (29 F.R. 9565).

Issued in Washington, D.C., on July 12, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-7556; Filed, July 16, 1965;
8:46 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Order 12 (Rev. 2)]

ACTING REGIONAL COMMISSIONER AND CERTAIN OTHER OFFICIALS

Delegation Order

JULY 15, 1965.

Designation to act as Regional Commissioner, District Director, Service Center Director, IRS Data Center Director, or National Computer Center Director.

1. The Regional Commissioner shall designate an Assistant Regional Commissioner to serve as Acting Regional Commissioner during any period of absence of the Regional Commissioner. If, however, the position of Regional Commissioner becomes vacant, the Commissioner will designate the employee who will serve as Acting Regional Commissioner.

2. In a District Office having an Assistant District Director, such Assistant will become Acting District Director in case of the absence, separation or death of the District Director, unless or until the Regional Commissioner designates another officer to serve as Acting District Director. In a district where there is no Assistant District Director, (a) the Regional Commissioner will designate the employee who becomes Acting District Director in case of the separation or death of the District Director, and (b) the District Director will designate the employee who will serve as Acting District Director in the absence of the District Director, unless or until the Regional Commissioner designates another officer to serve as Acting District Director.

3. In case of the absence, separation, or death of the Director of a Service Center, the Assistant Director of the Service Center will become Acting Director unless or until the Regional Commissioner designates another officer to serve as Acting Director.

4. In the case of the absence, separation, or death of the Director, IRS Data Center or the Director, National Computer Center, the Assistant Director of the Center will become Acting Director unless or until the Assistant Commissioner (Data Processing) designates another officer to serve as Acting Director.

5. Designations as Acting Regional Commissioner, Acting District Director, Acting Service Center Director, and Acting Director of the IRS Data Center and National Computer Center shall be made a matter of record.

6. This Order supersedes Delegation Order No. 12 (Rev. 1), issued June 18, 1962.

Effective date. July 15, 1965.

[SEAL] BERTRAND M. HARDING,
Acting Commissioner.

[P.R. Doc. 65-7567; Filed, July 16, 1965;
8:47 a.m.]

Office of the Secretary

[Antidumping—AA 643.3-G]

FERROCHROMIUM FROM SWEDEN

Notice of Tentative Determination

JULY 9, 1965.

Information was received on June 29, 1964, that ferrochromium, not containing over 3 percent by weight of carbon, imported from Sweden was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. The information was submitted by Vanadium Corporation of America, New York, N.Y.

I hereby make a tentative determination that ferrochromium, not containing over 3 percent by weight of carbon, imported from Sweden is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. A sufficient quantity of this merchandise is sold in the home market to provide an adequate basis for comparison. The importer is related to the manufacturer within the meaning of section 207 of the Antidumping Act. Exporter's sales price was, accordingly, compared with the adjusted home market price for fair value purposes.

In calculating exporter's sales price the following charges were deducted from the delivered prices at which the importer sold the material in the United States: selling expenses in the United States, selling commission, U.S. duty and charges incurred in bringing the goods from the place of shipment in Sweden to the importer's customers in the United States. This material was imported either in bulk or in drums. In those instances in which available information indicated the bulk material was packed by the importer after importation, the cost of such packing was deducted. With respect to the balance of sales, as there was no information available concerning what proportion was in drums, the calculation was based on the assumption most detrimental to the exporter, namely, that all the material was both imported and sold in drums. The cost of such drums was, accordingly, deducted. The foregoing packing costs were deducted from exporter's sales price in

order to make a valid comparison with the home market price which was for goods in bulk.

The adjusted home market price was based on the bulk, delivered price at which sold in Sweden. The cost for inland freight was, therefore, deducted. While the home market price applied to bulk goods it included the cost for the labor of packing into containers furnished by the home market buyers as a uniform practice. This cost was, accordingly, deducted for the purpose of the comparison on an unpacked basis. Advertising, selling expenses and technical service in the home market, all of which were fixed amounts, were deducted in full in those instances in which they amounted to less than the variable commission and selling expenses included in the prices to different United States destinations. Otherwise, they were deducted only to the extent of the latter expenses. Deductions were also made for assay and low nitrogen costs, both of which are the result of special standards required by purchasers in the home market. The assay cost involves assay tests of each carload, while the cost for low nitrogen content is due to additional manufacturing control required to insure the uniform low nitrogen content required by the home market buyers.

A comparison of exporter's sales price and the adjusted home market price indicated that in the early part of the period under consideration apparent dumping margins existed. The amount involved was, however, deemed not more than insignificant. A steady rise in the prices at which sold in the United States, not accompanied by a commensurate rise in home market prices, culminated in elimination of such margins early in 1965. The manufacturer has given assurances that there will not be a resumption of sales at prices which could be construed to represent sales at less than fair value.

Such written submissions as interested parties may care to make with respect to the contemplated action will be given appropriate consideration by the Secretary of the Treasury.

If any person believes that any information obtained by the Bureau of Customs in the course of this antidumping proceeding is inaccurate or that for any other reason the tentative determination is in error, he may request in writing that the Secretary of the Treasury afford him an opportunity to present his views in this regard.

Any such written submissions or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C., 20226, in time to be received by his office not later than 30

days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 14.8(a) of the Customs regulations (19 CFR 14.8(a)).

[SEAL] JAMES A. REED,
Assistant Secretary of the Treasury.

[P.R. Doc. 65-7568; Filed, July 16, 1965;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Fairbanks 034580]

ALASKA

Notice of Amendment of Proposed Withdrawal and Reservation of Lands

JULY 12, 1965.

The Bureau of Indian Affairs has filed an application to amend Serial Number Fairbanks 034580, application for withdrawal to reduce the acreage being withdrawn. These lands are to be withdrawn from all forms of appropriation under the public land laws, including the mining laws, mineral leasing laws, grazing laws, and disposal of materials under the Materials Act of 1947, as amended. The applicant desires the land for administrative use under the Act of June 25, 1910 (36 Stat.; 43 U.S.C. 141-143).

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Fairbanks District and Land Office, Post Office Box 1150, Fairbanks, Alaska.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior, who will determine whether or not the lands will be withdrawn as requested by the Bureau of Indian Affairs.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

BETHEL, ALASKA

Beginning at a point identical with the point of beginning of Tract A of the parcel of land known as the FAA H-Marker, PLO 3445, as shown on the sketch entitled "Proposed H-Marker, Real Estate Data, Bethel, Alaska," dated November 27, 1963 prepared by the Federal Aviation Agency, said point also bearing N 36°49'03" E, 1842.83 feet from U.S.C. and G.S. "Bethel 1949," thence proceeding as follows:

W. 2,310 feet to a point; thence S. 3,300 feet more or less, to a point located 200 feet W. of the Northwest corner of the property reserved for the use of the U.S. Air Force and known as the Bethel White Alice Site; thence E. 200 feet to a point identical with the Northwest corner of the property reserved for use of the U.S. Air Force and known as the Bethel White Alice Site; thence E. along the northern boundary of said site, a distance of 3,430 feet, more or less, to a point due S. of the Southeast corner of the FAA H-Marker Site, PLO 3445; thence N. 4,090 feet, more or less, to a point identical with the Southeast corner of the FAA H-Marker Site, PLO 3445; thence S. 57°46'23" W. 1,500 feet to the point of beginning, containing approximately 275 acres.

ROSS A. YOUNGLOOD,
Manager, Fairbanks District
and Land Office.

[P.R. Doc. 65-7580; Filed, July 16, 1965;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[P.P.C. 640]

GYPSY MOTH AND BROWN-TAIL MOTH

Notice of Specifically Approved Establishments Eligible To Ship Stone and Quarry Products Without Gypsy Moth Certification or Permit

Pursuant to § 301.45(b) (2) of the gypsy moth and brown-tail moth quarantine (Notice of Quarantine No. 45, 7 CFR 301.45), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), notice is hereby given that the following establishments are specifically approved to ship the designated mined, quarried, or manufactured stone and quarry products without a gypsy moth certification or permit under administrative instructions designated as 7 CFR 301.45a:

Establishment or Dealer; Address; Product

MAINE

Deer Island Granite Corp.; Stonington; Granite.
Deer Island Granite Products Corp.; Stonington; Granite.
Hocking Granite Co.; Clark Island; Granite.
Lime Products Corp.; Union; Lime Rock.
Lime Products Corp.; Warren; Lime Rock.
Rockland-Rockport Lime Co.; 457 Main Street, Rockland; Lime Rock.
Swenson, The John Granite Co., Inc.; Ogunquit; Granite.
Swenson, The John Granite Co., Inc.; Highpine; Granite.

MASSACHUSETTS

Bates Bros. Seam-Face Granite Co.; 1872 Hancock Street, Quincy; Granite.

Berkshire Pink Granite Co.; Lee Road, Becket; Pink Granite.
Caniff, W. C., & Sons, Inc.; 64-84 Penn Street, Quincy; Granite.
Carrigg, Thos. & Son, Monuments; 165 Brook Road, Quincy; Granite.
Chester Granite Co.; Chester; Granite.
Chester Granite Industries Co.; Chester; Granite.
Colonial Granite Co.; 34 Intervale Street, Quincy; Granite.
Eastern Quarries, Inc.; Route 53, Hingham; Granite.
Erikson, E. A., Monumental Works; 3 Garfield Street, Quincy; Granite.
Fletcher, H. E., Co.; Milford; Granite.
Fletcher, H. E., Co.; West Chelmsford; Granite.
Forest Road Granite Co.; 20 Adams Street, North Chelmsford; Granite.
Golbranson & Co., Inc. (D)*; 106 Merrimont Road, Quincy; Granite.
Gullmette Bros. Granite Quarry; 57 Ledge Road, Westford; Granite.
Hancock Monument Co.; 366 Centre Street, Quincy; Granite.
LeMasurier Granite; Ledge Road, Westford; Granite.
Lincoln Granite Co.; 400 Centre Street, Quincy; Granite.
Lombard & Co., Inc.; 150 Middlesex Avenue, Somerville; Granite.
McCormick-Longmeadow Stone Co.; East Longmeadow; Brown Standstone.
Montt, A., Granite Co., Inc.; 260-262 Centre Street, Quincy; Granite.
Morris Bros. Granite Co.; Box 277, North Chelmsford; Granite.
Morse Granite Co. (D)*; 241-243 Willard Street, Quincy; Granite.
Oak Hill Quarries; Box 708, Lowell; Granite.
Otis-Chester Granite Co.; Box 24, Chester; Granite.
Perason, Karl A.; Rockport; Granite.
Peruzzi Bros.; 86 Centre Street, Quincy; Granite.
Plymouth Quarries, Inc.; Route 53, Hingham; Granite.
Premier Granite & Polishing Co., Inc.; 52-54 Vernon Street, Quincy; Granite.
Quincy Memorial Co., Inc.; 218 Willard Street, Quincy; Granite.
Riocardi & Son Granite Co.; 218 Willard Street, West Quincy; Granite.
Rockport Quarries Co., Inc.; Rockport; Granite.
Rolly, L. J. (D)*; Box 303, Highland Station, Springfield; Granite.
Ruscitto, Antonio & Sons, Inc.; 159 Brook Road, Quincy; Granite.
Settimelli, Emanuel & Sons, Inc.; 24 Totman Street, Quincy; Granite.
Swingle, J. S., Inc.; Quarrywood Lane, Quincy; Granite.
United Granite Co.; 106 Columbia Street, Quincy; Granite.
Volpe, L., & Sons, Inc.; 3 Nightingale Avenue, Quincy; Granite.
W. Quincy Granite & Polishing Co.; 253 Willard Street, West Quincy; Granite.

NEW HAMPSHIRE

Golding Keene Co.; Cold River; Feldspar.
Golding Keene Co.; 226 Main Street, Keene; Feldspar.
Swenson, The John, Granite Co., Inc.; Concord; Granite.

NEW YORK

American Bluestone Co., Inc.; Unandilla; Bluestone.
Andreas, Andy; Granville; Slate.
Baratta & D'Amato, Stone Quarry; Yonkers; Granite.
Barton Mines, Inc.; North Creek; Feldspar.
Bassett, Fred; Granville; Slate.
Bassett, Jerry (D)*; Middle Granville; Slate.
Bassett, Ralph R.; Granville; Slate.

* (D)—Dealer.

- Clark's Yard (D)*; Middle Granville; Slate.
 Darius Slate Products; Middle Granville; Slate.
 Dellamarine, Dan, Stone Quarry; Yonkers; Granite.
 Di Rienzo Bros., Stone Quarry; Yonkers; Granite.
 Evergreen Slate Co. (D)*; Granville; Slate.
 Gotthardt, V & J Bluestone Co.; Hancock; Bluestone.
 Granville Slate Co.; Granville; Slate.
 Hadeka, Adolph; Middle Granville; Slate.
 Hadeka, John G.; Middle Granville; Slate.
 Hankins, The Willis, Bluestone Quarries (D)*; Hancock; Bluestone.
 Helderberg Bluestone, Inc.; East Berne; Bluestone.
 Hill Top Slate Co.; Middle Granville; Slate.
 Johnson & Rhodes Bluestone Co. (D)*; East Branch; Bluestone.
 Jones, Robert O., Slate Co.; Granville; Slate.
 Jurnak Brothers; Granville; Slate.
 Jurnak, Peter, Red Flagstone Products; Granville; Slate.
 Kelly, Edward; Granville; Slate.
 Kelly, Phillip; Middle Granville; Slate.
 Kordiyak, George, Slate Co.; Granville; Slate.
 Lake Placid Granite Co.; Jay; Granite.
 Lake Street Granite Quarry, Inc.; East White Plains; Granite.
 Loomis, Carl B.; Granville; Slate.
 Loomis, John R.; Granville; Slate.
 McCullen Quarry; Granville; Slate.
 Mend & Sons; Middle Granville; Slate.
 Multair Stone Quarry; Yonkers; Granite.
 Newmont Slate Co. (D)*; Granville; Slate.
 Newmont Slate Co. (D)*; Middle Granville; Slate.
 New York Stone & Mineral; Whitehall; Building Stone.
 O'Brien Bros. Slate Co., Inc. (D)*; Granville; Slate.
 Ponds, J. A., Slate Co.; Granville; Slate.
 Potter, Ab Slate Co.; Hampton; Slate.
 Povelka, John; Granville; Slate.
 Prehoda Slate Co.; Granville; Slate.
 Rising & Nelson Slate Co., Inc.; Granville; Slate.
 Ritchie Brothers; Middle Granville; Slate.
 Ritchie, William, Jr. (D)*; Middle Granville; Slate.
 Sheldon Slate Co., Inc.; Middle Granville; Slate.
 Somich Brothers Slate Co.; Granville; Slate.
 Strong, W. R., & Son (D)*; Deposit; Bluestone.
 Taiko Brothers Slate Co., Inc.; Middle Granville; Slate.
 Thomas, Owen; Granville; Slate.
 Tompkins, Paul A., Establishment of (D)*; Hancock; Bluestone.
 Vermont Structural Slate Co.; Granville; Slate.
 Western Slate Co.; Granville; Slate.
 Williams Brothers Slate Co.; Middle Granville; Slate.
 Williams, William W., Slate Co.; Middle Granville; Slate.
 Wolcott, K. (D)*; Granville; Slate.
 Yorkmont Slate Co. (D)*; Granville; Slate.
 Zayachek Brothers; Granville; Slate.
- RHODE ISLAND
- Bonner Monument, Inc.; Ashaway Road, Westerly; Granite.
 Castellucci & Sons, Inc.; 44 Cross Street, Providence; Granite.
 Gencarelli's Quarry; Oak Street, Westerly; Granite.
 Harrisville Quarries, Inc.; Cherry Farm Road, Harrisville; Granite.
 Providence Granite Co.; 210 Kinsley Avenue, Providence; Granite.
 Starck, James A.; 11 Bassett Street, Providence; Granite.
 Sullivan Granite Co.; Bradford; Granite.
- VERMONT
- Adams Granite Co., Inc.; Lewis Street, Barre; Granite.
- Allain Granite Co.; 306 River Street, Montpelier; Granite.
 American Granite Co.; Bianchi Place, Barre; Granite.
 Amerio Bros. Slate Co.; Fair Haven; Slate.
 Amerio Bros. Slate Co.; Poultney; Slate.
 Anair Memorials; Route U.S. No. 2, St. Johnsbury; Granite.
 Anderson & Johnson, Inc.; Smith Street, Barre; Granite.
 Anderson-Priberg Co., Inc.; Willey Street, Barre; Granite.
 Andreoletti, E., & Son; South Ryegate; Granite.
 Apex Memorial Co.; Richardson Road, Barre; Granite.
 Associated Memorial Products, Inc.; Circle Street, Barre; Granite.
 Baker Slate Tile; Poultney; Slate.
 Barre Granite Association, Inc. (D)*; Church Street, Barre; Granite.
 Barre Guild Consolidation Service (D)*; Church Street, Barre; Granite.
 Barre Monumental Co. (D)*; 82 Circle Street, Barre; Granite.
 Barre Sales Co. (D)*; West Second Street, Barre; Granite.
 Barre Sample & Novelty Co.; Richardson Road, Barre; Granite.
 Barre Saw Plant, Inc.; 70 Smith Street, Barre; Granite.
 Beach, C. R., Slate Co.; Fair Haven; Slate.
 Beck & Beck, Inc.; 41 Center Street, Barre; Granite.
 Bethel Quarries, Division of Rock of Ages Corp.; Bethel; Granite.
 Better Craft Memorial Co., Inc.; West Second Street, Barre; Granite.
 Bilodeau, J. O., & Co., Inc.; Bianchi Place, Barre; Granite.
 Bonazzi & Bonazzi; Pioneer Street, Montpelier; Granite.
 Brooks Granite Co., Inc.; Mill Street, Barre; Granite.
 Brookside Memorial Co.; East Barre; Granite.
 Brusa Bros.; West Second Street, Barre; Granite.
 Burke Bros.; Smith Street, Barre; Granite.
 Buttura & Sons, Inc.; Boynton Street, Barre; Granite.
 Celenti & Bianchi; 27½ Flint Place, Barre; Granite.
 Celestial Memorial Co.; 40 Willey Street, Barre; Granite.
 Cerasoli & Cerasoli; Smith Street, Barre; Granite.
 Cetrangolo Finishing Works, Inc.; Northfield; Granite.
 Childi Granite Co., Inc.; South Front Street, Barre; Granite.
 Clampi Saw Plant; 14 Granite Street, Barre; Granite.
 Colombo Granite Co.; West Second Street, Barre; Granite.
 Colonial Granite Co.; Granite Street, Barre; Granite.
 Comolli & Co., Inc.; Burnhams Meadow, Barre; Granite.
 Consolidated Memorials, Inc.; Boynton Street, Barre; Granite.
 Cook, Watkins & Patch, Inc.; 15 Blackwell Street, Barre; Granite.
 Couture Custom Polishing Co.; East Barre; Granite.
 Cozzi, John (D)*; 33 Elmwood Avenue, Barre; Granite.
 Davidson, C. R., Co., Inc.; Barre; Granite.
 Davidson, C. R., Co., Inc.; South Ryegate; Granite.
 Deforage Granite Co.; Graniteville; Granite.
 Denamore, Carl D., Co., Inc.; 967 Williston Road, South Burlington; Granite.
 Desilets Granite Co., Inc.; 221 Barre Street, Montpelier; Granite.
 Diego Granite Co.; 120 River Street, Barre; Granite.
 DuBois Granite; 10 Blackwell Street, Barre; Granite.
 Durock Corp.; West Pawlet; Slate.
 Eagan Slate Co., Inc.; Castleton; Slate.
- East Barre Granite Co.; East Barre Road, East Barre; Granite.
 Everlasting Memorial Works, Inc.; Pioneer Street, Montpelier; Granite.
 Fair Haven Slate Co., Inc.; Fair Haven; Slate.
 Fair Haven Slate Co., Inc.; Hydeville; Slate.
 Gandin Bros.; South Ryegate; Granite.
 Garand, S. L. & Co., Inc.; Pioneer Street, Montpelier; Granite.
 Garand-Teed Quarry, Inc.; Calais; Granite.
 Gawet, J. P. & Sons; Center Rutland; Marble.
 Gibb, John & Co.; Willey Street, Barre; Granite.
 Giudici Bros. & Co., Inc.; South Front Street, Barre; Granite.
 Granite Memorial Shop; Center Street, Barre; Granite.
 Granville Slate Co.; Pawlet; Slate.
 Grearson & Lane Co., Inc.; Burnhams Meadow, Barre; Granite.
 Greater Barre Chamber of Commerce; 30 North Main Street, Barre; Granite.
 Green Mountain Marble Co.; West Rutland; Marble.
 Guardian Memorials; 700 North Main Street, Barre; Granite.
 H & H Slate Co.; Poultney; Slate.
 Hadeka, Adolph A.; Poultney; Slate.
 Hadeka, John G.; Fair Haven; Slate.
 Hadeka, John G.; Poultney; Slate.
 Handcraft Memorials; Box 431, Barre; Granite.
 Herberts Memorial Service; St. Johnsbury; Granite.
 Hillside Saw Plant; Richardson Road, Barre; Granite.
 Hotte, L. Z., Granite Co., Inc.; Ayers Street, Barre; Granite.
 Houle Bros. Granite Co., Inc.; Waterbury; Granite.
 Houle Customs Cutting; East Barre; Granite.
 Hoyt & Milne, Inc.; Depot Square, Barre; Granite.
 Hutchins & Perreault; East Barre; Granite.
 Immediate Granite Deliveries (D); Post Office Box 233, Barre; Granite.
 Industrial Granite Co.; Barre Street, Montpelier; Granite.
 Initial Granite Co.; 67 Granite Street, Barre; Granite.
 Johnson & Gustafson, Inc.; 7 Boynton Street, Barre; Granite.
 Johnson's Custom Sandblast; Burnhams Meadow, Barre; Granite.
 Jones Bros. Co., Inc.; 700 North Main Street, Barre; Granite.
 Jones, Robert O., Slate Co.; West Pawlet; Slate.
 Jurras Granite Co., Inc.; Granite Street, Montpelier; Granite.
 Kordiyak, George, Slate Co.; West Pawlet; Slate.
 LaCross Memorial, Inc.; Boynton Street, Barre; Granite.
 Ladewich, E. G., Co. (D)*; Post Office Box 69, Barre; Granite.
 Lawson Granite Co., Inc.; Quarry Street, Barre; Granite.
 Letter Granite Co., Inc.; Boynton Street, Barre; Granite.
 Loomis, Carl B.; Castleton; Slate.
 Loomis, Carl B.; Fair Haven; Slate.
 Loomis, Carl B.; Poultney; Slate.
 M & W Polishing Co.; Barre; Granite.
 Mail Order Granite Co.; Bianchi Place, Barre; Granite.
 Marr & Gordon, Inc.; Willey Street, Barre; Granite.
 Mascitti Granite Co., Inc.; Burnhams Meadow, Barre; Granite.
 Maurice Memorials, Inc.; Granite Street, Barre; Granite.
 Milne, Alexander, Granite Co.; Circle Street, Barre; Granite.
 Minoli, Silvio A. (D)*; 102 Beckley Street, Barre; Granite.
 Modern Granite Co., Inc.; Batchelder Street, Barre; Granite.
 Montpelier Granite Works; Upper Granite Street, Montpelier; Granite.
 Moore & Northrup; Castleton; Slate.

* (D)—Dealer.

Morlote, S., Granite Co.; Burnhams Meadow, Barre; Granite.
 Morrison Granite Service (D)*; Willey Street, Barre; Granite.
 Nationwide Granite Industries, Inc.; Box 181, Barre; Granite.
 Nativ & Son, Inc.; Center Street, Barre; Granite.
 Newmont Slate Co. (D)*; Poultney; Slate.
 North Barre Granite, Inc.; 48 Railroad Street, Barre; Granite.
 O'Brien Bros. Slate Co., Inc. (D)*; Fair Haven; Slate.
 Olympic Granite Co.; 32 Granite Street, Barre; Granite.
 Farnigoni Bros. (D)*; 89 South Main Street, Barre; Granite.
 Peerless Granite Co.; South Front Street, Barre; Granite.
 Peplin Granite Co.; 160½ Granite Street, Barre; Granite.
 Perpetual Memorial Co. (D)*; Barre; Granite.
 Perrins Custom Sandblast; East Barre; Granite.
 Pirie Quarry, Division of Rock of Ages Corp.; Barre; Granite.
 Pirie Quarry, Division of Rock of Ages Corp.; Graniteville; Granite.
 Planer Co., Inc.; Willey Street, Barre; Granite.
 Potter, Ab Slate Co., Inc.; Poultney; Slate.
 R & R Granite Co.; 51 Prospect Street, Barre; Granite.
 Railroad Granite Co.; 140 Railroad Street, Barre; Granite.
 Rising & Nelson Slate Co., Inc.; Poultney; Slate.
 Rising & Nelson Slate Co., Inc.; West Pawlet; Slate.
 Rivard Granite Co.; Mill Street, Barre; Granite.
 Riverside Granite Co.; Mill Street, Barre; Granite.
 Riverton Memorial Co.; East Barre Road, Barre; Granite.
 Rock of Ages Corp., Building Division; Barre; Granite.
 Rock of Ages Corp.; Barre; Granite.
 Rock of Ages Corp.; Graniteville; Granite.
 Ross, Chester Granite Co.; South Ryegate; Granite.
 Rose-Crest Sandblasting Co.; Lewis Street, Barre; Granite.
 Roselli Bros. Granite Co. (D)*; 193 Barre Street, Montpelier; Granite.
 Rouleau Granite Co., Inc.; Depot Square, Barre; Granite.
 Sanguinetti Granite Co.; Williamstown; Granite.
 Sanguinetti Sawing Co.; Depot Square, Barre; Granite.
 Saporiti, William & Co.; East Barre Road, Barre; Granite.
 Sheridan & Poole (D)*; Montpelier; Granite.
 Sierra, E., Granite Co., Inc.; 18 Blackwell Street, Barre; Granite.
 Smith, E. L., Quarry, Division of Rock of Ages Corp.; Barre; Granite.
 Smith, E. L., Quarry, Division of Rock of Ages Corp.; Graniteville; Granite.
 South Barre Granite Co., Inc.; Circle Street, Barre; Granite.
 South End Polishing Mill, Inc.; Boynton Street, Barre; Granite.
 Split Face Marble Corp.; Center Rutland; Marble.
 Swanton Lime Works; Swanton; Limestone.
 Sweeney Slate Co.; Fair Haven; Slate.
 Taran Brothers, Inc.; Poultney; Slate.
 Taran's Stone Quarries; Poultney; Slate.
 Tardie Memorial; R.F.D., Montpelier; Granite.
 Tatko Bros. Slate Co., Inc.; Poultney; Slate.
 Thurber Granite Co.; Burnhams Meadow, Barre; Granite.
 Townsend, W. C. & Co. (D)*; 162 North Main Street, Barre; Granite.
 Twin City Memorials; Montpelier Road, Barre; Granite.

Twin City Custom Sandblast Inc.; 32 Granite Street, Barre; Granite.
 United Slate Co., Inc.; Poultney; Slate.
 Use & Perojo Granite Co.; Boynton Street, Barre; Granite.
 Vals Granite Co.; Willey Street, Barre; Granite.
 Vermarco Lime Co.; Florence; Marble.
 Vermont Cut Slate Co.; Fair Haven; Slate.
 Vermont Granite, Inc.; Barre; Granite.
 Vermont Granite, Inc.; South Ryegate; Granite.
 Vermont Marble Co.; Center Rutland; Marble.
 Vermont Marble Co.; Florence; Marble.
 Vermont Marble Co.; Proctor; Marble.
 Vermont Marble Co.; West Rutland; Marble.
 Vermont Marble Co.; Winooski; Marble.
 Vermont Structural Slate Co., Inc.; Fair Haven; Slate.
 Vermont Structural Slate Co., Inc.; Hydeville; Slate.
 Vermont Structural Slate Co., Inc.; Poultney; Slate.
 Vermont Structural Slate Co., Inc.; West Pawlet; Slate.
 Wells-Lamson Quarry Co., Inc.; 102 North Main Street, Barre; Granite.
 Wells-Lamson Quarry Co., Inc.; Websterville; Granite.
 Wetmore & Morse Quarry, Division of Rock of Ages Corp.; Barre Granite.
 Wetmore & Morse Quarry, Division of Rock of Ages Corp.; Websterville; Granite.
 White Marble Shop; West Rutland; Marble.
 Wildbur Granite Co. (D)*; 72 Onward Street, Barre; Granite.
 Williams, William W., Slate Co.; Poultney; Slate.
 Williamson Polishing Co.; South Vine Street, Barre; Granite.
 Woodbury Quarries, Inc.; Woodbury; Granite.
 Zamperli & Buttura; West Second Street, Barre; Granite.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150cc. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161; 29 F.R. 16210, as amended, 30 F.R. 5801; 7 CFR 301.45(b)(2))

This notice shall become effective July 16, 1965.

Under administrative instructions designated as 7 CFR 301.45a(e), mined, quarried, or manufactured stone and quarry products are exempt from the certification and permit requirements of 7 CFR 301.45-3 when they have not been exposed to infestation or when sanitation practices are maintained as prescribed by or to the satisfaction of the inspector, and when the Director specifically approves the establishment from which the product is shipped. It has been determined under 7 CFR 301.45(b)(2) that sanitation practices adequate to prevent the spread of infestation are being maintained at the premises of the establishments listed above. Accordingly, such establishments are specifically approved for the purposes of said administrative instructions.

This action imposes certain restrictions deemed necessary to prevent the dissemination of gypsy moth infestations and relieves certain restrictions presently imposed. It should, therefore, be made effective promptly to accomplish its purposes in the public interest and to be of maximum benefit to persons subject to the restrictions which are being relieved. Accordingly, it is found upon good cause under section 4 of the Administrative Procedure Act (5 U.S.C. 1004), that notice and other public procedure with

regard to this action are impracticable and contrary to the public interest, and good cause is found for making this notice effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 13th day of July 1965.

[SEAL]

D. R. SHEPHERD,
 Acting Director,
 Plant Pest Control Division.

[F.R. Doc. 65-7537; Filed, July 16, 1965; 8:45 a.m.]

Commodity Credit Corporation
 SALES OF CERTAIN COMMODITIES
 July Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The prices at which Commodity Credit Corporation commodity holdings are available for sale during July 1965 are as announced by the U.S. Department of Agriculture. The following commodities are available: Butter, cheddar cheese, nonfat dry milk, cotton (upland and extra long staple), wheat, corn, oats, barley, rye, rice, grain sorghum, dry edible beans, peanuts, flax and linseed oil. The list is unchanged from June.

With the 1965-crop marketing year beginning July 1 for wheat, barley, oats, grain sorghum, flaxseed, and rye, the July list includes formula minimum pricing for these commodities based on 1965 price-support programs. The beginning markups used in CCC minimum sales price for these grains in-store have been adjusted to uniformly reflect Uniform Grain Storage Agreement truck and rail receiving charges. Corn will be similarly adjusted for October.

Beginning in mid-May, CCC-owned wheat purchased with Export Commodity Certificates could be milled and exported as flour.

Corn, oats, barley or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price, determined by CCC.

In the following listing of commodities and sales prices or method of sales, "unrestricted use" applies to sales which permit either domestic or export use and "export" applies to sales which require export only. CCC reserves the right to determine the class, grade, quality and available quantity of commodities listed for sale.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

* (D)—Dealer.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-3) for July 1965 are 4½ percent for periods up to and including 12 months, and 5 percent for periods from over 12 months up to a maximum of 36 months. Commodities currently offered for sale by CCC, plus tobacco from CCC loan stocks, are available for export sale under the CCC Export Credit Sales Program as provided under specific commodity listings. Commodities from private stocks now eligible for financing under the CCC Export Credit Sales Program include wheat, wheat flour, bulgur, corn, cornmeal, grain sorghum, upland and extra long staple cotton, tobacco, milled and brown rice, cottonseed oil, soybean oil, and dairy products.

The following commodities are available for programming under Title IV, P.L. 480, private trade agreements: Wheat, corn, rice, grain sorghum, upland and extra long staple cotton, tobacco from CCC loan stocks, butter, cheese, and nonfat dry milk. In addition, other surplus agricultural commodities are also eligible for Title IV programming. Information on commodities available under this program, and current information on interest rates and other phases of the program may be obtained from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250.

The following commodities are currently available for barter: Cotton (upland and extra long staple), tobacco, wheat, corn, grain sorghum, butter and nonfat dry milk. (In addition, free market stocks of cottonseed and soybean oils are eligible for barter programming.) This list is subject to change from time to time.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where sales are for export, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy refer-

ence a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C., 20250, with respect to all commodities or—for specified commodities—within the designated ASCS Commodity Office.

Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offerer to meet contract obligations of the type contemplated in this announcement. If a prospective offerer is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offerer of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offerer will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled area of the Far East including Communist China, North Korea, and the Communist-controlled area of Viet-

nam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations, (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

SALES PRICE OR METHOD OF SALE

WHEAT, BULK

Unrestricted use.

A. Nonstorable. Such dispositions of nonstorable wheat as CCC may designate will be made at not less than market price, as determined by CCC.

B. All sales of storable wheat for unrestricted use have been suspended until further notice. However, the following markups and examples are furnished for use in any upward adjustment in price which becomes necessary under CCC sales programs.

MARKUP AND EXAMPLES (DOLLARS PER BUSHEL—IN-STOCKS)

Markup in-store received by—		Examples—Agricultural Act of 1949 Stat. minimum
Truck	Rail or barge	
Cents 5	Cents 13½	Minneapolis—No. 1 DNS (158); 100 percent, 13½; 167½. Portland—No. 1 SW (144); 100 percent, 13½; 153½. Kansas City—No. 1 HW (149); 100 percent, 13½; 152½. Chicago—No. 1 RW (149); 100 percent, 13½; 158½.

C. Availability information. For information on the disposition of nonstorable wheat, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS grain office shown at the end of this sales list.

All sales of storable wheat for unrestricted use are suspended until further notice.

Export.

Sales will be made pursuant to the following announcements:

A. Announcement GR-345 (Revised August 25, 1964) as amended for export under the wheat export payment-in-kind program.

B. Announcement GR-346 (Revised September 8, 1964) as amended for export as flour.

C. Announcement GR-261 (Revision 2, January 9, 1961, as amended and supplemented) for export as wheat and under Announcement GR-262 (Revision 2, January 9, 1961, as amended) for export as flour for application under arrangements for barter and approved CCC credit sales only at prices determined daily. Hard winter wheat will not be sold through West Coast ports under Announcements GR-261 or GR-262.

D. Available. Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

CORN, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of corn as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The price at which corn shall be valued for such dispositions shall be the highest of (a) market price as determined by CCC, (b) a minimum price for such corn as determined by CCC and, (c) the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1964 price-support loan rate for the class, grade, and quality of the corn plus the amount shown in C of this unrestricted use section applicable for the storage point involved.

B. General sales.

1. *Storable.* Such CCC dispositions of storable corn, as CCC may designate as general sales, will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent² of the applicable 1964 price-support rate (published price-support rate plus 15 cents per bushel) for the class, grade, and quality of the corn, plus the amount shown in C of this unrestricted use section, applicable to the storage point involved. Examples of these formula minimum prices are shown in C below. For corn in store at other than the point of production, the freight from point of production to the present point of storage will also be added. CCC will normally make general sales of corn when dispositions of such corn are not being made against domestic payment-in-kind certificates.

2. *Nonstorable.* Such dispositions of non-storable corn as CCC may designate as general sales will be made at not less than market price, as determined by CCC.

C. Markups and Agricultural Act of 1949 formula price examples (per bushel).

Markup in cents in-store at—		Examples of in-store ¹ formula minimum prices No. 2 yellow corn (14 percent MT, and 2 percent F.M.) (extral or barge in dollars)	
Production point	Other points	Terminal	General sales price
Cents 13½	Cents 15	Minneapolis, Minn. ¹	\$1.48¼
		Chicago, Ill. ²	1.67

D. *Availability information.* For information on CCC corn sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of corn from other locations, contact the Evanston, Kansas City, Minneapolis or Portland ASCS grain offices shown at the end of this sales list.

Export.

Sales for barter and credit are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. Sales for export commodity certificates are made at the applicable domestic market price. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the adjustment referred to in C of the unrestricted use section for corn. Sales will be made pursuant to the following announcements:

A. Announcement GR-368 (Revised March 1, 1965), feed grain export payment-in-kind program, at interior locations.

B. Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to approved

CCC barter and credit sales except that limited West Coast terminal stocks are available for export sale. (Barter, credit and other designated sales.)

C. Available. Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

GRAIN SORGHUM (BULK)

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of grain sorghum as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, but not less than the payment-in-kind formula price for such redemption. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the grain sorghum, plus the amount shown in C of this unrestricted use section applicable to the type of carrier involved.

B. General sales.

1. *Storable.* Such CCC dispositions of storable grain sorghum, as CCC may designate as general sales will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent² of the applicable 1965 price-support rate² (published price-support loan rate plus 35 cents per hundredweight) for the class, grade, and quality of the grain sorghum, plus the amount shown in C of this unrestricted use section applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight and handling charges will be added. Examples of these formula minimum prices are shown in C below. CCC will normally make general sales of grain sorghum when dispositions of such grain sorghum are not being made against domestic payment-in-kind certificates.

2. *Nonstorable.* Such dispositions of non-storable grain sorghum as CCC may designate as general sales will be made at not less than market price, as determined by CCC.

C. Markups and examples (dollars per hundredweight in-store No. 2 or better).

Markup in-store received by—		Examples	
Truck	Rail or barge		
Cents 0.09	Cents 0.03¼	Feed grain program domestic PIK certificate minimum Hale County, Tex. (1.63 and 0.09); 1.72.	
		Agricultural Act of 1949 Stat. minimums:	
		Hale County, Tex. (1.63 and 0.35); 105 percent and 0.09; 2.17.	
		Kansas City, Mo. (extral) (1.93 and 0.35); 105 percent and 0.03¼; 2.43¼.	

D. *Availability information.* For information on CCC grain sorghum sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of grain sorghum from other locations, contact the Kansas City, Evanston, Portland, or Minneapolis ASCS grain office shown at the end of this sales list.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the adjustment referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcements:

A. Announcement GR-368 (Revised March 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR-212 (Revision 2, January 9, 1961), (for application to arrangements for barter, approved CCC credit and other designated sales).

C. Available. Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

BARLEY, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of barley as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which barley shall be valued for such dispositions shall be market price, as determined by CCC, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1965 price-support loan rate for the class, grade, and quality of the barley, plus the amount shown in C of this unrestricted use section, applicable to the type of carrier involved.

B. General sales.

1. *Storable.* Such CCC dispositions of storable barley, as CCC may designate as general sales, will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1965 price-support rate² (published price-support loan rate plus 16 cents per bushel) for the class, grade, and quality of the barley, plus the amount shown in C of this unrestricted use section, applicable to the type of carrier involved. Examples of these formula minimum prices are shown in C below. If delivery is outside the area of production, applicable freight and handling charges will be added. CCC will normally make general sales of barley when dispositions of such barley are not being made against domestic payment-in-kind certificates.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. Markups and examples (dollars per bushel in-store No. 2 or better).

Markup in-store received by—		Examples	
Truck	Rail or barge		
Cents 0.04¼	Cents 0.01¼	Feed grain program domestic PIK certificate minimum Cass County, N. Dak. (0.76 and 0.04¼); 0.80¼.	
		Agricultural Act of 1949 Stat. minimums:	
		Cass County, N. Dak. (0.76 and 0.16); 105 percent and 0.04¼; 1.01¼.	
		Minneapolis, Minn. (extral) (0.99 and 0.16); 105 percent and 0.01¼; 1.22¼.	

D. *Availability information.* For information on CCC barley sales from bin sites, contact ASCS State or county offices. For information on the disposition of barley from other locations, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS grain office shown at the end of this sales list.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the adjustment referred to in C of the unrestricted use section for barley. Sales will be made pursuant to the following announcements except that barley will not be sold

for applications to Title I, or Title IV, P.L. 480 purchase authorizations or for barter.

A. Announcement GR-368 (Revised March 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR-212 (Revision 2, January 9, 1961), for application to approved CCC credit sales.

C. Available. Evanston and Kansas City ASCS offices. Stocks in Duluth or Minneapolis will be available through the Minneapolis ASCS grain office.

OATS, BULK

Unrestricted use.

A. Storable. Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent of the applicable 1965 price-support rate² for the class, grade, and quality of the oats plus the amount shown in B below as applicable. For oats in-store at other than the point of production, the freight and handling charges from point of production to the present point of storage will also be added.

B. Markups and examples (dollars per bushel in-store basis No. 2 XHWO).

Markup in-store received by—		Examples—Agricultural Act of 1949 Stat. minimum
Truck	Rail or barge	
Cents 0.05	Cents 0.0134	Rollete County, N. Dak. (.91); 105 percent and 0.05; 1.01. Minneapolis, Minn. (exrall) (1.24); 105 percent and 0.0134; 1.334.

C. Nonstorable (as available). At not less than the market price as determined by CCC.

D. Availability information. Sales at bin sites are made through the ASCS county offices; at other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the adjustment referred to in B of the unrestricted use section for oats. Sales will be made pursuant to the following announcements except that oats will not be sold for applications to Title I or Title IV, Public Law 480 purchase authorizations or for barter:

A. Announcement GR-368 (Revised March 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR-212 (Revision 2, January 9, 1961), for application to approved CCC credit and other designated sales.

C. Available. Evanston, Kansas City, Minneapolis, and Portland ASCS grain office.

RYE, BULK

Unrestricted use.

A. Storable. Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent² of the applicable 1964 price-support rate for the class, grade, and quality of the grain plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight and handling charges will be added to the above.

See footnotes at end of document.

B. Markups and examples (dollars per bushel in-store No. 2 or better).

Markup in-store received by—		Examples—Agricultural Act of 1949 Stat. minimum
Truck	Rail or barge	
Cents 0.0234	Cents 0.0134	Redwood County, Minn.; 0.6434 (0.26 and 0.03 quality differential); 105 percent and 0.0234. Minneapolis, Minn. (ex-Redwood County by rail); 0.7234. County minimum plus freight and handling charges (0.6434 and 0.0034 and 0.0034 and 0.0134).

C. Nonstorable (as available). At not less than market price as determined by CCC.

D. Availability information. Sales at bin sites are made through ASCS county offices; at other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices.

Export.

Sales are made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit sales prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the adjustment referred to in B of the unrestricted use section for rye. Sales will be made pursuant to the following announcements except that rye will not be sold for applications to Title I, or Title IV, Public Law 480 purchase authorizations or for barter.

A. Announcement GR-368 (Revised March 1, 1965), feed grain export payment-in-kind program.

B. Announcement GR-212 (Revision 2, January 9, 1961), for application to approved CCC credit and other designated sales.

C. Available. Evanston, Kansas City, and Portland ASCS offices; also Minneapolis ASCS grain office for rye stored in terminals in Minneapolis.

RICE, ROUGH

Unrestricted use.

Market price but not less than 1964 loan rate plus 5 percent plus 44 cents per hundredweight, basis in store.

Export.

As milled or brown under Announcement GR-369, revision III, rice export program—payment-in-kind, and under GR-379, Revision I, for approved credit sales.

Availability information. Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.

DRY EDBLE BEANS (BAGGED)

Unrestricted use.

Domestic market price but not less than the following minimum price per hundredweight for U.S. No. 1 f.o.b. indicated points of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price-support differentials.

Class	Prices per hundredweight	Area of production
Pea	\$7.06	Michigan
Red Kidney	9.33	Michigan

COTTON, UPLAND

Unrestricted use.

A. Competitive bid under the terms and conditions of Announcement NO-C-16, as amended (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price-support

programs will be sold at the highest price offered but in no event at less than the higher of (a) 105 percent of the current loan rate for such cotton, plus reasonable carrying charges, or (b) the market price for such cotton, as determined by CCC.

B. Competitive offers under the terms and conditions of Announcement NO-C-26 (Disposition of Upland Cotton—for exchange of PIK certificates or rights in the certificate pool for upland cotton), as amended. Upland cotton may be acquired at its domestic market price which shall be the highest price offered but not less than the minimum price determined by CCC.

Export.

A. CCC cash sales for export. Competitive bid under the terms and conditions of Announcement CN-EX-25 (Cotton Export Program—Sales—1964-66 Marketing Years) and NO-C-29 (Sale of Upland Cotton—Cotton Export Program—1964-66 Marketing Years), as amended.

B. CCC credit sales and barter. Competitive bid under the terms and conditions of Announcement CN-EX-23 (Purchase of Upland Cotton for Export under the Export Credit Sales Program), Announcement CN-EX-24 (Acquisition of Upland Cotton for Export under the Barter Program), and Announcement NO-C-28 (Sale of Upland Cotton—CCC Credit and Barter Programs—1964-66 Marketing Years), as amended.

COTTON, EXTRA LONG STAPLE

Unrestricted use.

Competitive bid under the terms and conditions of Announcements NO-C-6 (Revised July 22, 1960), as amended, and NO-C-10, as amended. Under these announcements extra long staple cotton (domestically grown) will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC.

Export.

A. CCC cash sales for export. Competitive bid under the terms and conditions of Announcements CN-EX-20 (Foreign-grown Extra Long Staple Cotton Export Program) and NO-C-23 (Sale of Foreign-grown Extra Long Staple Cotton).

Competitive bid under the terms and conditions of Announcements CN-EX-22 (Extra Long Staple Cotton Export Program) and NO-C-27 (Sale of Extra Long Staple Cotton), as amended.

B. CCC credit sales and barter. Competitive bid under the terms and conditions of Announcement CN-EX-26 (Purchase of Extra Long Staple Cotton for Export under the Export Credit Sales Program), Announcement CN-EX-27 (Acquisition of Extra Long Staple Cotton for Export under the Barter Program), and Announcement NO-C-27 (Sale of Extra Long Staple Cotton), as amended.

Availability information. Sale of cotton will be made by the New Orleans ASCS Commodity Office and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and location may be obtained for a nominal fee from that office.

PEANUTS, SHELLED OR UNSHELLED (FARMERS STOCK) AS AVAILABLE

Unrestricted use.

U.S. Extra Large and U.S. Medium—1962 crop. Competitive bids pursuant to Peanut Announcement 3 Revised, at the higher of the market or minimum prices determined by CCC which reflect not less than 105 percent of the support price plus reasonable carrying charges.

Domestic crushing or export.

Competitive bids pursuant to CCC Peanut Announcement 1 (Revised), January 4, 1962, Amendments 1 through 4 thereto, Supplement 1, March 3, 1964, and Appendix 1 thereto and terms of weekly lot list(s).

Export.

U.S. Extra Large and U.S. Medium-Shell Virginia type. Competitive bids pursuant to same terms and conditions set forth in the preceding paragraph.

When stocks are available lot lists are issued by GPA Peanut Association, Camilla, Ga., Peanut Growers' Cooperative Marketing Association, Franklin, Va., Southwestern Peanut Growers' Association, Gorman, Tex.

FLAXSEED, BULK**Unrestricted use.**

A. Storable. Market price basis in store,¹ but not less than the applicable 1965 support price for the class, grade, and quality of flaxseed plus 14½ cents per bushel, and plus the respective amount shown in B below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight and handling will be added to the above.

B.

Markup per bushel received by—		Examples of minimum prices (dollars/bushel in-store) (ex-rail or barge)		
Truck	Rail or barge	Terminal	Class and grade	Price
Cents 6½	Cents 2	Minneapolis	No. 1.....	\$3.31½

C. Nonstorable (as available). At not less than market price as determined by CCC.

D. Available. Through the Minneapolis Grain Merchandising ASCS office.

Export.

Under Announcement PS-GR-4 dispositions of flaxseed, as designated by CCC, will be in redemption of export PIK certificates at the domestic market price as determined by CCC.

Available. Through the Minneapolis Grain Merchandising ASCS office.

LINSEED OIL, RAW, BULK**Export.**

Under Announcement PS-GR-4 dispositions of raw linseed oil, as designated by CCC, will be in redemption of export PIK certificates at the domestic market price as determined by CCC.

Available. Through the Minneapolis ASCS Commodity Office.

DAIRY PRODUCTS

Sales are in carlots only in-store at storage location of products.

Submission of offers.

Submit offers to the Minneapolis ASCS Commodity Office.

NONFAT DRY MILK**Unrestricted use.**

Announced prices, under MP-14: Spray process, U.S. Extra Grade, 16.40 cents per pound.

Export.

A. Payment-in-kind under SM-7 (Revision 1).

B. Competitive bid, under MP-10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office.

BUTTER**Unrestricted use.**

Announced prices, under MP-14: 63.0 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 62.25 cents per pound—Washington, Oregon, and California. All other States 62.0 cents per pound.

See footnotes at end of document.

Export.

A. Payment-in-kind under SM-7 (Revision 1).

B. Competitive bid under Announcement MP-10, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office.

CHEDDAR CHEESE (STANDARD MOISTURE BASIS)**Unrestricted use.**

Announced prices under MP-14: 41.25 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 40.25 cents per pound.

Export.

Competitive bid under Announcement MP-10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under MP-10.

Any cheese offered but not sold under the invitation to bid issued pursuant to MP-10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

FOOTNOTES:

¹ The delivery basis for these examples is "in-store", and market prices will be on the same basis. The formula price delivery basis for bin site sales will be f.o.b.

² To compute, multiply applicable support price by 1.05, round product up to nearest whole cent and add amount shown in the appropriate table and any applicable freight.

³ Woodford County, Ill., origin.

⁴ Redwood County, Minn., origin.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES**GRAIN OFFICES**

Evanston ASCS Commodity Office, 2301 Howard Street, Evanston, Ill., 60202. Telephone: Long distance—University 9-0600 (Evanston Exchange). Local—Rogers Park 1-5900 (Chicago, Ill.).

Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, and West Virginia.

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn., 55415. Telephone: 334-2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Kansas City ASCS Commodity Office, 8930 Ward Parkway (P.O. Box 205), Kansas City, Mo., 64141. Telephone: Emerson 1-0860.

Alabama, Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming.

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Ore., 97205. Telephone: 226-3361.

Alaska, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington (Domestic and Export Sales), Arizona and California (Export sales only).

Branch Office—Berkeley ASCS Branch Office, 2020 Milvia Street, Berkeley, Calif., 94704. Telephone: Thornwall 1-5121.

Arizona and California (Domestic sales only).

PROCESSED COMMODITIES OFFICE—(ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue, South Minneapolis, Minn., 55410. Telephone: 334-3200.

COTTON OFFICES—(ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marala Street, New Orleans, La., 70112. Telephone: 527-7766.

GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reidinger, 80 Lafayette Street, New York, N.Y., 10013. Telephone: 264-8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif., 94111. Telephone: 556-8185.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, and 307, 76 Stat. 614-617; 7 U.S.C. 1427; and 1441 (note).)

Signed at Washington, D.C., on July 14, 1965.

**H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.**

[P.R. Doc. 65-7583; Filed July 16, 1965; 8:49 a.m.]

DEPARTMENT OF COMMERCE**Bureau of International Commerce**

[File No. 24(65)-4, etc.]

JOSEPH LEWO ET AL.**Order Extending Temporary Denial of Export Privileges**

In the matter of Joseph Lewo, also known as Joseph Jenda Levos, Joseph Levo, and Joseph Liebow, 1400 Pine Avenue West, Montreal, Quebec, Canada, respondent; J. L. International, Ltd. (formerly called Jaymor Enterprises, Inc.), Canex, Ltd., 1400 Pine Avenue West, Montreal, Quebec, Canada, related parties; File 24(65)-4 et al.

An order temporarily denying export privileges for a period of 60 days was issued against the above-named respondent and related parties on May 20, 1965 (30 F.R. 7051). Said order was issued in connection with an investigation instituted by the Investigations Division, Office of Export Control, Bureau of International Commerce, into activities of said respondent: In participating with Pierre Emile Marie Contresty, who is subject to an order denying export privileges, in transactions involving U.S.-origin commodities; in participating in transactions involving U.S.-origin commodities with knowledge that violations of the U.S. Export Regulations are intended to occur; and in participating in reexportations, transshipments, and diversions of U.S.-origin commodities to Cuba in violation of the U.S. Export Regulations. On the evidence presented there was reasonable basis to believe that said respondent had been involved in such activities and would continue such conduct in contravention of the U.S. Export Control Act and Regulations unless U.S. export privileges were temporarily denied.

The Director of said Investigations Division has applied under § 382.11 of the Export Regulations for an extension of

the temporary denial order for an additional 60 days. The matter has been considered by the Compliance Commissioner and he has reported his recommendation to me that the present temporary denial order be extended for 60 days. He has found that such extension is reasonably necessary to protect the public interest and for effective enforcement of the law. I confirm these findings.

The determination in the temporary denial order of May 20, 1965, that the firms known as J. L. International, Ltd. (formerly called Jaymor Enterprises, Inc.), and Canex, Ltd. are related parties to the respondent, is hereby confirmed. All of the prohibitions and restrictions of this order are applicable to said firms as though each was named as a respondent herein.

It is hereby ordered:

I. The provisions and restrictions of the temporary denial order issued on May 20, 1965 (30 F.R. 7051), are hereby continued in full force and effect.

II. The respondent, his successors or assigns, partners, representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial or export privileges shall extend not only to the respondent, but also to his agents and employees and to any successor and to any person, firm, corporation, or business organization with which he now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order continues in full force and effect the temporary denial order which was entered on May 20, 1965, and shall remain in effect for a period of 60 days from the expiration of said order unless it is hereafter extended, amended, modified, or vacated in accordance with the provisions of the United States Export Regulations.

V. No person, firm, corporation, partnership, or other business organization,

whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondent or any related party, or whereby the respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served upon the respondent and each related party.

VII. In accordance with the provisions of § 382.11(c) of the Export Regulations, the respondent or any related party may move at any time to vacate or modify this temporary denial order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request an oral hearing thereon which, if requested, shall be held before the Compliance Commissioner in Washington, D.C., at the earliest convenient date.

Dated: July 13, 1965.

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

[F.R. Doc. 65-7573; Filed, July 16, 1965;
8:48 a.m.]

**Office of the Secretary
INTERAGENCY COMMITTEES
Committees Chaired by Department
of Commerce**

The following information on interagency committees chaired by the Department of Commerce is published pursuant to the provisions of Bureau of the Budget Circular No. A-63.

Committees Established by the Department of Commerce or Other Agencies of Government Continued Beyond June 30, 1965

The National Oceanographic Data Center Advisory Board.
Advisory Committee on Undersea Features to the Board of Geographic Names.
Foreign-Trade Zones Board, Committee of Alternates.
The Saint Lawrence Seaway Development Corporation Toll Committee.
Advisory Committee on Export Policy.
ACEP Operating Committee.
Working Group of the Interagency Trade Fair Committee.
HHFA—Commerce Joint Steering Committee for Urban Planning.
Joint Marad-Navy Planning Group.

Newly Established Interagency Committees
Interdepartmental Task Force on Maritime Policy.
Committee on Meteorology (ICY).
Federal Committee for Meteorological Services and Supporting Research.
Interagency Committee for International Meteorological Programs.
Business and Industry Committee (ICY).
Trade Committee (ICY).
Interdepartmental Committee on Standards.

Dated: July 12, 1965.

DAVID R. BALDWIN,
Assistant Secretary for
Administration—Designate.

[F.R. Doc. 65-7542; Filed, July 16, 1965;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

**Food and Drug Administration
AMERICAN CYANAMID CO.**

Notice of Filing of Petition for Food Additives Resinous and Polymeric Coatings

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5B1793) has been filed by American Cyanamid Co., Wayne, N.J., 07470, proposing that paragraph (b)(3)(viii)(b) of § 121.2514 Resinous and polymeric coatings be amended by deleting from the item "Cyanoguanidine * * *" the limitation "For use only in coatings subject to the provisions of paragraph (c)(3) or (4) of this section." This proposed amendment would permit cyanoguanidine to be used as a catalyst for epoxy resins in resinous and polymeric coatings for articles intended for one-time use in contact with food.

Dated: July 7, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 65-7570; Filed, July 16, 1965;
8:47 a.m.]

ETHICON, INC.

Notice of Filing of Petition Regarding Color Additive D&C Red No. 30

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 403; 21 U.S.C. 376(d)), notice is given that a petition (CAP 30) has been filed by Ethicon, Inc., Somerville, N.J., proposing the issuance of a regulation to provide for the safe use and certification of D&C Red No. 30 (6,6'-dichloro-4,4'-dimethylthioindigo) as a color for cotton surgical sutures.

Dated: July 7, 1965.

MALCOLM R. STEPHENS,
Assistant Commissioner
for Regulations.

[F.R. Doc. 65-7571; Filed, July 16, 1965;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-24]

GENERAL ELECTRIC CO.

Notice of Issuance of Construction Permit

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued, effective as of the date of issuance, Construction Permit No. CPCX-24 authorizing General Electric Co. (the licensee) to modify the superstructure of its existing Thermal Critical Assembly (TCA) and to install a second reactor tank to permit the conduct of critical experiments using longer fuel elements, in accordance with the application dated May 7, 1965, and addendum thereto dated May 21, 1965. The TCA is located in Building 105 of the licensee's Vallecitos Atomic Laboratory in Alameda County, Calif.

The construction permit, as issued, is as set forth in the Notice of Proposed Issuance of Construction Permit and Facility License Amendment published in the FEDERAL REGISTER on June 26, 1965, 30 F.R. 8236.

Dated at Bethesda, Md., this 13th day of July 1965.

For the Atomic Energy Commission.

ROGER S. BOYD,

Chief, Research and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 65-7584; Filed, July 16, 1965; 8:49 a.m.]

STATE OF OREGON

Agreement for Discontinuance of Certain Commission Regulatory Authority and Responsibility Within the State

Whereas, the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act), to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Oregon is authorized under Oregon Revised Statutes (ORS 453.605 to 453.745) to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Oregon certified on March 2, 1965, that the State of Oregon (hereinafter referred to as the State) has a program for the control of radiation hazards ade-

quate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on June 3, 1965, that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I

Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

- A. Byproduct materials;
- B. Source materials; and
- C. Special nuclear materials in quantities not sufficient to form a critical mass.

ARTICLE II

This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

- A. The construction and operation of any production or utilization facility;
- B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;
- C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;
- D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ARTICLE III

Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the

manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, by-product, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ARTICLE IV

This Agreement shall not affect the authority of the Commission under Subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ARTICLE V

The Commission will use its best efforts to cooperate with the State and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ARTICLE VI

The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ARTICLE VII

The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ARTICLE VIII

This Agreement shall become effective on July 1, 1965, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

Done at Washington, District of Columbia, in triplicate, this 3d day of June 1965.

For the U.S. Atomic Energy Commission.

[SEAL] GLENN T. SEABORG,
Chairman.

Done at Salem, State of Oregon, in triplicate, this 22d day of June 1965.

For the State of Oregon.

MARK O. HATFIELD,
Governor.

[F.R. Doc. 65-7578; Filed, July 16, 1965;
8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 14274]

INVESTIGATION OF EXCESS BAGGAGE CHARGES

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding presently scheduled for July 20, 1965, is hereby postponed to August 9, 1965, at 10 a.m., e.d.s.t., in Room 1027 of the Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned.

Dated at Washington, D.C., July 14, 1965.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 65-7579; Filed, July 16, 1965;
8:48 a.m.]

CIVIL SERVICE COMMISSION

MATHEMATICS SERIES

Minimum Educational Requirements for Positions

In accordance with section 5 of the Veterans' Preference Act of 1944, as amended, the Civil Service Commission has decided that the previously approved minimum educational requirements for positions in the Mathematics Series, GS-1520, should be superseded by revised requirements. Identification of the superseded requirements, the revised requirements, the duties of the positions, and the reasons for the Commission's decision that these requirements are necessary are set forth below.

THE MATHEMATICS SERIES, GS-1520 (ALL GRADES)

Superseded requirements. The following material supersedes that previously appearing in 5 CFR 24.39 (published in 20 F.R. 9380, Dec. 15, 1955) and 5 CFR 24.123 (published in 20 F.R. 9380, Dec. 15, 1955).

Minimum educational requirements. For all grades, candidates must show successful completion of the requirements prescribed in either paragraph A or B:

A. A full 4-year or longer curriculum in an accredited college or university leading to a bachelor's or higher degree

including courses in mathematics totaling 24 semester hours.

B. Courses in mathematics in an accredited college or university totaling 24 semester hours; plus appropriate experience or education which when combined with the 24 hours in mathematics will total 4 years of education and experience and give the applicant a technical and general professional knowledge equivalent to that which would have been acquired through the successful completion of the 4-year college course described in A above.

The work experience in combination with education must demonstrate that the candidate can perform satisfactorily professional mathematical work at the initial entrance level in this occupation. As a minimum, this combination must show positive evidence of ability to compose written reports, apply theoretical knowledge to practical problems and draw accurate conclusions from the work accomplished.

In either A or B above, the courses in mathematics must have been acceptable for credit toward meeting the requirements of a major in mathematics in a 4-year professional curriculum leading to a bachelor's degree. The total course work must have included, as a minimum differential and integral calculus and, in addition, four advanced mathematics courses which require calculus or equivalent mathematics courses as a prerequisite.

For those positions in any grade involving highly complicated or fundamental scientific research or similar difficult scientific duties candidates must have successfully completed the college curriculum, including the required courses in mathematics, specified in A above.

Duties. Mathematicians will plan, direct, perform, or assist in performing research in basic mathematical theory or related theoretical analytic or evaluation studies, or mathematical analyses and computations incident to investigative, developmental, and research work in the scientific fields, such as engineering, physics, astronomy, etc. Their duties will include mathematical research and critical investigative work, mathematical analyses of observational data, computation of scientific tables, adaptation of mathematical projects to solution by high speed automatic electronic computing machinery, and writing of scientific reports, all involving a thorough knowledge of basic mathematics and in some cases involving a familiarity with the physical sciences or with engineering practices.

Reasons for establishing requirements. A thorough knowledge of the theories, principles, and concepts upon which mathematics is based and a good working knowledge of mathematical techniques and practices are indispensable for expressing basic laws and concepts, interpreting experimental data, extending old and establishing new scientific and technical fields. Mathematicians must be able to bring established mathematical concepts and new scientific knowledge to bear on the problems met in the particu-

lar field in which their research problems are centered.

The only method by which the necessary knowledge and training may be attained is through a directed course of study in an accredited college or university where there are adequate scientific libraries, where competent instruction and guidance are available, where the course work is arranged in a systematic, progressive schedule and where progress in the acquisition of professional and scientific knowledge and skill may be competently evaluated.

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

[F.R. Doc. 65-7541; Filed, July 16, 1965;
8:45 a.m.]

FEDERAL MARITIME COMMISSION

INTRA-MAR SHIPPING CORP. ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following freight forwarder cooperative working agreements have 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 agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other. Forwarding and service fees are to be agreed upon on each transaction. Ocean freight compensation is to be divided as agreed between the parties.

Intra-Mar Shipping Corp., New York, N.Y., and Judson Sheldon International Corp., New York, N.Y.	FF-2319
Karr, Ellis & Co., Inc., New York, N.Y., and Wilk Forwarding Co., Jacksonville, Fla.	FF-2320
Arncam Shipping Co., Inc., New York, N.Y., and R. G. Hobelmann & Co., Inc., Baltimore, Md.	FF-2321
Express Forwarding & Storage Co., Inc., New York, N.Y., and Francesco Parist, Inc., Savannah, Ga.	FF-2322
J. S. Lipinski Co., Toledo, Ohio, and Eijay Export Service Co., New York, N.Y.	FF-2323

- John S. Connor, Inc., Baltimore, Md., and Rue Forwarding Co., New York, N.Y. FF-2324
- Trade-Lanes Shipping Corp., New York, N.Y., and J. S. Lipinski Co., Toledo, Ohio. FF-2325
- J. S. Lipinski Co., Toledo, Ohio, and Del Mar Shipping Corp., Los Angeles, Calif. FF-2326
- H. Stone & Co., New York, N.Y., and Gerard F. Tujague, Inc., New Orleans, La. FF-2327
- Caldwell & Co., Inc., New York, N.Y., and Coastal Forwarders, Charleston, S.C. FF-2328
- Caldwell & Co., Inc., New York, N.Y., and M. E. Dey & Co., Inc., Milwaukee, Wis. FF-2329
- Caldwell & Co., Inc., New York, N.Y., and H. E. Schurig & Co., Inc., Houston, Tex. FF-2330
- D. Hauser, Inc., New York, N.Y., and S. Swartz, Kansas City, Mo. FF-2332
- Express Forwarding & Storage Co., Inc., New York, N.Y., and Morehead Shipping Co., Morehead City, N.C. FF-2333
- John S. James, Savannah, Ga., and Herbert B. Moller, Jacksonville, Fla. FF-2335
- International Expeditors, Inc., New York, N.Y., and Morehead City Shipping Co., Morehead City, N.C. FF-2336
- Sea-Lanes Shipping Co., Inc., New York, N.Y., and Herbert B. Moller, Jacksonville, Fla. FF-2337
- Allen Forwarding Co., Philadelphia, Pa., and George A. Stattel, Inc., New York, N.Y. FF-2338
- Luigi Serra, Inc., New York, N.Y., and J. S. Lipinski Co., Toledo, Ohio. FF-2340
- Transport Masters International, Inc., New York, N.Y., and W. G. Carroll & Co., Inc., Savannah, Ga. FF-2341
- Almac Shipping Co., Inc., New York, N.Y., and George W. Wise, Jr., Savannah, Ga. FF-2342
- Triangle Forwarding Corp., New York, N.Y., and M. E. Dey & Co., Inc., Milwaukee, Wis. FF-2343
- T. J. Hanson, Inc., Beaumont, Tex., and W. R. Zanes & Co. of La., Inc., New Orleans, La. FF-2345
- Seven Seas Mercantile Transport, Inc., New York, N.Y., and J. S. Lipinski Co., Toledo, Ohio. FF-2347
- Wolf & Gerber, Inc., Jacksonville, Fla., and Francesco Parisi International Transports, New York, N.Y. FF-2350
- P. F. Hoxter, New Orleans, La., and Buckley & Co., Houston, Tex. FF-2351
- Silvey Shipping Co., Inc., New York, N.Y., and Fred P. Gaskell Co., Inc., Norfolk, Va. FF-2352
- John A. Merritt & Co., Pensacola, Fla., and Southern Shipping Co., Inc., Charleston, S.C. FF-2354
- Export Enterprises, Inc., Philadelphia, Pa., and Dichmann, Wright & Pugh, Inc., Norfolk, Va. FF-2355
- Amersped, Inc., New York, N.Y., and Southern Shipping Co., Inc., Jacksonville, Fla. FF-2359
- Amersped, Inc., New York, N.Y., and A. F. Burstrom & Son, Inc., Detroit, Mich. FF-2360
- Cavaller Shipping Co., Inc., Norfolk, Va., and The Interport Co., Chicago, Ill. FF-2361
- Chas. Kurz Co., Phila., Pa., and W. G. Carroll & Co., Inc., Savannah, Ga. FF-2368
- Karr, Ellis & Co., Inc., New York, N.Y., and W. G. Carroll & Co., Inc., Savannah, Ga. FF-2375
- J. T. Steeb & Co., Inc., Portland, Oreg., and Impex Services, San Francisco, Calif. FF-2376
- Daniel F. Young, Inc., New York, N.Y., and G & W International Forwarders, Inc., Buffalo, N.Y. FF-2378
- John H. Faunce, Inc., Phila., Pa., and Pitt & Scott Corp., New York, N.Y. FF-2379
- Fred P. Gaskell Co., Inc., Norfolk, Va., and C. H. Powell Co., Inc., New York, N.Y. FF-2380
- Freedman & Slater, Inc., New York, N.Y., and Seaway Forwarding Co., Cleveland, Ohio. FF-2381
- Seaway Forwarding Co., Cleveland, Ohio, and Haras & Co., Inc., Jersey City, N.J. FF-2382
- Leyden Shipping Corp., New York, N.Y., and J. S. Lipinski Co., Baltimore, Md. FF-2383
- Leyden Shipping Corp., New York, N.Y., and E. L. Mobley, Savannah, Ga. FF-2384
- Amersped, Inc., New York, N.Y., and Karl Schroff & Associates, Inc., Chicago, Ill. FF-2385
- Amersped, Inc., New York, N.Y., and Seaway Forwarding Co., Cleveland, Ohio. FF-2386
- Block Overseas Shipping Co., New York, N.Y., and J. S. Lipinski Co., Baltimore, Md. FF-2387
- John S. Connor, Inc., Baltimore, Md., and Transport Masters International, Inc., New York, N.Y. FF-2392
- Brito Forwarding Co., Brownsville, Tex., and Rohner, Gehrig & Co., Inc., New York, N.Y. FF-2393
- Gallagher & Ascher Co., Chicago, Ill., and Pitt & Scott Corp., New York, N.Y. FF-2394
- William H. Hasson, Inc., Baltimore, Md., and Hasman & Baxt, Inc., New York, N.Y. FF-2395
- United Forwarders Service, Inc., New York, N.Y., and Leading Forwarders of Rochester, Inc., Rochester, N.Y. FF-2397
- Allen Forwarding Co., Phila., Pa., and Trans-Global Freight, Inc., New York, N.Y. FF-2398
- Freedman & Slater, Inc., New York, N.Y., and R. J. McCracken, Muskegon, Mich. FF-2399
- Freedman & Slater, Inc., New York, N.Y., and M. E. Dey & Co., Inc., Milwaukee, Wis. FF-2400
- International Express Co., New Orleans, La., and Carbonell Forwarding Co., New York, N.Y. FF-2401
- Metro Shipping Corp., New York, N.Y. is party to the following agreements, the terms which are identical. The other parties are:
- M. H. Garvey Co., Boston, Mass. FF-2318
- Morris Friedman & Co., Phila., Pa. FF-2367
- W. H. Stone & Co., Inc., Norfolk, Va. FF-2369
- Southern Shipping Co., Inc., Jacksonville, Fla. FF-2370
- R. G. Hobelmann & Co., Inc., Baltimore, Md. FF-2371
- Forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. There is no division of ocean freight compensation with the originating forwarder to retain the entire amount.
- Agreement FF-2346, between Trans International Forwarders, Inc., New York, N.Y., and Amco Customs Brokerage, Phila., Pa., is a cooperative working arrangement whereunder the sum of \$2.00 will be paid as a handling fee for each shipment. Freight compensation is to be retained by the originating forwarder.
- Agreement FF-2334, between Tooze & Associates, Portland, Oreg., and Francesco Parisi, New York, N.Y., is a cooperative working arrangement whereunder forwarding and service fees are \$7.50 per shipment. Ocean freight brokerage is to be divided between the parties as agreed.
- C. S. Greene & Co., Inc., Chicago, Ill., is party to the following agreements, the terms of which are identical. The other parties are:
- Barr Shipping Co., Inc., New York, N.Y. FF-2331
- Lunham & Reeve, Inc., New York, N.Y. FF-2333
- Safeway Shipping Co., Inc., New York, N.Y. FF-2364
- Shipping Unlimited, New York, N.Y. FF-2366
- Alliance Shipping Co., New York, N.Y. FF-2365
- Ray C. Fisher Co., Inc., Minneapolis, Minn. FF-2374
- Albert F. Mauer Co., Philadelphia, Pa. FF-2377
- Forwarding and service fees are \$3.50 for passing of export declaration only. Special services remain subject to negotiation and agreement on each transaction. Ocean freight brokerage compensation to be retained by the originating forwarder.
- Agreement FF-2339, between Terra-mar Shipping Co., Inc., New York, N.Y., and Jay International, Inc., Philadelphia, Pa., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. Ocean freight brokerage is to be paid to the freight forwarder who received the original freight forwarding instructions from the exporter.
- Schenkers International Forwarders, Inc., New York, N.Y., is party to the following agreements, the terms which are identical. The other parties are:
- T. J. Hanson, Inc., Orange, Tex. FF-2356
- Smith & Kelly Corp., Savannah, Ga. FF-2357
- The J. D. Richardson Co., Detroit, Mich. FF-2358
- Agreement FF-2353, between Cosmos Shipping Co., Inc., New York, N.Y., and Terra-Marine Shipping Co., San Francisco, Calif., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction. Ocean freight brokerage to be retained by Cosmos Shipping Co., Inc.
- Agreement FF-2362, between Atlas Forwarding Co., Inc., New York, N.Y., and W. G. Carroll Co., Inc., Savannah, Ga., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction, depending upon the services to be performed. Compensation received from ocean carriers in the form of freight brokerage shall not be shared by the parties. All compensation of this nature will be received only by the originating forwarder.
- Agreement FF-2372, between Regal Shipping Corp., New York, N.Y., and M. H. Garvey Co., Boston, Mass., is a cooperative working arrangement whereunder forwarding and service fees are

subject to negotiation and agreement on each transaction depending upon the services to be performed. There is no division of compensation with the originating forwarder retaining the entire amount.

Agreement FF-2396, between Barnett International Forwarders, Inc., New York, N.Y., and John A. Steer Co., Phila., Pa., is a cooperative working arrangement whereunder the fee for forwarding services rendered by either party shall be agreed upon by the parties upon the basis of the services performed on each shipment. Ocean freight compensation is to be retained by the originating forwarder. Passing of export declarations for validation will be \$1.50 per export declaration. Passing of consular invoices will be \$1.50 each.

Agreement FF-2372, between Metro Shipping Corp., New York, N.Y., and Paul A. Boulo, Mobile, Ala., is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed and ocean freight compensation is to be divided equally (50-50) between the parties. The division of ocean freight brokerage will be restricted to those shipments handled in behalf of each other.

Agreement FF-2391, between Coastal Forwarders, Charleston, S.C., and Ray C. Fischer Co., Inc., Minneapolis, Minn., is a cooperative working arrangement whereunder forwarding and service fees are \$5 for the clearance of export declarations and ocean freight compensation is to be retained by the originating forwarder.

Dated: July 14, 1965.

THOMAS LIST,
Secretary.

[F.R. Doc. 65-7574; Filed, July 16, 1965;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RP65-61]

HOME GAS CO.

Notice of Proposed Change in Rate

JULY 9, 1965.

Take notice that on June 26, 1965, Home Gas Co. (Home) tendered for filing proposed 15th Revised Sheet No. 7, 15th Revised Sheet No. 12, 6th Revised Sheet No. 13, and 16th Revised Sheet No. 22 to its FPC Gas Tariff, 3d Revised Volume No. 1, reflecting a decrease in rates and charges. The requested effective date is January 1, 1965.

The proposed changes reduce the commodity rates by 0.38 cent per Mcf and represent an estimated annual reduction to wholesale customers of \$82,721. The reduction was computed to pass on the rate reduction by Home's supplier, Manufacturers Light & Heat Co., filed June 18, 1965, to become effective concurrently on January 1, 1965.

Copies of the proposed change in rate have been served by Home upon its wholesale customers and interested state commissions. Comments may be filed

with the Commission on or before July 26, 1965.

J. H. GUTRIE,
Secretary.

[F.R. Doc. 65-7559; Filed, July 16, 1965;
8:46 a.m.]

[Docket No. CP66-3]

UNITED GAS PIPE LINE CO.

Notice of Application

JULY 9, 1965.

Take notice that on July 2, 1965, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La., 71102, filed in Docket No. CP66-3 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes the following projects:

- (1) Install 9.9 miles of 30-inch pipeline loop on Applicant's existing Refugio to Sterlington line from a point in Sabine County, Tex., extending into Sabine Parish, La.;
- (2) Anchor 30-inch pipeline at certain points in Sabine County, Tex.;
- (3) Replace all 20-inch pipe and other facilities with a single 30-inch concrete coated pipe on Applicant's existing Refugio to Sterlington 30-inch pipeline from a point in Sabine County, Tex., to a point in Sabine Parish, La.;
- (4) Replace 0.3 mile of 6-inch field line in Josquin Field, extending from a point in DeSoto Parish, La., to a point in Shelby County, Tex.;
- (5) Replace 2.8 miles of 16-inch Latex Beaumont line in Panola County, Tex.

Applicant states that the facilities are being constructed as a safety measure due to the proposed construction by the Sabine River Authorities of Texas and Louisiana of the Toledo Bend Dam Project. Applicant further states that once the reservoir has been completed, it will become very difficult, time consuming, and expensive to repair the present facilities should any failure occur and such facilities proposed in the application will help to assure the continued and uninterrupted flow of natural gas to Applicant's customers.

The estimated cost of the facilities is \$2,820,341. Applicant has entered into a reimbursement agreement with the Sabine River Authorities of Texas and Louisiana.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10), and the regulations under the Natural Gas Act (157.10), on or before August 6, 1965.

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 protest or petition

to intervene is filed within the time required herein, and 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 protest or 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.

J. H. GUTRIE,
Secretary.

[F.R. Doc. 65-7560; Filed, July 16, 1965;
8:48 a.m.]

[Docket Nos. RI64-715, RI65-571]

SUPERIOR OIL CO. ET AL.

Order Accepting Decreased Rate Filing, Amending Order To Permit Acceptance of Amended Rate Filing, Subject to Existing Suspension Proceedings

JULY 9, 1965.

On June 16, 1965, the Superior Oil Co., and the Superior Oil Co. (Operator), et al. (both referred to herein as Superior) each submitted a proposed tax reimbursement decrease of 0.25 cent per Mcf, totaling \$11,017 annually. The tax reimbursement reductions are due to the buyer, United Gas Pipe Line Co. (United), exercising its option to reduce the amount of Louisiana Severance Tax reimbursement under Superior's FPC Gas Rate Schedule Nos. 81 and 79, effective as of July 1, 1965, and October 22, 1965, respectively. Superior's decreased rate filings are set forth in Appendix A below.

The tax reimbursement decrease, designated as Supplement No. 6 to Superior's FPC Gas Rate Schedule No. 81, affects a 23.05 cents per Mcf rate now in effect subject to refund in Docket No. RI64-715. Since the base rate remains the same under the rate schedule, we believe that the 30-day statutory notice requirement provided in section 4(d) of the Natural Gas Act should be waived and the rate as changed by the proposed tax change accepted for filing effective as of July 1, 1965, the proposed effective date, subject to refund in the existing suspension proceeding in Docket No. RI64-715.

Tax reimbursement decrease, designated as Supplement No. 1 to Supplement No. 7 to Superior's FPC Gas Rate Schedule No. 79, affects a 23.75 cents per Mcf rate contained in Supplement No. 7 which was suspended in Docket No. RI65-571 until October 22, 1965, and is not in effect subject to refund in said docket. The instant filing was submitted to amend Supplement No. 7 to reflect the reduction in tax reimbursement by United. Although Superior is prohibited from filing changes in rate under the subject rate schedule during the aforementioned suspension period and not earlier than 90 days prior to the proposed effective date of October 22, 1965, we believe it would be in the public interest to waive such rules and permit the rate change to be filed and made subject to

the existing suspension proceeding in Docket No. RI65-571, including the same period of suspension, October 22, 1965.

In each case, the base rate exceeds the area ceiling price for increased rates in South Louisiana as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

The Commission finds:

(1) It is necessary and proper in carrying out the provisions of the Natural Gas Act and the regulations thereunder to accept for filing the proposed tax reimbursement decrease, designated as Supplement No. 6 to Superior's FPC Gas Rate Schedule No. 81, effective as of

July 1, 1965, subject to the existing rate suspension proceeding in Docket No. RI64-715, and refund obligation related thereto.

(2) Good cause exists for amending the Commission's order issued on April 2, 1965, in Docket No. RI65-571, to the extent hereinafter provided.

The Commission orders:

(A) Superior's decreased rate filing, designated as Supplement No. 6 to Superior's FPC Gas Rate Schedule No. 81, is hereby accepted for filing, effective as of July 1, 1965, subject to the existing rate suspension proceeding in Docket No. RI64-715 and refund obligation related thereto.

(B) The Commission's order issued April 2, 1965, in Docket No. RI65-571, is hereby amended to accept for filing Superior's amended rate filing, designated as Supplement No. 1 to Supplement No. 7 to Superior's FPC Gas Rate Schedule No. 79, subject to the existing rate suspension proceeding in Docket No. RI65-571. The suspension period of such amended rate filing shall terminate concurrently with the same suspension period (Oct. 22, 1965) ordered in said docket.

By the Commission.

[SEAL]

J. H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual decrease	Date filing tendered	Effective date	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed decreased rate	
RI64-715...	The Superior Oil Co., Post Office Box 1621, Houston, Tex., 77001. Attention: H. W. Varner.	81	16	United Gas Pipe Line Co., (Sunrise Field, Terrebonne Parish, La.).	\$9,052	6-16-65	7-1-65	7-1-65	23.05	22.80	RI64-715.
RI65-571...	The Superior Oil Co. (Operator), et al.	79	1-7	United Gas Pipe Line Co. (Theall Field, Vermillion Parish, La.).	1,965	6-16-65	10-22-65	10-22-65	22.75	22.50	RI65-571.

¹ Includes letter agreement dated May 6, 1965, which provides for the reduction in tax reimbursement.

² Tax reimbursement decrease.

³ Pressure base is 15,025 p.s.i.a.

⁴ Includes 1.80 cents per Mcf tax reimbursement.

⁵ Includes 2.05 cents per Mcf tax reimbursement.

⁶ Includes 1.50 cents per Mcf tax reimbursement.

⁷ Supplement No. 7 reflected a rate increase from an effective rate of 2.25 cents,

subject to refund in Docket No. RI63-37, to proposed rate of 22.75 cents, which was suspended in Docket No. RI65-571 until Oct. 22, 1965.

⁸ Includes 1.75 cents per Mcf tax reimbursement.

⁹ Amends rate increase filing of Mar. 3, 1965, designated as Supplement No. 7, to reflect the reduction in tax reimbursement by United.

¹⁰ Includes letter agreement dated May 13, 1965, which provides for the reduction in tax reimbursement.

[F.R. Doc. 65-7561; Filed, July 16, 1965; 8:46 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

URBAN RENEWAL COMMISSIONER
AND HHFA REGIONAL ADMINISTRATORS

Delegation of Authority With Respect
to Rehabilitation Loans

1. The Urban Renewal Commissioner, and the HHFA Regional Administrator within his respective Region, each is hereby delegated the authority with respect to rehabilitation loans vested in the Housing and Home Finance Administrator under section 312 of the Housing Act of 1964 (42 U.S.C. 1452b), including the authority to use the services of any local public or private agency or organization under section 312(f), but excepting the authority to:

(a) Determine the rate of interest on loans, under section 312(c)(3).

(b) Delegate to or use as agent any Federal or local public or private agency or organization, under section 312(f).

(c) Sue and be sued, pursuant to section 312(e) of the Housing Act of 1964 and section 402(c)(3) of the Housing Act of 1950, as amended (12 U.S.C. 1749a(c)(3)).

2. The Urban Renewal Commissioner is authorized to redelegate to one or more employees in the Urban Renewal Ad-

ministration any of the authority herein delegated.

3. Each Regional Administrator within his respective Region is authorized to redelegate to the Regional Director of Urban Renewal and to one or more employees in the Urban Renewal Division any of the authority herein delegated.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c)

Effective as of the 17th day of July 1965.

[SEAL]

ROBERT C. WEAVER,
Housing and Home
Finance Administrator.

[F.R. Doc. 65-7567; Filed, July 16, 1965; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 01-43]

LOUISVILLE INDUSTRIAL
FOUNDATION, INC.

Notice of Application and
Opportunity for Hearing

JULY 12, 1965.

Notice is hereby given that the Louisville Industrial Foundation, Inc. ("Foundation"), has filed an application pursuant to section 12(h) of the Act for a finding that by reason of the absence of

any trading interest in its securities and the nature and extent of its activities, an exemption from the registration provisions of section 12(g) of the Act would not be inconsistent with the public interest or the protection of investors.

The Foundation's application states, in part:

1. The Foundation, at its fiscal year ended December 31, 1964, had total assets exceeding \$1,000,000 and 951 holders of record of its \$100 par value capital stock.

2. The Foundation was incorporated in 1916 as a semicivic, self-supporting organization to advance and develop, industrially and commercially, the city of Louisville and vicinity. The Foundation makes loans to businesses to effect this purpose. It does not compete with banks and other loan-making institutions since it accepts a type of risk somewhat more marginal than that desired by banks. In addition, the Foundation lends for longer periods and in larger amounts in ratio to the value of security for loans than is ordinarily done by banks.

3. The Foundation has never paid dividends and has no intention of paying dividends in the future.

4. There is no trading of Foundation stock in the over-the-counter market. The only market for such stock is the Foundation itself. On the occasions the Foundation purchased its shares, it did so from trust companies and other executors or administrators of estates of stockholders in order to enable them to close such estates. The Foundation paid

the nominal sum of \$5 for these \$100 par value shares of capital stock.

5. The Foundation has had net income of approximately \$10,000 for the last three years and, as of December 31, 1964, unappropriated retained earnings of some \$268,000.

6. The Foundation waives notice of hearing and the hearing itself in connection with this matter.

For a more detailed statement of the information presented, all persons are referred to said application which is on file in the offices of the Commission at 425 Second Street NW., Washington, D.C.

Notice is further given that any interested person may, not later than July 30, 1965, submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington, D.C., 20549, and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. At any time after said date, an order granting the application may be issued by the Commission unless an order for hearing upon said application be issued upon request or upon the Commission's own motion.

By the Commission,

[SEAL] ORVAL L. DUBOIS,
Secretary.

By: NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 65-7558; Filed, July 16, 1965;
8:46 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 579 (28 F.R. 11524), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the act.

The following certificates were issued pursuant to paragraphs (c) and (g) of

§ 519.6 of 29 CFR Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below \$1 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is less, in occupations of the same general classes in which the establishment employed full-time students at wages below \$1 an hour in the base period.

W. T. Grant Co., variety store; 101 East Fourth Street, Waterloo, Iowa; 7-1-65 to 8-31-65.

S. S. Kresge Co., variety store; No. 244, Atchison, Kans.; 6-10-65 to 6-9-66.

S. S. Kresge Co., variety store; 25465 Grand River Avenue, Detroit, Mich.; 6-24-65 to 6-23-66.

Rivin's I G A Store, food store; Tyndall, S. Dak.; 6-10-65 to 6-9-66.

Rivin's I G A Store, food store; Wagner, S. Dak.; 6-10-65 to 6-9-66.

T. G. & Y. Stores Co., variety store; No. 228, Baton Rouge, La.; 6-7-65 to 5-31-66.

T. G. & Y. Stores Co., variety store; No. 120, Amarillo, Tex.; 7-9-65 to 7-8-66.

Thrifty Super Saver, food store; Denison, Iowa; 6-10-65 to 6-9-66.

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates of not less than 85 percent of the minimum applicable under section 6 of the act in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

W. T. Grant Co., variety store; No. 3379, Marshalltown, Iowa; sales clerks, cashier, and stock clerks; between 0.6 and 3.1 percent; 7-1-65 to 8-31-65.

T. G. & Y. Stores Co., variety store; No. 283, Albuquerque, N. Mex.; clerical, sales clerks, and stock clerks; 10 percent for each month; 6-14-65 to 6-13-66.

T. G. & Y. Stores Co., variety store; Villa Avenue at 23d, Oklahoma City, Okla.; clerical, sales clerks, and stock clerks; 10 percent for each month; 7-2-65 to 7-1-66.

T. G. & Y. Stores Co., variety store; No. 425, Oklahoma City, Okla.; clerical, sales clerks, and stock clerks; 10 percent for each month; 6-14-65 to 6-13-66.

T. G. & Y. Stores Co., variety store; 305 Broadway, Plainview, Tex.; clerical, sales clerks, and stock clerks; 10 percent for each month; 6-14-65 to 6-13-66.

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15

days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 13th day of July 1965.

ROBERT G. GRONWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 65-7576; Filed, July 16, 1965;
8:48 a.m.]

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Barhizon of Utah, Inc., 150 West 1230 North, Provo, Utah; effective 7-11-65 to 7-10-66 (ladies' lingerie).

Belton Garment Co., Belton, S.C.; effective 7-7-65 to 7-6-66 (men's sport shirts).

Blue Bell, Inc., Madison, Va.; effective 7-14-65 to 7-13-66 (men's, women's, girls', and boys' wrangler dungarees).

Devil Dog Manufacturing Co., Inc., Zebulon, N.C.; effective 6-25-65 to 6-24-66 (ladies' and girls' slacks and ladies' and boys' dungarees).

Dillon Manufacturing Co., Dillon, S.C.; effective 7-9-65 to 7-8-66 (ladies' dresses).

The Fordyce Apparel Co., Fordyce, Ark.; effective 7-10-65 to 7-9-66 (men's and boys' single pants).

Glenn Clothing Manufacturing Co., Inc., Dickenson County, Clintwood, Va.; effective 7-6-65 to 7-5-66 (boys' trousers).

Greenway Manufacturing Co., Waynesburg, Pa.; effective 6-30-65 to 6-29-66 (boys' and infants' polo shirts).

H. & H. Manufacturing Corp., Statham, Ga.; effective 6-24-65 to 6-23-66 (men's dress pants).

Helco, Inc. of Georgia, 333 North Pleasantburg Drive, Greenville, S.C.; effective 6-24-65 to 6-23-66 (children's playwear and pajamas).

Imperial Shirt Corp., True Loom Division, Lafayette, Tenn.; effective 6-25-65 to 6-24-66 (men's sport shirts).

J B C Co. of Madera, Madera, Pa.; effective 7-5-65 to 7-4-66 (men's and boys' trousers).

Kingstree Industries, Inc., 204 Hampton Street, Kingstree, S.C.; effective 6-23-65 to 6-23-66 (ladies' capri pants, pedal pushers, etc.).

Lake Butler Apparel Co., Lake Butler, Fla.; effective 6-24-65 to 6-23-66 (men's and boys' dress slacks).

Loris Manufacturing Co., Plant No. 2, Loris, S.C.; effective 6-28-65 to 3-14-66 (ladies' blouses, slacks and sportswear) (replacement certificate).

Marietta Sportswear Manufacturing Co., Southeast Sixth Street, Post Office Box 218, Marietta, Okla.; effective 7-7-65 to 7-6-66 (men's dress slacks).

Maxon Shirt Co., 333 North Pleasantburg Drive, Greenville, S.C.; effective 6-24-65 to 6-23-66 (boys' dress and sport shirts).

Meadow Sportswear, Inc., Bay Slacks Division, Bay Minette, Ala.; effective 7-1-65 to 6-30-66 (men's and boys' dress slacks).

Metro Pants Co., Bridgewater, Va.; effective 7-1-65 to 6-30-66 (men's and boys' pants).

Metro Pants Co., Harrisonburg, Va.; effective 7-1-65 to 6-30-66 (men's and boys' pants).

Model Sportswear, Inc., Shelbyville, Tenn.; effective 6-30-65 to 6-29-66. Learners may not be employed at special minimum wage rates in the manufacture of sport coats of suit-type construction (men's and boys' work and sport jackets).

Perfection Garment Co., Inc., Martinsburg, W. Va.; effective 7-2-65 to 7-1-66 (ladies' and children's dresses and children's playwear).

Phillips-Van Heusen Corp., Barnesboro, Pa.; effective 6-26-65 to 6-25-66 (sport shirts).

Ruth Originals Corp., 2029 Asheville Highway, Hendersonville, N.C.; effective 6-24-65 to 6-23-66 (children's dresses).

Eddie Ross doing business as Salley Manufacturing Co., Post Office Box 516, Salley, S.C.; effective 7-18-65 to 7-17-66 (ladies' slacks, surfers and shorts).

Scielf Manufacturing Co., Inc., East Second Avenue, Lexington, N.C.; effective 6-27-65 to 6-26-66 (men's and boys' pants and overalls).

Spring Hope Manufacturing Co., Inc., Spring Hope, N.C.; effective 6-25-65 to 6-24-66 (children's jackets, and shirts).

Stein-Way Clothing Co., 711 West Walnut Street, Johnson City, Tenn.; effective 7-6-65 to 7-5-66 (men's trousers).

Superior Garment Contractors, Inc., Middlesex, N.C.; effective 6-25-65 to 6-24-66 (children's shorts, crawlers and slacks and ladies' slacks).

Trace Manufacturing Co., Waynesboro, Tenn.; effective 7-1-65 to 6-30-66 (work pants and shirts).

Warsaw Manufacturing Co., Warsaw, N.C.; effective 7-2-65 to 7-1-66 (ladies' house dresses).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Jo-Jac Shirt Co., Inc., Pulaaki, Tenn.; effective 7-3-65 to 7-2-66; 10 learners (boys' sport shirts).

Love Land Tog's, 270 Bradford Street, Albany, N.Y.; effective 6-30-65 to 6-29-66; 10 learners (children's dresses).

Mill Apparel Co., Inc., Corner of State and Walnut Streets, Millville, Pa.; effective 6-29-65 to 6-28-66; 10 learners (ladies' dresses).

The More Manufacturing Co., 101 North Main Street, Marissa, Ill.; effective 6-30-66 to 6-29-66; 8 learners (ladies' shifts, lounging pajamas and robes).

Saul Manufacturing Corp., 15th and Walnut Streets, Wilmington, Del.; effective 6-24-65 to 6-23-66; 10 learners (ladies' dresses and slacks).

Smart Style, Inc., 109 Country Club Drive, Asheboro, N.C.; effective 6-30-65 to 6-29-66; 10 learners (ladies' dresses).

Jack Winter Manufacturing Corp., Columbus Division, 158 West Harrison Street, Columbus, Wis.; effective 7-16-65 to 7-15-66; 10 learners (ladies' slacks).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Kingstree Industries, Inc., 204 Hampton Avenue, Kingstree, S.C.; effective 6-23-65 to 12-22-65; 50 learners (ladies' slacks, pedal pushers, capri pants and shorts).

Lake Butler Apparel Co., Lake Butler, Fla.; effective 6-24-65 to 12-23-65; 20 learners (men's and boys' dress slacks).

Standard Romper Co., Inc., 321 Canco Road, Portland, Maine; effective 7-2-65 to 1-1-66; 35 learners (children's shirts).

Trace Manufacturing Co., Waynesboro, Tenn.; effective 7-1-65 to 12-31-65; 50 learners (work pants and shirts).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Auburn Hosiery Mills, Inc., Plant #2, Adairville, Ky.; effective 6-26-65 to 6-25-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Elizabeth City Hosiery Mills, Elizabeth City, N.C.; effective 7-6-65 to 1-5-66; 20 learners for plant expansion purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Norwich Mills, Inc., Wendell, N.C.; effective 6-26-65 to 6-25-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' sweat shirts).

Sweetree Mills, Inc., West Academy Street, Cherryville, N.C.; effective 6-25-65 to 6-24-66; 5 percent of the total number of factory production workers for normal labor turnover purposes. Learners may not be employed at special minimum wage rates in the manufacture of skirts (ladies' and girls' dresses and sweaters).

Tazewell Textiles, Inc., New Tazewell, Tenn.; effective 6-22-65 to 6-21-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' underwear).

Warner—Slimwear Lingerie, Post Office Box 457, Hemingway, S.C.; effective 7-5-65 to 7-4-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' lingerie).

Warner—Slimwear Lingerie, Post Office Box 457, Hemingway, S.C.; effective 7-5-65 to 1-4-66; 25 learners for plant expansion purposes (ladies' lingerie).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Adelle Manufacturing Corp., Apartado 325, Río Grande, P.R.; effective 7-1-65 to 11-3-65; five learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period

at the rate of 75 cents an hour (men's shorts) (replacement certificate).

Alfredo Manufacturing Corp., Apartado 325, Río Grande, P.R.; effective 7-1-65 to 11-10-65; 17 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (men's pajamas) (replacement certificate).

Artista Apparel Corp., Carretera No. 3, Km. 100 H. 6, Yabucoa, P.R.; effective 7-1-65 to 8-14-65; 50 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (blouses) (replacement certificate).

Barceloneta Shoe Corp., Apartado 365, Manati, P.R.; effective 6-7-65 to 12-6-65; 37 learners for normal labor turnover purposes in any factory productive occupation (with certain exceptions), each for a learning period of 480 hours at the rates of 77 cents an hour for the first 240 hours and 83 cents an hour for the remaining 240 hours (shoes).

Beatrice Needle Craft, Inc., 60 Comercio Street, Post Office Box 88, Mayaguez, P.R.; effective 7-1-65 to 8-21-65; 35 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Beatrice Needle Craft, Inc., 60 Comercio Street, Post Office Box 88, Mayaguez, P.R.; effective 7-1-65 to 11-17-65; 22 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Beatrice Needle Craft, Inc., Post Office Box 391, Ponce, P.R.; effective 6-10-65 to 6-10-66; 32 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres).

Bonita, Inc., Avenida Industrial, Apartado 1127, Cayey, P.R.; effective 6-14-65 to 6-13-66; five learners for normal labor turnover purposes in the occupations of: (1) sewing machine operating, for a learning period of 320 hours at the rate of 85 cents an hour; and (2) pressing, for a learning period of 160 hours at the rate of 85 cents an hour (skirts).

Bow Bra Co., Inc., 48 Southeast No. 1272, La Riviera, Río Piedras, P.R.; effective 6-14-65 to 6-13-66; 17 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres).

Bratex Corp., Road No. 701, Km. 0.3, Apartado 747, Salinas, P.R.; effective 6-7-65 to 6-6-66; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres).

Cabo Rojo Manufacturing Corp., Cabo Rojo, P.R.; effective 6-7-65 to 12-6-65; 50 learners for plant expansion purposes in any factory productive occupation (with certain exceptions), each for a learning period of 480 hours at the rates of 77 cents an hour for the first 240 hours and 83 cents an hour for the remaining 240 hours (shoes).

Caribe Foundations, Inc., Calle Duarte No. 186, Hato Rey, P.R.; effective 7-1-65 to 2-28-66; five learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (girdles, brassieres and corselettes) (replacement certificate).

Carlín Manufacturing Corp., Carretera 992, Km. 0.2, Apartado 221, Luquillo, P.R.; effective 7-1-65 to 8-14-65; 50 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period

of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Carol Anne Corp., Calle Santo Domingo, Apartado 67, Yauco, P.R.; effective 7-1-65 to 2-10-66; 15 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (ladies' underwear and nightwear) (replacement certificate).

Catherine Needle Craft, Inc., 60 Comercio Street, Post Office Box 925, Mayaguez, P.R.; effective 7-1-65 to 4-22-66; 18 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Debra Co., Inc., Apartado 79, San Sebastian, P.R.; effective 6-21-65 to 12-20-65; 24 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (petticoats and slips).

De Luxe Caribe, Inc., Apartado 348, Florida, P.R.; effective 7-1-65 to 8-14-65; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (girdles) (replacement certificate).

Juana Diaz Co., Inc., Apartado 273, Juana Diaz, P.R.; effective 7-1-65 to 8-14-65; 20 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Juana Diaz Co., Inc., Apartado E, Ponce, P.R.; effective 7-1-65 to 4-21-66; 15 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres and girdles) (replacement certificate).

Glamourette Fashion Mills, Inc., Apartado 737, Quebradillas, P.R.; effective 7-1-65 to 10-7-65; 16 learners for normal labor turnover purposes in the occupations of: (1) knitting, for a learning period of 480 hours at the rate of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; (2) machine stitching, pressing, hand sewing, finishing operations involving hand sewing, each for a learning period of 320 hours at the rate of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours; and (3) winding, for a learning period of 240 hours at the rate of 88 cents an hour (sweaters) (replacement certificate).

Gordonshire Knitting Mills, Inc., Apartado 1127, Cayey, P.R.; effective 6-14-65 to 6-13-66; 24 learners for normal labor turnover purposes in the occupations of: (1) knitting, for a learning period of 480 hours at the rate of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitching, for a learning period of 320 hours at the rate of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (sweaters).

Isabel Products, Inc., Apartado 816, Santa Isabel, P.R.; effective 7-1-65 to 3-15-66; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (girdles and brassieres) (replacement certificate).

Janrico, Inc., Apartado 152, Rincon, P.R.; effective 6-14-65 to 12-13-65; 10 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres).

Janrico, Inc., Apartado 152, Rincon, P.R.; effective 7-1-65 to 2-18-66; five learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92

cents an hour (brassieres) (replacement certificate).

La Torre Co., Inc., Apartado 605, Albonito, P.R.; effective 7-1-65 to 9-7-65; 50 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (ladies' underwear, sleepwear, and shoulder straps) (replacement certificate).

Matsushita Electric of P.R., Inc., Villa Blanca Industrial Development, Caguas, P.R.; effective 6-21-65 to 12-20-65; 50 learners for plant expansion purposes in the occupation of assembly; final inspection, each for a learning period of 480 hours at the rate of \$1.00 an hour for the first 240 hours and \$1.10 an hour for the remaining 240 hours (radios and phonographs).

Midland Knitting Mills, Inc., Apartado 267, San German, P.R.; effective 7-1-65 to 4-25-66; 15 learners for normal labor turnover purposes in the occupations of: (1) Knitting, for a learning period of 480 hours at the rate of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitching; pressing, each for a learning period of 320 hours at the rate of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (sweaters) (replacement certificate).

Newport Bra Co., Inc., Apartado 10008, Caparra Heights, P.R.; effective 6-14-65 to 6-13-66; 20 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres and accessories).

Nina Manufacturing Corp., Carretera Estatal No. 31, Km. 4.1, Apartado 537, Naguabo, P.R.; effective 7-1-65 to 8-14-65; 132 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (children's slips) (replacement certificate).

Paradise Manufacturing, Inc., Apartado 408, Gurabo, P.R.; effective 7-1-65 to 11-1-65; 14 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Partex Corp., Salida Playa Salinas, Apartado 412, Salinas, P.R.; effective 6-7-65 to 12-6-65; 32 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 74 cents an hour (men's undershirts, shorts, and pajamas).

Perfect Bra Co. of Puerto Rico, Inc., Plant No. 2, Apartado 397, Aguas Buenas, P.R.; effective 7-1-65 to 3-31-66; 27 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Perfect Bra Co. of Puerto Rico, Inc., Plant No. 1, Apartado 356, Caguas, P.R.; effective 7-1-65 to 3-31-66; 27 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Rema Foundations, Inc., Lot A-13 Centro Industrial Corujo, Hato Tejas, Apartado 2476, Bayamon, P.R.; effective 6-14-65 to 12-13-65; 50 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (girdles and garter belts).

Rio Grande Manufacturing Corp., Apartado 325, Rio Grande, P.R.; effective 7-1-65 to 10-13-65; 11 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (men's shorts) (replacement certificate).

Rio Monte Mfg. Corp., Apartado 325, Rio Grande, P.R.; effective 7-1-65 to 11-3-65;

five learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (men's pajamas) (replacement certificate).

Sagner International, Inc., 151 Marina Street, Post Office Box 4128, San Juan, P.R.; effective 7-1-65 to 3-31-66; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 79 cents an hour (men's slacks) (replacement certificate).

Sally Manufacturing Corp., Apartado 268, Juana Diaz, P.R.; effective 7-1-65 to 9-30-65; 34 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Sally Manufacturing Corp., Apartado 268, Juana Diaz, P.R.; effective 7-1-65 to 9-30-65; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Surtext Glove Corp., Apartado 416, Coamo, P.R.; effective 6-15-65 to 6-14-66; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 480 hours at the rate of 75 cents an hour for the first 240 hours and 86 cents an hour for the remaining 240 hours (ladies' dress gloves).

Syl-Bee Manufacturing Co., Inc., Apartado 507, Aguas Buenas, P.R.; effective 7-1-65 to 1-23-66; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Tinto, Inc., Apartado 1127, Cayey, P.R.; effective 6-14-65 to 6-13-66; five learners for normal labor turnover purposes in the occupation of dyeing machine operating, for a learning period of 240 hours at the rate of 88 cents an hour (sweaters).

Trimtex Corp., Apartado 165, Coamo, P.R.; effective 7-1-65 to 8-30-65; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (ladies' underwear) (replacement certificate).

Tropical Corp., Apartado 3573, Mayaguez, P.R.; effective 7-1-65 to 8-31-65; five learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 83 cents an hour for the first 160 hours and 77 cents an hour for the remaining 160 hours (sachet bags and children's dresses) (replacement certificate).

Isabela Vieques Corp., Apartado 398, Isabel Segunda, Vieques, P.R.; effective 7-1-65 to 9-28-65; 56 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (dress shirts) (replacement certificate).

Isabela Vieques Corp., Apartado 398, Isabel Segunda, Vieques, P.R.; effective 7-1-65 to 3-28-66; 12 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 75 cents an hour (dress shirts) (replacement certificate).

Wayne Industries, Inc., Apartado 483, Catano, P.R.; effective 7-1-65 to 8-14-65; 35 learners for plant expansion purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (girdles and swimsuits) (replacement certificate).

Weststone Knitting Mills, Inc., Apartado 267, San German, P.R.; effective 7-1-65 to 4-25-66; 10 learners for normal labor turnover purposes in the occupations of: (1) Knitting, for a learning period of 480 hours at the rate of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining

240 hours; and (2) machine stitching; pressing, each for a learning period of 320 hours at the rate of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (sweaters) (replacement certificate).

Willda, Inc., Barrio Marias, Route No. 402, Km. 0.8, Anasco, Post Office Box 657, Anasco, P.R.; effective 8-2-65 to 6-1-66; 12 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres and girdles).

Willda, Inc., Apartado 391; Ponce, P.R.; effective 7-1-65 to 8-14-65; 10 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 92 cents an hour (brassieres) (replacement certificate).

Williams Products Corp., Carretera No. 993, Hm. 5, Bo. Mata de Platano, Apartado 215, Luquillo, P.R.; effective 6-7-65 to 12-6-65; 65 learners for plant expansion purposes in the occupation of stitching machine operating, for a learning period of 480 hours at the rate of 77 cents an hour for the first 240 hours and 83 cents an hour for the remaining 240 hours (slippers).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 8th day of July 1965.

LUTHER E. STONE,
Authorized Representative
of the Administrator.

[P.R. Doc. 65-7577; Filed, July 16, 1965;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 14, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39899—*Liquid caustic soda to Griffin, Ga.* Filed by O. W. South, Jr., agent (No. A4724), for and on behalf of Southern Railway Co. Rates on liquid caustic soda, in tank carloads, from Charleston, Tenn., to Griffin, Ga.

Grounds for relief—Market competition.

Tariff—Supplement 39 to Southern Freight Association, agent, tariff ICC S-484.

FSA No. 39900—*Liquid caustic soda from LeMoyne, Ala.* Filed by O. W. South, Jr., agent (No. A4725), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, from LeMoyne, Ala., to Jacksonville and South Jacksonville, Fla.

Grounds for relief—Market competition.

Tariff—Supplement 199 to Southern Freight Association, agent, tariff ICC S-194.

FSA No. 39901—*Soda ash to Bradenton, Fla.* Filed by O. W. South, Jr., agent (No. A4726), for interested rail carriers. Rates on soda ash, in bulk, in carloads, from Saltville, Va., to Bradenton, Fla.

Grounds for relief—Market competition.

Tariff—Supplement 17 to Southern Freight Association, agent, tariff ICC S-517.

FSA No. 39902—*Wire and aluminum bars to Carrollton, Ga.* Filed by O. W. South, Jr., agent (No. A4727), for interested rail carriers. Rates on copper, iron, or steel wire, for further manufacture, also aluminum bars, ingots, or pigs, in carloads, from Gulf ports (import traffic), to Carrollton, Ga.

Grounds for relief—Port competition.

Tariff—Supplement 48 to Southern Freight Association, agent, tariff ICC S-398.

FSA No. 39903—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 114), for interested carriers. Rates on commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in middle Atlantic and New England territories, on the other.

Grounds for relief—Motor-truck competition.

Tariff—Supplement 3 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1361.

FSA No. 39904—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, agent (No. 115), for interested carriers. Rates on commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Southern territory.

Grounds for relief—Motor-truck competition.

Tariff—Supplement 8 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1351.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-7581; Filed, July 16, 1965;
8:48 a.m.]

[Notice 6]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 14, 1965.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate

Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 11722 (Sub-No. 17 TA), filed July 12, 1965. Applicant: FRED E. BRADER, doing business as BRADER HAULING SERVICE, Post Office Box 655, Zillah, Wash., 98953. Authority sought as a contract carrier, by motor vehicle, over irregular routes, transporting: *Tote bins, knocked down or set up, pallets and fruit or vegetable containers*, (1) from the Port of Entry on the international boundary line between the United States and Canada at or near Oroville, Wash., to points in Washington, Oregon, and Idaho, and (2) from points in Washington to points in Oregon and Idaho, for 180 days. SUPPORTING SHIPPER: H. R. Spinner Co., 1550 South Wenatchee Avenue, Post Office Box 1409, Wenatchee, Wash. SEND PROTESTS TO: District Supervisor S. F. Martin, Bureau of Operations and Compliance, Interstate Commerce Commission, 538 Pittock Block, Portland, Oreg., 97205.

No. MC 101075 (Sub-No. 96 TA), filed July 12, 1965. Applicant: TRANSPORT, INC., 1215 Center Avenue, Post Office Box 396, Moorhead, Minn. Applicant's representative: Ronald B. Pitsenbarger, 1215 Center Avenue, Moorhead, Minn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Asphalt and road oils*, in bulk, having a prior movement by rail, from Minot, N. Dak., to points in Ward County, N. Dak., for 150 days. SUPPORTING SHIPPER: Highway Construction Co., Box 879, Minot, N. Dak. SEND PROTESTS TO: Joseph H. Amb, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1621 South University Drive, Fargo, N. Dak.

No. MC 103993 (Sub-No. 218 TA), filed July 12, 1965. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Buildings*, complete or in sections, from points in Texas to points in New Mexico, Colorado, Utah,

Wyoming, Kansas, Nebraska, Montana, Idaho, Washington, Oregon, California, Nevada, North Dakota, and South Dakota, for 180 days. **SUPPORTING SHIPPER:** DeRose Industries, Inc., Bonham, Tex. **SEND PROTESTS TO:** District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 106398 (Sub-No. 276 TA), filed July 12, 1965. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla., 74151. Applicant's representative: O. L. Thee (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings* in sections, mounted on wheeled undercarriages with hitch ball connector, from points in Wisconsin to points in Arizona, California, Colorado, Florida, Illinois, Indiana, Iowa, Michigan, Minnesota, Montana, North Dakota, Ohio, and South Dakota, for 180 days. **SUPPORTING SHIPPERS:** Northern Star Mobile Homes, Inc., Stratford, Wis.; Northland Mobile Homes, Ashland, Wis.; Beloit Trailer Sales, Inc., Beloit, Wis.; Steenberg Mobile Homes, Inc., Fond du Lac, Wis.; Norvis Mobile Homes, Hazel Green, Wis.; Olson Mobile Homes, Inc., Knapp, Wis.; LaCrosse Mobile Homes, La Crosse, Wis.; and Norvis Mobile Homes, Madison, Wis. **SEND PROTESTS TO:** C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla., 73102.

No. MC 107403 (Sub-No. 528 TA), filed July 12, 1965. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa., 19050. Applicant's representative: C. W. Zook (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, in tank vehicles, from Mount Joy, Pa., to Pennsville, N.J., for 180 days. **SUPPORTING SHIPPER:** Spangler's Flour Mills, Inc., Mount Joy, Pa. **SEND PROTESTS TO:** Ross A. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 113908 (Sub-No. 171 TA), filed July 12, 1965. Applicant: ERICKSON TRANSPORT CORPORATION, 706 West Tampa, Post Office Box 3180, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Dallas, Tex., to Muscatine, Iowa, for 180 days. **SUPPORTING SHIPPER:** Standard Brands, Inc., Proctor and Court Streets, Montgomery, Ala., 36102. **SEND PROTESTS TO:** O. L. Scherer, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 118415 (Sub-No. 16 TA), filed July 12, 1965. Applicant: HUSBY TRUCKING SERVICE, INC., Route No.

1, Post Office Box 219, Menomonie, Wis. Applicant's representative: Robert E. Swanson, 1211 South Sixth Street, Stillwater, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts*, both fresh and frozen; 1. (a) *Fresh meat* to be transported to freezer; from Whitehall, Wis., to public freezers and cold storage facilities, as directed by shipper, located at Newport, Minn., Minneapolis, Minn., and St. Paul, Minn.; (b) *frozen and rejected products* from freezer; from: Public freezers and cold storage facilities, as directed by shipper, at Newport, Minneapolis, and St. Paul, Minn., to Whitehall, Wis.; 2. (a) Product to be transported is *meat, meat products, and meat byproducts*, both fresh and frozen; from: Whitehall, Wis., to the following places in the State of Ohio; Akron, Ashtabula, Avon Lake, Bryan, Cambridge, Canton, Chillicothe, Cincinnati, Cleveland, Columbus, Coshocton, Dayton, East Liverpool, Findley, Gallipolis, Greenville, Hamilton, Jackson, Lancaster, Lima, Mansfield, Marion, Middletown, Mount Vernon, Norwalk, Portsmouth, Ravenna, Sandusky, Springfield, Steubenville, Tiffin, Toledo, Warren, Youngstown, and Zanesville; 3. (a) Product to be transported is *meat, meat products, and meat byproducts*, from public freezers and cold storage facilities, as directed by shipper, at Newport, Minneapolis, and St. Paul, Minn., to the following places in the State of Ohio: Akron, Ashtabula, Avon Lake, Bryan, Cambridge, Canton, Chillicothe, Cincinnati, Cleveland, Columbus, Coshocton, Dayton, East Liverpool, Findley, Gallipolis, Greenville, Hamilton, Jackson, Lancaster, Lima, Mansfield, Marion, Middletown, Mount Vernon, Norwalk, Portsmouth, Ravenna, Sandusky, Springfield, Steubenville, Tiffin, Toledo, Warren, Youngstown, and Zanesville.

(b) Product to be transported is *meat, meat products, and meat byproducts*, from public freezers and cold storage facilities, as directed by the shipper, at New Port, Minneapolis, and St. Paul, Minn. to the following places: Lexington and Louisville, Ky.; Baltimore, Md.; Boston, Worcester, and Springfield, Mass.; Detroit, Mich.; Albany, Buffalo, Kingston, N.Y., Rochester, N.Y.; Philadelphia, Pittston, and Scranton, Pa. This applicant has authority to transport to the above-named places from Whitehall, Wis., Marshfield, Wis., and LaCrosse, Wis. Therefore this applicant requests permission, if need arises, for mixed loads for Whitehall Packing Co., Inc. to make partial pickups at New Port, Minn. or St. Paul, Minn., and combine these pickups with product at Whitehall, Wis. for 180 days. **SUPPORTING SHIPPER:** Whitehall Packing Co., Box 215, Whitehall, Wis. **SEND PROTESTS TO:** A. E. Rathert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 119448 (Sub-No. 4 TA), filed July 12, 1965. Applicant: A. B. DISTRIBUTORS, INC., 218 Washington Avenue, Carlstadt, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Potato chips, pretzels, salted nuts and bakery goods*, from the site of Food Fair Stores, Inc., plant and warehouse, Pennsville, N.J., to points in Maryland, Delaware, Virginia, Pennsylvania, New York, Washington, D.C., and Connecticut, and on return, shipments of the commodities specified above, for 180 days. **SUPPORTING SHIPPER:** Food Fair Stores, 3175 John F. Kennedy Boulevard, Philadelphia, Pa., 19104, Attention: Mr. L. Schaffel, Traffic Administrator. **SEND PROTESTS TO:** District Supervisor Joel Morrows, Interstate Commerce Commission, Bureau of Operations and Compliance, 1060 Broad Street, Newark, N.J., 07102.

No. MC 123639 (Sub-No. 32 TA), filed July 12, 1965. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo., 80216. Applicant's representative: Charles W. Singer, 33 North La Salle, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oils, petroleum lubricating products, proprietary antifreeze, alcohol and alcohol compounds, carbon gum and sludge removing compounds, greases, core oils and compounds, and automobile chemicals and compounds*, from Danville and Seneca, Ill. to points in Wisconsin, Indiana, Ohio, Kentucky, Tennessee, West Virginia, Pennsylvania, New Jersey, New York, Michigan, District of Columbia, and Virginia, for 180 days. **SUPPORTING SHIPPER:** Prairie States Corp., Danville, Ill. **SEND PROTESTS TO:** District Supervisor Luther H. Oldham, Jr., Bureau of Operations and Compliance, Interstate Commerce Commission, 222 Federal Building, Denver, Colo., 80202.

No. MC 124569 (Sub-No. 5 TA), filed July 12, 1965. Applicant: JOHN HUSZAR, JR., doing business as HUSZAR'S VEGETABLE FARM, Route 1 Box 204, Holden, La. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Terture*, a dry wall product in powder form, packed in paper bags weighing 25 pounds, from Hammond, La., to points in South Carolina, Virginia, North Carolina, District of Columbia, and Maryland, for 180 days. **SUPPORTING SHIPPER:** Mr. Lee Forbes, Vice President, Lee Forbes Co., Inc., Hammond, La. **SEND PROTESTS TO:** W. R. Atkins, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, T-4009 Federal Office Building, 701 Loyola Avenue, New Orleans, La., 70113.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-7582; Filed, July 16, 1965; 8:48 a.m.]

CUMULATIVE LIST OF CFR PARTS AFFECTED—JULY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during July.

3 CFR		7 CFR—Continued		14 CFR—Continued	
	Page		Page		Page
PROCLAMATIONS:					
3659	8383	946	8511	PROPOSED RULES:	
3660	8507	947	8961	39	8413,
3661	8663	1136	8566	8414, 8487, 8488, 8687, 8688, 8798	
3662	8773	1138	8391	71	8489-
3663	8991	1400	8457	8491, 8589, 8590, 8634-8637, 8689,	
EXECUTIVE ORDERS:					
July 2, 1910 (revoked in part by PLO 3725)	8792	1421	8673, 8823	8690, 8798, 8799, 8856, 8857, 8970,	
Mar. 29, 1912 (revoked in part by PLO 3715)	8789	1427	8451, 8673, 8748, 8825	8971, 9008, 9009.	
July 9, 1913 (revoked in part by PLO 3725)	8792	1446	8401	73	8590, 8638
1238 (revoked by PLO 3728)	8832	1464	8512	75	9009
8647 (revoked in part by PLO 3720)	8791	1483	8898	77	8905
10530 (superseded in part by EO 11230)	8447	PROPOSED RULES:		91	8799
10559 (superseded by EO 11230)	8447	52	8905	233	8487
10759 (superseded by EO 11230)	8447	724	8630	15 CFR	
10766 (superseded by EO 11230)	8447	Ch. IX	8684	9	8432
10790 (superseded by EO 11230)	8447	922	8525	201	8963
10836 (superseded by EO 11230)	8447	930	8850	16 CFR	
10889 (superseded by EO 11230)	8447	993	8850	401	8900
10903 (superseded in part by EO 11230)	8447	1008	8855	PROPOSED RULES:	
10960 (superseded by EO 11230)	8447	1009	8855	303	8491
10970 (superseded in part by EO 11230)	8447	1031	9008	17 CFR	
11012 (superseded in part by EO 11230)	8447	1048	8856	PROPOSED RULES:	
11116 (superseded in part by EO 11230)	8447	1135	8525	230	8638
11164 (superseded by EO 11230)	8447	1137	8525	249	8639, 8642
11184 (superseded by EO 11230)	8447	9 CFR		19 CFR	
11230	8447	51	8825	4	9006
11231	8665	74	8566	6	9006
11232	8745	78	8463	PROPOSED RULES:	
11233	8953	201	8513	8	8849
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:					
Reorganization Plan No. 2 of 1965	8819	316	8673-8675	20 CFR	
7 CFR					
6	8623	317	8673	604	8901
33	8775	318	8463, 8673, 8674	21 CFR	
51	8459	340	8675	17	8784
201	8460	PROPOSED RULES:		46	8626
301	8821, 8955, 8958, 8959	78	8525	120	9002
362	8509, 8775, 8960	201	8542	121	8474, 8572, 8627, 8784-8786
722	8461	12 CFR		146c	8787
728	8565, 8667	563	8962	PROPOSED RULES:	
755	8669	570	8963	121	8794, 9008
777	8385	PROPOSED RULES:		22 CFR	
778	8509	545	8542-8544, 8698	121	9034
813	8461	561	8698	122	9037
908	8511, 8747, 8998	563	8543, 8699, 8972	123	9037
910	8511, 8747, 8998	13 CFR		124	9041
916	8960	107	8775, 8900	125	9042
917	8387-8390, 8748, 8961	121	8825	126	9043
923	8823	PROPOSED RULES:		127	9043
14 CFR					
21					
23					
25					
29					
39					
61					
71					
8471, 8567, 8568, 8607, 8608, 8676,					
8749, 8779, 8826-8828, 8999-9001					
73					
75					
91					
93					
95					
97					
121					
159					
163					
241					
288					
303					
8464, 8826					
8467					
8467					
8777					
8407, 8469, 8607, 8826, 8963					
8515					
8470,					
8471, 8567, 8568, 8607, 8608, 8676,					
8749, 8779, 8826-8828, 8999-9001					
8472, 8608					
8471, 8608, 8828					
8473, 8516					
8568					
8780					
8609, 8889					
8568					
8828					
8676					
8829, 9001					
8784					
8473					
8590, 8638					
9009					
8905					
8799					
8487					
8432					
8963					
8900					
8491					
8638					
8639, 8642					
9006					
9006					
8849					
8901					
8784					
8626					
9002					
8784-8786					
8787					
8794, 9008					
9034					
9037					
9037					
9041					
9042					
9043					
9043					
8677					
8969					
8902					
8903					
8787					
8584					
8517					
9002					
8585					
8585					
8964					
8407					
8409					

29 CFR—Continued	Page
PROPOSED RULES:	
541.....	8754
32 CFR	
90.....	8518
553.....	8993
1811.....	8410
32A CFR	
OIA (Ch. X):	
OI Reg. 1.....	8475
33 CFR	
3.....	8749
100.....	8518
207.....	8410, 8831
36 CFR	
221.....	8519
38 CFR	
2.....	8607
8.....	8475
39 CFR	
6.....	8620, 9006
13.....	8476, 8752, 8904
16.....	8477
22.....	8588
24.....	8477
47.....	8620
48.....	8620
56.....	8620
62.....	8620
151.....	8620
41 CFR	
1-15.....	8482
5B-7.....	8410
8-2.....	8752
8-7.....	8752
9-10.....	8681
9-12.....	8831
9-30.....	8682
9-56.....	8482
11-2.....	8519
11-7.....	8519
101-18.....	8520
101-35.....	8523
42 CFR	
PROPOSED RULES:	
401.....	8797
43 CFR	
2030.....	8964
3610.....	8481
9230.....	8411
PUBLIC LAND ORDERS:	
26 (revoked by PLO 3737).....	8835
549 (revoked in part by PLO 3724).....	8791

43 CFR—Continued	Page
PUBLIC LAND ORDERS—Continued	
559 (revoked in part by PLO 3720).....	8791
1015 (modified by PLO 3734).....	8833
1364 (revoked by PLO 3722).....	8791
1394 (revoked in part by PLO 3711).....	8788
1524 (revoked in part by PLO 3711).....	8788
1537 (revoked in part by PLO 3724).....	8791
1709 (revoked in part by PLO 3737).....	8835
1867 (revoked in part by PLO 3713).....	8789
2460 (corrected by PLO 3729).....	8833
2610 (revoked by PLO 3721).....	8791
2627 (revoked by PLO 3722).....	8833
2958 (revoked by PLO 3732).....	8788
3560 (revoked by PLO 3709).....	8791
3607 (corrected by PLO 3723).....	8790
3611 (see PLO 3719).....	8791
3635 (corrected by PLO 3723).....	8788
3648 (corrected by PLO 3710).....	8524
3662 (corrected).....	8411
3707.....	8753
3708.....	8788
3709.....	8788
3710.....	8788
3711.....	8788
3712.....	8788
3713.....	8789
3714.....	8789
3715.....	8789
3716.....	8790
3717.....	8790
3718.....	8790
3719.....	8791
3720.....	8791
3721.....	8791
3722.....	8791
3723.....	8791
3724.....	8792
3725.....	8832
3726.....	8832
3727.....	8832
3728.....	8832
3729.....	8833
3730.....	8833
3731.....	8833
3732.....	8833
3733.....	8833
3734.....	8834
3735.....	8834
3736.....	8834
3737.....	8835

43 CFR—Continued	Page
PUBLIC LAND ORDERS—Continued	
3738.....	8835
3739.....	8836
3740.....	8836
PROPOSED RULES:	
2230.....	8413
3120.....	8484
3130.....	8484
3140.....	8484
3150.....	8484
3160.....	8484
3180.....	8484
3220.....	8484
3320.....	8484
46 CFR	
171.....	8836
527.....	8836
47 CFR	
0.....	8677, 8837
1.....	8837
2.....	8678, 8838
21.....	8840
73.....	8680, 8681, 8964
74.....	8843
87.....	8678, 8838
91.....	8840
97.....	8837
PROPOSED RULES:	
2.....	8691
21.....	8590, 8691
31.....	8692
73.....	8491, 8692
74.....	8590
83.....	8696, 8697
87.....	8691
91.....	8590
48 CFR	
411.....	8792
49 CFR	
6.....	8968
8.....	8847
71-79.....	8588
95.....	8523, 8793, 8968
50 CFR	
28.....	9007
32.....	8411,
8482, 8483, 8628, 8682, 8683, 8848	
33.....	8412, 8683, 9006
255.....	8412
PROPOSED RULES:	
32.....	8630, 8849
33.....	8630, 8849

FEDERAL
REGISTER

VOLUME 30 NUMBER 17
PART II

Department of State

International
Trade
Agreements



FEDERAL REGISTER

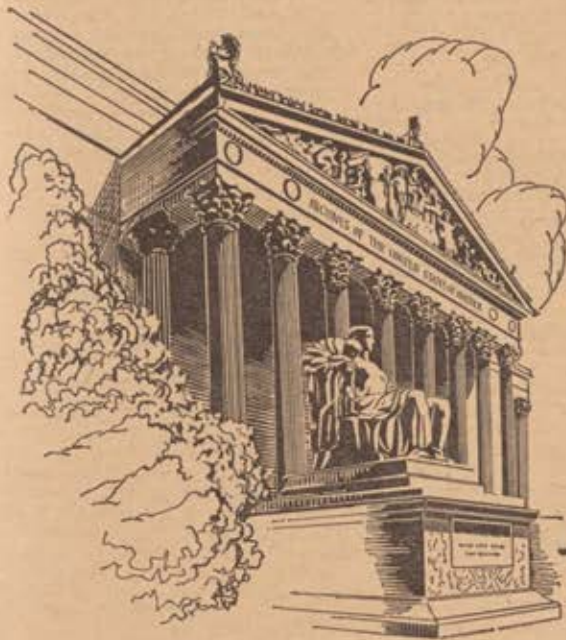
VOLUME 30 • NUMBER 137

Saturday, July 17, 1965 • Washington, D.C.

PART II

Department of State

International Traffic in Arms



Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER M—INTERNATIONAL TRAFFIC IN ARMS

[Departmental Reg. 108.520]

REVISION AND REPUBLICATION OF SUBCHAPTER

Subchapter M of the regulations of the Secretary of State (§§ 121.01-128.02) issued March 2, 1960 (Departmental Regulation 108.425, 25 F.R. 1821), is hereby rescinded in its entirety and re-issued under the authority indicated:

Part

- 121 Arms, ammunition, and implements of war.
- 122 Registration.
- 123 Licensing controls.
- 124 License and technical assistance agreements.
- 125 Technical information.
- 126 Violations and penalties.
- 127 Administrative procedures.

PART 121—ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

ENUMERATION OF ARTICLES

Sec.

- 121.01 The United States Munitions List.

DEFINITIONS AND INTERPRETATIONS

- 121.02 Substantial transformation.
- 121.03 Firearms.
- 121.04 Cartridge and shell casings.
- 121.05 Military demolition blocks and blasting caps.
- 121.06 Apparatus and devices under Category IV(b).
- 121.07 Amphibious vehicles.
- 121.08 Chemical agents.
- 121.09 Propellants.
- 121.10 Military explosives.
- 121.11 Military fuel thickeners.
- 121.12 Vessels of war and special naval equipment.
- 121.13 Aircraft and related articles.
- 121.14 Helium gas.
- 121.15 Forgings, castings, and machined bodies.
- 121.16 "United States".

AUTHORITY: The provisions of this Part 121 issued under sec. 414, as amended, 68 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10806, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redefinition of Authority No. 104-3-A, 28 F.R. 7231.

§ 121.01 The United States Munitions List.

Pursuant to the authority cited supra the following articles¹ are hereby designated as arms, ammunition and implements of war.

CATEGORY I—FIREARMS

- (a) Nonautomatic and semiautomatic firearms, to caliber .50 inclusive, and all components and parts thereof (see §§ 121.03, 123.03, and 123.51).
- (b) Automatic firearms and all components and parts thereof to caliber .50 inclusive (see §§ 121.03 and 123.03).
- (c) Insurgency-counterinsurgency type firearms or other weapons having a special

¹ The term "article" shall mean any of the arms, ammunition and implements of war and technical data relating thereto enumerated in the United States Munitions List. (See § 123.66)

military application regardless of caliber; and all components and parts thereof.

- (d) Firearms silencers.
- (e) Accessories: bayonets; riflescopes (except sporting type telescopic sights), and specifically designed components thereof.

CATEGORY II—ARTILLERY AND PROJECTORS

- (a) Guns over caliber .50, howitzers, mortars, and recoilless rifles.
- (b) Military flame throwers and projectors.
- (c) Components and parts including, but not limited to, mounts and carriages for the articles in paragraphs (a) and (b) of this Category.

CATEGORY III—AMMUNITION

- (a) Ammunition for the arms in Categories I and II of this section (see § 123.03).
- (b) The following components, parts, accessories, and attachments: cartridge cases, powder bags, bullets, jackets, cores, shells (excluding shotgun), projectiles, boosters, fuzes and components thereof, primers, and other detonating devices for such ammunition (see § 121.04).
- (c) Ammunition belting and linking machines.
- (d) Ammunition manufacturing and loading machines.

CATEGORY IV—LAUNCH VEHICLES, GUIDED MISSILES, BALLISTIC MISSILES, ROCKETS, TORPEDOES, BOMBS, AND MINES

- (a) Launch vehicles, guided missiles, ballistic missiles, bombs, grenades, rockets, torpedoes, rocket torpedoes, depth charges, land and naval mines, and military demolition blocks and blasting caps (see § 121.05).
- (b) Apparatus, devices, and materials for the handling, control, activation, detection, protection, discharge, or detonation of the articles in paragraph (a) of this Category (see § 121.06).
- (c) Missile and space vehicle powerplants.
- (d) Military explosive excavating devices.
- (e) Filament winding machines designed for or modified for the manufacture of structural forms, for articles in this Category.
- (f) All specifically designed components, parts, accessories, attachments, associated equipment, and specialized production equipment for the articles in this Category.

CATEGORY V—PROPELLANTS, EXPLOSIVES, AND INCENDIARY AGENTS

- (a) Propellants for the articles in Categories III and IV of this section (see § 121.09).
- (b) Military explosives (see § 121.10).
- (c) Military fuel thickeners (see § 121.11).
- (d) Military pyrotechnics.

CATEGORY VI—VESSELS OF WAR AND SPECIAL NAVAL EQUIPMENT

- (a) Warships, amphibious warfare vessels, landing craft, mine warfare vessels, patrol vessels, auxiliary vessels, service craft, floating dry docks, and experimental types of naval ships (see § 121.12).
- (b) Turrets and gun mounts, missile systems, arresting gear, special weapons systems, protective systems, submarine storage batteries, catapults and other components, parts, attachments, and accessories specifically designed for combatant vessels, including but not limited to, battleships, command ships, guided missile ships, cruisers, aircraft carriers, destroyers, frigates, escorts, mine-sweepers, and submarines.
- (c) Submarine and torpedo nets, and mine sweeping equipment. Components, parts, attachments and accessories specifically designed therefor.
- (d) Harbor entrance magnetic, pressure, and acoustic detection devices, controls and components thereof.
- (e) Naval nuclear propulsion plants, their land prototypes and special facilities for their construction, support and maintenance, including any machinery, device, component,

or equipment specifically developed or designed for use in such plants or facilities² (see § 123.66).

CATEGORY VII—TANKS AND MILITARY VEHICLES

- (a) Military type armed or armored vehicles, military railway trains, and vehicles fitted with, designed or modified to accommodate, mountings for arms or other specialized military equipment.
- (b) Military tanks, tank recovery vehicles, half-tracks and gun carriers.
- (c) Self-propelled guns for tanks.
- (d) Military trucks, trailers, hoists, and skids specifically designed for carrying and handling the articles in paragraph (a) of Categories III and IV; military mobile repair ships specifically designed to service military equipment.
- (e) Military recovery vehicles.
- (f) Amphibious vehicles (see § 121.07).
- (g) All specifically designed components, parts, accessories, attachments, and associated equipment, including military bridging and deep water fording kits for the articles in this Category.

CATEGORY VIII—AIRCRAFT, SPACECRAFT, AND ASSOCIATED EQUIPMENT

- (a) Aircraft including helicopters designed, modified or equipped for military purposes, including but not limited to the following: gunnery, bombing, rocket, or missile launching, electronic surveillance, reconnaissance, refueling, aerial mapping, military liaison, cargo carrying or droppings, personnel dropping, military trainers, drones, and lighter-than-air aircraft (see § 121.13).
- (b) Spacecraft including manned and unmanned, active and passive satellites.
- (c) Military aircraft engines, except reciprocating engines, and spacecraft engines specifically designed or modified for the aircraft and spacecraft in paragraphs (a) and (b) of this Category.
- (d) Airborne equipment, including but not limited to JATO units and airborne refueling equipment, specifically designed for use with the aircraft, spacecraft, and engines of the types in paragraphs (a), (b), and (c) of this Category.
- (e) Launching, arresting, and recovery equipment for the articles in paragraphs (a) and (b) of this Category.
- (f) Nonexpansive balloons, except such types as are in normal sporting use, in excess of 3,000 cubic feet capacity.
- (g) Power supplies and energy sources specifically designed for spacecraft.
- (h) Components, parts, accessories, attachments, and associated equipment, including propellers and airfield matting, specifically designed or modified for the articles in paragraphs (a) through (g) of this Category.
- (i) Experimental or developmental aircraft components known to have a significant military application.
- (j) Parachutes, except such types as are in normal sporting use, and complete canopies, harnesses, and platforms, and electronic release mechanisms therefor.

² Applications for licensing the export of any such machinery device, component, or equipment, or technical data relating thereto, will not be granted if the proposed export does not come within the scope of an existing Agreement for Cooperation for Mutual Defense Purposes concluded pursuant to the Atomic Energy Act of 1954, as amended, with the government of the country to which the item will be exported; unless the license application involves an item (a) which is identical to that in use in an unclassified civilian nuclear powerplant, and its furnishing does not disclose its relationship to naval nuclear propulsion, and (b) which is not for use in a naval propulsion plant.

CATEGORY IX—MILITARY TRAINING EQUIPMENT

(a) Military training equipment includes but is not limited to attack trainers, radar target trainers, radar target generators, gunnery training devices, antisubmarine warfare trainers, target equipment, armament trainers, pilotless aircraft trainers, mobile training units, military type link trainers, operational flight trainers, flight simulators, radar trainers, instrument flight trainers, and navigation trainers.

(b) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraph (a) of this Category.

CATEGORY X—PROTECTIVE PERSONNEL EQUIPMENT

(a) Military body armor (including armored vests), flak suits and components and parts specifically designed therefor; military helmets, including liners.

(b) Partial pressure suits, pressurized breathing equipment, military oxygen masks, anti-"G" suits, protective clothing for handling guided missile fuel, military crash helmets, liquid oxygen converters used for aircraft (enumerated in Category VIII(a)), missiles, catapults, and cartridge-actuated devices utilized in emergency escape of personnel from aircraft (enumerated in Category VIII(a)).

(c) Components, parts, accessories, attachments, and associated equipment specifically designed for use with the articles in paragraphs (a) and (b) of this Category.

CATEGORY XI—MILITARY AND SPACE ELECTRONICS

(a) Electronic equipment bearing a military designation including, but not limited to, the following items: Radar, active and passive countermeasures, counter countermeasures, underwater sound, computers, navigation, guidance, electronic fuzes, object-locating methods and means, displays that represent signals of military use, identification systems, missile and antimissile systems, telemetering and communications electronic equipment; and, regardless of designation, any experimental or developmental electronic equipment known to have a significant military application.

(b) Electronic equipment specifically designed or modified for spacecraft and spaceflight.

(c) Components, parts, accessories, attachments, and associated equipment specifically designed for use or currently used with the equipment in paragraphs (a) and (b) of this Category, except such items as are in normal commercial use.

CATEGORY XII—FIRE CONTROL, RANGE FINDER, OPTICAL AND GUIDANCE AND CONTROL EQUIPMENTS

(a) Fire control; gun and missile tracking and guidance systems; military infrared, image intensifier and other night sighting and night viewing equipment; military masers and military lasers; gun laying equipment; range, position and height finders and spotting instruments; aiming devices (electronic, gyroscopic, optic, and acoustic); bomb sights, bombing computers, military television sighting and viewing units, inertial platforms; and periscopes for the articles of this section.

(b) Inertial and other weapons or space vehicle guidance and control systems; spacecraft guidance, control and stabilization systems; astro compasses; and star trackers.

(c) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraphs (a) and (b) of this Category, except such items as are in normal commercial use.

CATEGORY XIII—AUXILIARY MILITARY EQUIPMENT

(a) Aerial cameras, space cameras, and special purpose military cameras and specialized processing equipment therefor; military photointerpretation, stereoscopic plotting, and photogrammetry equipment, and specifically designed components therefor.

(b) Cryptographic devices (encoding and decoding), and specifically designed components therefor.

(c) Self-contained diving and underwater swimming apparatus and specifically designed components therefor (see § 123.62 for exemptions).

(d) Armor plate.

(e) Concealment and deception equipment, including, but not limited to, special paints, decoys, and simulators, components, parts and accessories specifically designed therefor.

(f) Energy conversion devices and components, except such items as are in normal commercial use.

(g) Chemiluminescent compounds and solid state materials known to have a military application.

CATEGORY XIV—TOXICOLOGICAL AGENTS AND EQUIPMENT; RADIOLOGICAL EQUIPMENT

(a) Chemical agents, including lung irritants, vesicants, lacrimators, and tear gases, sternutators and irritant smokes, and nerve gases and incapacitating agents (see § 121.08).

(b) Biological agents adapted for use in war to produce death or disablement in human beings or animals or to damage crops and plants.

(c) Equipment for dissemination, detection, and identification of, and defense against the articles in paragraphs (a) and (b) of this Category (see § 123.52 (a)).

(d) Nuclear radiation detection and measuring devices, except such devices as are in normal commercial use.

(e) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraphs (c) and (d) of this Category.

CATEGORY XV—HELLUM GAS

Contained helium and admixtures thereof (see § 121.14).

CATEGORY XVI—NUCLEAR WEAPONS DESIGN AND TEST EQUIPMENT*

(a) Any article, material, equipment, or device, which is specifically designed or specifically modified for use in the design, development, or fabrication of nuclear weapons or nuclear explosive devices.

(b) Any article, material, equipment, or device, which is specifically designed or specifically modified for use in the devising, carrying out, or evaluating of nuclear weapons tests or any other nuclear explosions except such items as are in normal commercial use for other purposes.

CATEGORY XVII—CLASSIFIED ARTICLES

All articles including technical data, not enumerated herein, containing information which is classified as requiring protection in the interests of national defense.

CATEGORY XVIII—TECHNICAL DATA

Technical data relating to the articles designated in this subchapter as arms, ammunition, and implements of war (see § 125.01 for definition and § 125.30 for exemptions. See also § 123.66).

* See § 123.66. See also Department of Commerce Export Regulations, 15 CFR 373.7.

CATEGORY XIX—MISCELLANEOUS ARTICLES

Any article not enumerated herein having significant military applicability, determined by the Director, Office of Munitions Control, Department of State, in consultation with appropriate agencies of the Government and having the concurrence of the Department of Defense.

DEFINITIONS AND INTERPRETATIONS

§ 121.02 Substantial transformation.

As used in § 123.03(c), the term "substantially transformed" shall refer to the reallocation of firearms abroad to accomplish the following changes:

(a) As applied to rifles and carbines, the changes must have included at least either (1) rechambering for a higher caliber cartridge or (2) installation of a new action.

(b) As applied to pistols and revolvers, the changes must have included at least either (1) rechambering or (2) modification of the cylinder for the accommodation of a higher caliber cartridge.

(c) Other changes, such as rebarreling, modification of stocks, or grips, rebluing, or replacing of sights, singly or together, are not sufficient to so substantially transform the weapons as to become, in effect, articles of foreign manufacture.

§ 121.03 Firearms.

Rifles, carbines, revolvers, and pistols, to caliber .50 inclusive, are included under Category I(a). Machineguns, submachineguns, machine pistols, and fully automatic rifles to caliber .50 inclusive are included under Category I(b).

(a) As used in this subchapter, the term "firearm" denotes a weapon not over .50 caliber discharging bullets by an explosive force.

(b) A "rifle" is a shoulder firearm discharging bullets through a rifled barrel at least 16 inches in length, including combination and drilling guns.

(c) A "carbine" is a lightweight shoulder firearm with a short barrel, under 16 inches in length.

(d) A "pistol" is a firearm designed to be fired using one hand only, and having a chamber integral with, or permanently aligned with, the bore.

(e) A "revolver" is a hand-operated firearm with a revolving cylinder containing chambers for individual cartridges.

(f) A "machinegun", "machine pistol", or "submachinegun" is a firearm originally designed to fire, or capable of being fired fully automatically by a single pull of the trigger.

§ 121.04 Cartridge and shell casings.

Cartridge and shell casings are included under Category III of the U.S. Munitions List unless, prior to their exportation or importation, they have been rendered useless beyond the possibility of restoration for use for the purpose originally produced by means of excessive heating, flame treatment, mangling, crushing, cutting, or popping.

§ 121.05 Military demolition blocks and blasting caps.

The term "military demolition blocks and blasting caps" does not include the following articles:

- (1) Electric squibs.
- (2) No. 6 and No. 8 blasting caps, including electric.
- (3) Delay electric blasting caps (including No. 6 and No. 8 millisecond).
- (4) Seismograph electric blasting caps (including SSS, Static-Master, Vibrocaps SR, and SEISMO SR).

§ 121.06 Apparatus and devices under Category IV (b).

Category IV (b) includes inter alia the following: Fuzes and components thereof, bomb racks and shackles, bomb shackle releases units, bomb ejectors, torpedo tubes, torpedo and guided-missile boosters, guidance system materials (except those having a commercial application), launching racks and projectors, pistols (exploders), igniters, fuze-arming devices intervalometers, and components therefor, guided-missile launchers and specialized handling equipment, and hardened-missile launching facilities.

§ 121.07 Amphibious vehicles.

As used in Category VII (d), the term "amphibious vehicles" includes, but is not limited to, automotive vehicles or chassis embodying all-wheel drive and equipped to meet special military requirements, with adaptation features for deep-water fording and sealed electrical systems.

§ 121.08 Chemical agents.

(See Category XIV (a).)

A chemical agent is a substance useful in war which, by its ordinary and direct chemical action, produces a powerful physiological effect. The term "chemical agents" includes but is not limited to the following chemical compounds:

1. Lung irritants:
 - (a) Carbonyl chloride (Phosgene, CG).
 - (b) Chlorine (CL).
 - (c) Cyanogen chloride (CK).
 - (d) Diphenylcyanarsine (DC).
 - (e) Diphosgene (DP).
 - (f) Fluorine (but not fluorene).
 - (g) Trichloronitro methane (Chlorpictin, PS).
 - (h) Hydrogen cyanide.
2. Vesicants:
 - (a) B Chlorovinylidichlorarsine (Lewisite, L).
 - (b) Bisdichlorethyl sulphide (Mustard gas, HD or H).
 - (c) Ethyldichlorarsine (ED).
 - (d) Methylidichlorarsine (MD).
3. Lacrimators and tear gases:
 - (a) Brombenzylcyanide (BBC).
 - (b) Chloroacetophenone (CE).
 - (c) Dibromodimethyl ether.
 - (d) Dichlorodimethyl ether (ClCl).
 - (e) Ethyldibromoarsine.
 - (f) Phenylcarbylamine chloride.
 - (g) Tear gas solutions (CNB and CNS).
 - (h) Tear gas orthochlorobenzalmalononitrile (CS).
4. Sternutators and irritant smokes:
 - (a) Diphenylaminechlorarsine (Adam-site, DM).
 - (b) Diphenylchlorarsine (BA).
5. Nerve gases. These are toxic compounds which affect the nervous system, such as:
 - (a) Dimethylaminoethoxyphosphine oxide (GA).
 - (b) Methylisopropoxyfluorophosphine oxide (GB).
 - (c) Methylpinacolyloxyfluorophosphine oxide (GD).
6. Antiplant chemicals:

- (a) Butyl, 2,4-dichlorophenoxyacetate (LNA).
- (b) 2,4,5-trichlorophenoxyacetate (LNB).
- (c) Butyl 2-chloro-4-fluorophenoxyacetate (LNF).

§ 121.09 Propellants.

The term "propellants" includes but is not limited to the following:

- (1) Propellant powders including smokeless shotgun powder.
 - (2) Hydrazine (including Monomethyl hydrazine and symmetrical dimethyl hydrazine).
 - (3) Unsymmetrical dimethylhydrazine.
 - (4) Hydrogen peroxide over 85 percent concentration.
 - (5) Nitroguanidine or picrite.
 - (6) Nitrocellulose with nitrogen content of over 12.20 percent.
- Other solid propellant compositions, including but not limited to the following:
- (1) Single base (nitrocellulose).
 - (2) Double base (nitrocellulose, nitroglycerin).
 - (3) Triple base (nitrocellulose, nitroglycerin, nitroguanidine).
 - (4) Composite (nitroglycerin; ammonium perchlorate; potassium perchlorate; nitronium perchlorate; guanidine (guanidinium) perchlorate; nitrogen tetroxide; ammonium nitrate; nitrocellulose with plastics, metal fuels, or rubbers added; and compounds composed only of fluorine and of one or more of the following other halogens, oxygen, or nitrogen).
 - (5) Special purpose chemical base high energy solid military fuels.
- Other liquid propellant compositions, including but not limited to the following:
- (1) Monopropellants (hydrazine, hydrazine nitrate, and water).
 - (2) Bipropellants (hydrazine, fuming nitric acid (HNO₃)).
 - (3) Special purpose chemical base high energy liquid military fuels, and oxidizers.

§ 121.10 Military explosives.

The term "military explosives" includes, but is not limited to, the following:

- (a) Ammonium picrate.
- (b) Black sode powder.
- (c) Cyclotetramethylene - tetranitramine (HMX).
- (d) Cyclotrimethylene-trinitramine (RDX, Cyclonite, Hexogen or T4).
- (e) Dinitronaphthalene.
- (f) Ethylenedinitramine.
- (g) Hexanitrodiphenylamine.
- (h) Nitroglycerin.
- (i) Nitrostarch.
- (j) Pentaerythritol tetranitrate (penthrate, pentrite or PETN).
- (k) Potassium nitrate powder.
- (l) Tetranitronaphthalene.
- (m) Trinitroanisole.
- (n) Trinitronaphthalene.
- (o) Trinitrophenol (picric acid).
- (p) Trinitrophenylmethyl-nitramine (Tetryl).
- (q) Trinitrotoluene (TNT).
- (r) Trinitroxyene.
- (s) Ammonium perchlorate nitrocellulose (military grade).
- (t) Any combinations of the above.

§ 121.11 Military fuel thickeners.

The term "military fuel thickeners" includes: compounds (e.g., octal), or mixtures of such compounds (e.g., napalm) specifically formulated for the purpose of producing materials which, when added to petroleum products, provide a gel-type incendiary material for use in bombs, projectiles, flame throwers or other implements of war.

§ 121.12 Vessels of war and special naval equipment.

(See Category VI.)

The term "vessels of war" includes, but is not limited to, the following:

- (a) Combatant:
 - (1) Warships (including nuclear-powered vessels):
 - Aircraft carriers (CVA, CVE, CVHE, CVL, CVS).
 - Battleships (BB, BBG).
 - Command ships (CBC, CLC).
 - Cruisers (CA, CAG, CB, CG, CL, CLAA, CLG).
 - Destroyers (DD, DDC, DDE, DDG, DDR, DL, DLG).
 - Submarines (SS, SSB, SSG, SSK, SSR).
 - (2) Amphibious warfare vessels:
 - Amphibious assault ship (LPH).
 - Amphibious force flagship (AGC).
 - Assault helicopter aircraft carrier (CVHA).
 - Attack cargo ship (AKA).
 - Control escort vessel (DEC).
 - Cargo submarine (AK(SS)).
 - Inshore fire support ship (IFS).
 - Landing ships (LSD, LSSP, LSLI, LSM, LSMR, LSSL, LST).
 - Transport submarine (AP(SS)).
 - Transports (APA, APD).
 - (3) Landing craft (LCC, LCM, LCP, LCR, LCS, LCU, LCV, LCVP).
 - (4) Landing vehicle, tracked (LVT).
 - (5) Mine warfare vessels:
 - Mine hunter, coastal (MHC).
 - Mine countermeasures support ship (MCS).
 - Minelayers (DM, MMA, MMC, MMF).
 - Minesweepers (DMS, MSC, MSC(O), MSP, MSO, MSI, MSB, MSA, YMS, MSL, Ub/MS).
 - (6) Patrol vessels:
 - Escort vessels (DE, DER, PCS, PCER, PF, DEG).
 - Gunboats (POM, PR).
 - Submarine chasers (PC, PCS, SC).
 - Yacht (PY).
 - (b) Auxiliary vessels and service craft:
 - (1) Advanced aviation base ship (AVB).
 - (2) Auxiliary submarine (AG(SS)).
 - (3) Cable repairing or laying ship (ARC).
 - (4) Degaussing vessel (ABG).
 - (5) Distilling ship (AW).
 - (6) Drone aircraft catapult control craft (YV).
 - (7) Floating dry docks, cranes, and associated workshops and lighters (AFDB, APDL, APDM, ARD, YD, YPD, YFMD, YR, YRDH, YRDM, YHL, YSD).
 - (8) Floating pile driver (YPD).
 - (9) Guided-missile ship (AVM).
 - (10) Harbor utility craft (YFU).
 - (11) Icebreaker (AGB).
 - (12) Logistic support ships (AE, AF, AK, AKS, AO, ACE, AOG, AOR, AO(SS), AVS).
 - (13) Miscellaneous auxiliary (AG, IX, YAG).
 - (14) Miscellaneous cargo ships (AKD, AKL, AKV, AVT).
 - (15) Naval barges and lighters (YC, YCF, YCK, YCV, YP, YFB, YFN, YFNS, YPNX, YFP, YFR, YFRN, YFRT, YFT, YG, YGN, YO, YOG, YOGN, YON, YOS, YSR, YTT, YW, YWN).
 - (16) Net laying and tending ships (AKN, AN, YNG).
 - (17) Oceanographic research ship (AGOR).
 - (18) Patrol craft (PT, YP).
 - (19) Repair, salvage, and rescue vessels (AR, ARB, ARG, ARL, ARS, ARSD, ARV, ARVA, ARVE, ASR).
 - (20) Survey ships (AGS, AGSC).
 - (21) Target and training submarine (SST).
 - (22) Tenders (AD, AGP, ARST, AS, AV, AVP, YDT).
 - (23) Transports and barracks vessels (AP, APB, APC, APL, YHB, YRB, YRBM).
 - (24) Tugs (ATA, ATP, ATR, YTB, YTL, YTM).

- (25) Dredge (YM).
 (26) Ocean radar picket ship (AGR).
 (27) Submersible craft (X).
 (28) Utility aircraft carrier (OVU).
 (c) Coast Guard patrol and service vessels and craft:

- (1) Submarine repair and berthing barge (YRB).
 (2) Labor transportation barracks ship (APL).
 (3) Coast Guard cutter (CGC).
 (4) Gunboat (WPG).
 (5) Patrol craft (WPC, WSC).
 (6) Seaplane tender (WAVP).
 (7) Icebreaker (WAGB).
 (8) Cargo ship (WAK).
 (9) Buoy tenders and boats (WAGE, WD).
 (10) Cable layer (WARC).
 (11) Lightship (WAL).
 (12) Coast Guard tugs (WAT, WXT).
 (13) Radio ship (WAGR).
 (14) Special vessel (WIX).
 (15) Auxiliary vessels (WAG, WAGE).
 (16) Other Coast Guard patrol or rescue craft (i) of over 300 horsepower when equipped with a gas turbine engine or engines, and (ii) of over 600 horsepower when equipped with an engine or engines of the internal combustion, reciprocating type.
 (d) Air Force craft: Air Force rescue boat.
 (e) Army vessels and craft:
 (1) Transportation Corps tug: 100 ft. (LT), 65 ft. (ST), T-boat, Q-boat, J-boat, E-boat.
 (2) Barges (BG, BC, BR, BSP, BSPI, BKI, BCP, EBL, BARC, BK).
 (3) Cranes, floating (BD).
 (4) Drydock, floating (FDL).
 (5) Repair ship, floating (FMS).
 (6) Trainer, amphibious 20-ton wheeled tow boat, inland waterway (LTI, STI).

§ 121.13 Aircraft and related articles.

(a) The term "aircraft" used in Category VIII of the U.S. Munitions List means aircraft designed, modified, or equipped for military or experimental purpose as specified in Category VIII, including so-called "demilitarized" aircraft. The exportation and importation of such aircraft are subject to the licensing requirements of the Department of State.

(b) Regardless of "demilitarization," all aircraft bearing an original military designation (including those with cargo or "C" designators such as the C-45, C-46, C-47, and C-54) are included in Category VIII of the U.S. Munitions List.

§ 121.14 Helium gas.

The word "helium" shall be understood to mean "contained helium" at standard atmospheric pressure (14.7 pounds per square inch) and 70° Fahrenheit. The term "contained helium" means the actual quantity of the element helium (i.e., 100 percent pure helium) in terms of cubic feet present in a mixture of helium and other gases. Purity determination shall be made by usually recognized methods.

§ 121.15 Forgings, castings, and machined bodies.

Items in a partially completed state, such as forgings, castings, extrusions, and machined bodies of any of the articles enumerated in the U.S. Munitions List which have reached a stage in manufacture where they are clearly identifiable as arms, ammunition, and implements of war are considered to be such articles for the purposes of section 414 of the Mutual Security Act, as amended.

§ 121.16 "United States."

For purposes of this subchapter the term "United States," when used in the geographical sense, includes the several States, the insular possessions of the United States, the Canal Zone, the District of Columbia, and any territory over which the United States exercises all and any powers of administration, legislation, and jurisdiction.

PART 122—REGISTRATION

- Sec.
 122.01 Registration requirements.
 122.02 Application for registration.
 122.03 Refund of fee.
 122.04 Notification of changes in information furnished by registrants.
 122.05 Maintenance of records by persons required to register as manufacturers, importers, or exporters of U.S. Munitions List articles.

AUTHORITY: The provisions of this Part 122 issued under sec. 414, as amended, 69 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redefinition of Authority No. 104-3-A, 28 F.R. 7231.

§ 122.01 Registration requirements.

(a) Persons engaged in the business, in the United States, of manufacturing, exporting, or importing articles enumerated in the U.S. Munitions List are required to register with the Secretary of State. Manufacturers, whether or not they engage in export or import, are required by law to register.

(b) The fabrication of arms, ammunition, and implements of war for experimental or scientific purposes, including research and development, is not considered as manufacture for the purposes of section 414 of the Mutual Security Act of 1954, as amended.⁴

(c) Registration is not required of persons whose pertinent business activities are confined to the production, exportation, and importation of unclassified technical data relating to arms, ammunition, and implements of war.

§ 122.02 Application for registration.

(a) Applications for registration shall be submitted to the Secretary of State on form DSP-9 and shall be accompanied by a registration fee in the form of money order or check payable to the Department of State.

(b) Registration may be effected for periods of 1 or 2 years upon payment of a fee of \$75 and \$150 respectively, at the option of the registrant.

§ 122.03 Refund of fee.

When a 2-year registration fee is paid, a refund for an unused year may be granted, if warranted by reason of changed conditions or new facts developed subsequent to registration. A refund for part of a year, however, will not be granted.

§ 122.04 Notification of changes in information furnished by registrants.

Registered persons shall notify the Secretary of State of significant changes

⁴ Registration is not required of persons whose entire export activity is subject to license under the provisions of the Atomic Energy Act of 1954, as amended.

in the information set forth in their applications for registration, such as the establishment of a foreign affiliate.

§ 122.05 Maintenance of records by persons required to register as manufacturers, importers or exporters of U.S. Munitions List articles.

(a) Persons required to register shall maintain for a period of 6 years, subject to the inspection of the Secretary of State or any person designated by him, records bearing on U.S. Munitions List articles, including records concerning the acquisition and disposition of such articles by the registrant. The Secretary may prescribe a longer or shorter period in individual cases as he deems necessary.

(b) Officers of the Office of Security and the Office of Munitions Control of the Department of State and of the U.S. Customs Agency Service, Bureau of Customs, Treasury Department, are hereby designated as the representatives of the Secretary of State for the purposes of this section.

PART 123—LICENSING CONTROLS

LICENSE PROCEDURES

- Sec.
 123.01 Application for license.
 123.02 Export license.
 123.03 Import license.
 123.04 Intransit license.
 123.05 Validity and terms of licenses.
 123.06 License denial, revocation or suspension.
 123.07 Amendments and alterations.
 123.08 Ports of exit or entry.
 123.09 Licenses filed with collectors of customs.
 123.10 Shipment by mail.
 123.11 Foreign trade zones.
 123.12 Export to warehouses or distribution points.
 123.13 Export of vessels of war.
 123.14 Repairs or alterations of vessels and aircraft.

COUNTRY OF DESTINATION

- 123.21 Country of ultimate destination.
 123.22 Shipments to or from certain countries.
 123.23 Canadian shipments.
 123.24 U.S. possessions and the Canal Zone.
 123.25 Domestic aircraft shipments via foreign ports.
 123.26 Import certificate/delivery verification procedure.

SHIPMENTS BY THE UNITED STATES GOVERNMENT

- 123.40 Shipment by the U.S. Government.

EXEMPTION FOR ARMS AND AMMUNITION SHIPMENTS

- 123.51 Obsolete small arms.
 123.52 Arms and ammunition for personal use.
 123.53 Arms for the personal use of members of the Armed Forces.
 123.54 Sample shipments.

MISCELLANEOUS EXEMPTIONS

- 123.60 Border shipments and shipments transiting Panama Canal.
 123.61 Certain helium gas exports.
 123.62 Scuba equipment.
 123.63 Propellants and explosives.
 123.64 Smokeless shotgun powder.
 123.65 Privately owned military aircraft on temporary sojourn abroad.
 123.66 Nuclear materials.

SPECIAL EMERGENCY PROVISIONS

Sec.
123.70 Temporary suspension or modification of the regulations of this part.

AUTHORITY: The provisions of this Part 123 issued under sec. 414, as amended, 68 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6 departmental Delegation of Authority No. 104, 26 F.R. 10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redlegation of Authority No. 104-3-A, 28 F.R. 7231.

LICENSE PROCEDURES

§ 123.01 Application for license.

Persons who intend to export from or import into the United States any of the articles enumerated in the U.S. Munitions List shall make application to the Office of Munitions Control, Department of State, Washington, D.C., 20520, on form DSP-5 in the case of exports and DSP-38 in the case of imports. Application for intransit license shall be made on form DSP-61. Application for license to export technical data shall also be made on form DSP-5 (see Part 125 of this chapter).

§ 123.02 Export license.

Articles on the U.S. Munitions List may not be exported from the United States until a license has been issued, or unless covered by an exemption provision of this subchapter. Prior to the issuance of an export license, the Department of State may also require documentary information pertinent to the proposed transaction.

§ 123.03 Import license.

(a) Articles on the U.S. Munitions List may not be imported into the United States until a license has been issued, or unless covered by an exemption provision of this subchapter. Prior to the issuance of an import license, the Department of State may require documentary information pertinent to the proposed transaction.

(b) No military firearms or ammunition of U.S. manufacture may be imported for sale in the United States if such articles were furnished to foreign governments under a U.S. foreign assistance program. This prohibition is applicable to military firearms and ammunition furnished on a grant basis to, or for which payment in full was not made by, a foreign government under the Lend-Lease Act of 1941, as amended; the Greek-Turkish Aid Act of 1947, as amended; the China Aid Act of 1948, as amended; the Mutual Defense Assistance Act of 1949, as amended; the Mutual Security Act of 1951, as amended; the Mutual Security Act of 1954, as amended; the Foreign Assistance Act of 1961, as amended; or any other foreign assistance program of the United States.

(c) The above restriction covers firearms which are advanced in value or improved in condition in a foreign country, but it does not include those which have been so substantially transformed as to become, in effect, articles of foreign manufacture (see § 121.02).

(d) A person desiring to import military firearms and ammunition which were manufactured in the United States must certify that the importation of such

firearms or ammunition is not prohibited by the provision of paragraph (b) of this section, and that none of the firearms or ammunition being imported was furnished on a grant basis to, or was acquired without full payment by, a foreign government under a foreign assistance program of the United States as set forth in paragraph (b) of this section. The certification statement must be accompanied by documentary information on the original foreign source of the material.

NOTE: For the purpose of this section, the term "military firearms and ammunition" includes all firearms and ammunition furnished under the foreign assistance programs of the United States as set forth in paragraph (b) of this section. The term "payment in full" as used in paragraph (b) of this section, means the payment of a sale price established by the U.S. Government as the full value of the property at the time of initial transfer.

§ 123.04 Intransit license.

An intransit license must be obtained prior to the entry of any article enumerated in the U.S. Munitions List into the United States for transshipment to a third country (see also § 123.60).

§ 123.05 Validity and terms of licenses.

(a) Licenses are valid for 6 months from their issuance date unless a different period of validity is stated thereon. They are not transferable.

(b) The period of validity of licenses may not be extended. If shipment cannot be completed during the period of validity of the license, another application must be submitted for license to cover the unshipped balance. Such an application shall make specific reference to the previous license and should not include any materials other than the unshipped balance.

§ 123.06 License denial, revocation or suspension.

(a) Licenses may be denied, revoked, suspended, or revised by the Department of State without prior notice whenever the Department deems such action to be advisable in furtherance of (1) world peace; (2) the security of the United States; (3) the foreign policy of the United States; or (4) whenever the Department has reason to believe section 414 of the Mutual Security Act of 1954, as amended, or any regulation contained in this subchapter has been violated.

(b) Whenever, after appropriate consideration, a license application is denied, or an outstanding license is revoked, suspended, or revised, the applicant or licensee shall be advised promptly in writing of the Department's decision, and the reasons therefor as specifically as security and foreign relations considerations permit.

(c) Upon written request made within 30 days after receipt of an adverse decision, the applicant or licensee shall be accorded an opportunity to present additional information and a full review of his case by the Department.

(d) Unused, expired, suspended, or revoked licenses must be returned immediately to the Department of State.

§ 123.07 Amendments and alterations.

No amendments or alteration of a license may be made except by the De-

partment of State, or by collectors of customs or postmasters when specifically authorized to do so by the Department of State. No photographic or other copy may be made of an original license unless authorized by the Department of State.

§ 123.08 Ports of exit or entry.

Applications for license shall show the proposed port or ports of exit or entry in the United States. If, subsequent to the issuance of a license, shipping arrangements necessitate a change in port, the Department of State must be notified by letter of the change in port. Two additional copies of the letter shall be furnished, which the Department will validate and furnish to the collectors of customs at the original and new ports.

§ 123.09 Licenses filed with collectors of customs.

Prior to exportation or importation, licenses shall be filed with the collector of customs at the port through which the shipment is being made, except for exports by mail (see § 123.10). A Shipper's Export Declaration (U.S. Department of Commerce form 7525-V) must also be filed with, and authenticated by, the collector of customs before the articles are exported. The collector of customs shall endorse each license to reflect shipments made. Licenses must be returned by the collector to the Department of State upon expiration of the validity period, or upon completion of the shipment of the articles licensed whichever first occurs.

§ 123.10 Shipment by mail.

(a) Export licenses for U.S. Munitions List articles, except technical data (see §§ 125.40 and 125.41), which are being transported by mail shall be filed with the postmaster at the post office where the articles are mailed. A Shipper's Export Declaration (U.S. Department of Commerce form 7525-V) must also be filed with, and authenticated by, the postmaster before the articles are exported. The postmaster shall endorse each license to reflect shipments made. Licenses must be returned by the postmaster to the Department of State upon expiration of the validity period, or upon completion of the shipment, whichever first occurs.

(b) Licenses covering imports by mail shall be filed with the collectors of customs at the port of entry.

§ 123.11 Foreign trade zones.

A Foreign Trade Zone of the United States is considered an integral part of the United States for the purpose of this subchapter and as such, a license is not required for shipments between the United States and a Foreign Trade Zone. However, a license is required for all other shipments of U.S. Munitions List articles to and from such Foreign Trade Zones.

§ 123.12 Export to warehouses or distribution points.

Applications for license to export U.S. Munitions List articles to warehouses or distribution points for subsequent resale will be considered by the Department. Licenses issued for such applications will

normally contain conditions for special distribution controls and reporting.

§ 123.13 Export of vessels of war.

(a) The transfer of a vessel of war as defined by § 121.12 of this subchapter from United States to foreign registry is considered an exportation for which an approval or license from the Department of State is required. If the vessel to be exported is physically located in the United States, an export license must be obtained. If the vessel is located abroad, the Department's written approval in the form of a letter must be obtained prior to its transfer of registry.

(b) The registration under a foreign flag of an undocumented vessel of war located in the United States is considered an exportation for which a license is required from the Department of State.

Note: Such transactions also require the prior approval of the Maritime Administration (see 46 U.S.C. 808 and 835).

§ 123.14 Repairs or alterations of vessels and aircraft.

Persons effecting repairs or alterations on foreign vessels of war as defined in § 121.12, and foreign aircraft as defined in § 121.13, in the United States shall obtain an export license for articles enumerated in the U.S. Munitions List which are required in connection with such repairs or alterations.

COUNTRY OF DESTINATION

§ 123.21 Country of ultimate destination.

(a) The country designated on an application for export license as the country of ultimate destination must be the country wherein the articles being exported ultimately are to receive end use, even though incorporated through an intermediate process into other end items.

(b) The prior written approval of the Department of State must be obtained before U.S. Munitions List articles previously exported from this country under license may be resold, diverted, transferred, transhipped, reshipped, or reexported to, or used in any country other than that described on the export license as the country of ultimate destination.

(c) The following statement shall be entered on the shipper's export declaration, the bill of lading and the invoice, whenever U.S. Munitions List articles are to be exported: "These commodities are licensed by the U.S. Government for export to

(Country of ultimate destination)

Diversion contrary to U.S. law prohibited." The U.S. exporter shall have the responsibility of entering such a statement. This responsibility continues even when the exporter acts through a freight forwarder or other forwarding agent.

§ 123.22 Shipments to or from certain countries.

The exemptions provided by this part do not apply to shipments destined for or originating in the Soviet Union, Soviet-bloc countries, Communist China, North Korea, Cuba, and any of the territories of Vietnam which are under de facto Communist control, or any other area which may come under Communist control.

§ 123.23 Canadian shipments.

Collectors of custom may release shipments of arms, ammunition, and implements of war which do not bear a military security classification to or from Canada without a license with the following exceptions:

(a) Intransit shipments through the United States to or from Canada or intransit shipments through Canada to or from the United States.

(b) Arms, ammunition, and implements of war which were imported into Canada from a third country and have been in Canada less than 1 year.

(c) No military firearms or ammunition of U.S. manufacture may be imported for sale in the United States except in compliance with § 123.03.

(d) The following articles require a license for export to Canada:

(1) Helium gas as defined in Category XV;

(2) Nuclear Weapons Design and Test Equipment as defined in Category XVI;

(3) Naval nuclear propulsion items as defined in Category VI(e); and

(4) Nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment therefor (see § 125.32).

§ 123.24 U.S. possessions and the Canal Zone.

Export and import licensing controls do not apply to shipments between the United States, U.S. possessions, and the Canal Zone. Licenses are required, however, for shipments between such areas and foreign countries.

§ 123.25 Domestic aircraft shipments via foreign ports.

A written statement must be filed by the pilot with the collector of customs at the port of exit for airborne shipments of arms, ammunition, and implements of war being transported from a port in the United States to another U.S. port via a foreign country other than Canada. The original of the statement shall be filed with the collector at the port of exit and a duplicate thereof filed with the collector at the port of reentry, for endorsement by him and transmission to the collector at the port of exit. The content of the statement shall be as follows:

STATEMENT

DOMESTIC SHIPMENTS VIA FOREIGN PORTS OF ARTICLES ON U.S. MUNITIONS LIST

The undersigned certifies that the articles listed below are being shipped from

via

(U.S. port of exit) (Foreign port)

and that the final destination is

(U.S. port of entry)

Amount	Description of article	Value
-----	-----	-----
-----	-----	-----
-----	-----	-----

Signed: -----

Endorsement: Customs Inspector.

Port of exit: ----- Date: -----

Endorsement: Customs Inspector.

Port of entry: ----- Date: -----

§ 123.26 Import certificate/delivery verification procedure.

(IC/DV) General. The United States and a number of foreign countries have

agreed on a procedure designed to assure that certain articles imported into their territories will not be diverted, transhipped, or reexported to another destination except in accordance with export control regulations of the importing country. The procedure covered by such agreement is known as the Import Certificate/Delivery Verification Procedure (IC/DV) and may be invoked with respect to articles on the U.S. Munitions List.

(a) *Exports.* As a supplement to normal control procedures, the Department may utilize the IC/DV procedure on proposed exports of Munitions List articles to nongovernment entities in the following countries: Austria, Belgium, Denmark, France, Federal Republic of Germany, Greece, Hong Kong, Italy, Japan, Luxembourg, the Netherlands, Norway, Portugal, Turkey, and the United Kingdom. In each case in which the Department invokes the IC/DV procedure, U.S. exporters will be required to submit, in addition to an export license application (a completed form DSP-5), the original Import Certificate authenticated by the government of the importing country. This document will serve as evidence that the foreign importer has complied with the import regulations of the government of the importing country and that he has declared his intentions not to divert, transship or reexport the material described therein without prior approval of that government. After delivery of the articles to the foreign consignee, the Department may also require U.S. exporters to furnish documentation (Delivery Verification) from the government of the importing country attesting to the delivery in accordance with the terms of the approved export license. Both the Import Certificate and the Delivery Verification will be obtained and furnished to the U.S. exporter by the foreign importer.

(b) *Imports.* Participating foreign governments may also invoke the IC/DV procedure on Munitions List articles imported into the United States. In each case in which a foreign government invokes the IC/DV procedure, the Department will certify for the U.S. importer a "Declaration of Destination on Foreign Exports of Munitions List Items" (completed form DSP-53). Normally, the U.S. importer will submit this form to the Department at the time he applies for an import license. This document (the Department's equivalent of the "Import Certificate" cited above), will serve as evidence to the government of the exporting country that the U.S. importer has complied with import regulations of the U.S. Government and is prohibited from diverting, transshipping, or reexporting the material described therein without the approval of the U.S. Government. Foreign governments may also require documentation attesting to the delivery of the material into the United States. When such delivery certification is requested by a foreign government, the U.S. importer may obtain directly from the U.S. collector of customs the authenticated Delivery Verification (form FC-908/DSP-68) for this purpose.

(c) *Triangular transaction.* When a transaction involves three or more coun-

tries, internationally participating governments may stamp a triangular symbol on the "Import Certificate." This symbol is usually placed on the "Import Certificate" when the applicant for the "Import Certificate" (the importer) has stated either (1) he is uncertain whether the items covered by the "Import Certificate" will be imported into the country issuing the "Import Certificate;" (2) that he knows that the items will not be imported into the country issuing the "Import Certificate;" or (3) that, if the items are to be imported into the country issuing the "Import Certificate," they will subsequently be reexported to another destination. Consequently, it is possible that the ultimate consignee and the country of ultimate destination will not coincide with that of the importer. All parties, including the ultimate consignee in the true country of ultimate destination will be shown on the completed form DSP-53. When a U.S. importer is a principal to a triangular transaction involving articles on the U.S. Munitions List, he may receive a triangular symbol on the completed form DSP-53.

SHIPMENTS BY THE U.S. GOVERNMENT

§ 123.40 Shipment by the U.S. Government.

The exportation or importation of arms, ammunition, and implements of war by the U.S. Government is not subject to the provisions of section 414 of the Mutual Security Act of 1954, as amended. A license to import and export such articles is not required, therefore, when all aspects of the transaction are handled by a U.S. Government agency. A license is required, however, when a private individual or firm or forwarding agent is involved in any aspect of the transaction. This section does not authorize any government agency to export or import any items listed in § 121.01 which are subject to restrictions by reason of other statutory provisions.

EXEMPTION FOR ARMS AND AMMUNITION SHIPMENTS

§ 123.51 Obsolete small arms.

Subject to the provisions of § 123.03 (b), collectors of customs are authorized to permit the importation or exportation, without a license, of firearms covered by Category I(a) of the U.S. Munitions List, which were manufactured prior to 1898, on presentation of satisfactory evidence of age.

§ 123.52 Arms and ammunition for personal use.

(a) Subject to the provisions of §§ 123.22 and 123.23, collectors of customs are authorized to permit not more than 3 nonautomatic firearms and not more than 1,000 cartridges therefor, to enter the United States or depart therefrom without a license, when these firearms are on the person of an individual or with his baggage or effects, whether accompanied or unaccompanied, and are intended exclusively for his personal use for sporting or scientific purposes or for personal protection and not for resale. This exemption shall extend to not more than 3 tear gas guns or other type hand

dispensers and not more than 100 gas cartridges therefor.

(b) Subject to the provisions of §§ 123.22 and 123.23, collectors of customs are authorized to permit the exportation, without a license, of ammunition for firearms, provided the quantity does not exceed 1,000 rounds in any shipment and the ammunition is for the personal use of the consignee and not for resale. A license is required, however, for exportation to Bahrain, Kuwait, Qatar, the Trucial States, Muscat, Oman, and the Republic of South Africa.

§ 123.53 Arms for the personal use of members of the Armed Forces.

(a) Collectors of customs are authorized to permit members of the U.S. Armed Forces or U.S. civilian personnel employed by those forces to ship or bring into the United States, without license, nonautomatic firearms and ammunition therefor, upon presentation of written authorization from their commanding officer, which authorization shall include a certification that such firearms are bona fide war trophies or war souvenirs.

(b) Collectors of customs are authorized to permit Category I(a) firearms and parts for such weapons to leave the United States without a license, provided they are consigned to servicemen's clubs overseas or to individual members of the Armed Forces of the United States, and are accompanied by a written authorization from the commanding officer.

§ 123.54 Sample shipments.

Collectors of customs are authorized to permit up to an inclusive total of three rifles, carbines (excluding automatic and semiautomatic models), revolvers and pistols to be exported or imported without a license, providing the articles being shipped are not for sale and will be returned to the same exporter or importer. Collectors of customs may also permit the exportation and importation of such sample weapons, without a license, when they are being returned to their owner.

MISCELLANEOUS EXEMPTIONS

§ 123.60 Border shipments and shipments transiting Panama Canal.

Shipments originating in Canada or Mexico which incidentally transit the United States en route to a delivery point in the country of origin are exempt from the requirement of an intransit license. Vessels transiting the Panama Canal without off-loading cargo are exempt from the requirement of an intransit license.

§ 123.61 Certain helium gas exports.

Subject to the provisions of § 123.22, collectors of customs are authorized to permit the exportation or importation, without a license, of miniature cylinders containing helium gas in fractional cubic foot quantities mixed with other gases, provided that the gas is intended for medical use and shipment does not exceed 10 cubic feet of "contained helium" to any consignee.

§ 123.62 Scuba equipment.

Collectors of customs are authorized to permit the exportation or importation,

without a license, of not more than three units of Scuba or other self-contained diving and swimming apparatus, intended exclusively for personal use.

§ 123.63 Propellants and explosives.

Subject to the provisions of § 123.22, collectors of customs are authorized to permit the exportation, without a license, of propellants and explosives for non-explosive uses such as medical uses and laboratory tests. Such shipments must be clearly marked as to content, include no materials classified from a military security point of view, and weigh no more than 25 pounds.

§ 123.64 Smokeless shotgun powder.

Collectors of customs are authorized to permit the importation of smokeless shotgun powder without a license (see Category V of the U.S. Munitions List).

§ 123.65 Privately owned military aircraft on temporary sojourn abroad.

(a) A certificate of temporary sojourn may be issued by the Department in appropriate instances in lieu of an export license to authorize the departure of privately owned military aircraft from the United States for a temporary sojourn abroad not to exceed 6 months' duration. The Department may require documentary evidence pertinent to the aircraft or proposed sojourn before issuance of a certificate of temporary sojourn.

(b) Private owners of military aircraft to be flown or shipped from the United States under the provisions of paragraph (a) of this section shall complete and submit a request for a certificate of temporary sojourn, form DSP-73, in triplicate to the Department for its approval.

(c) An original and duplicate copy of the certificate of temporary sojourn issued by the Department must be presented to the collector of customs at the port of departure. The certificate is for endorsement by the collector provided he finds no discrepancy in the statements made therein. The endorsed certificate shall be returned to the pilot and carried on the aircraft as evidence that the required permission has been granted and the duplicate retained by the collector for his records pending the completion of the temporary sojourn. The pilot or operator is required to depart from the United States at an airport where a customs officer is available for outward endorsement on the certificate. The outward clearance cannot be obtained by telephone or other informal means.

(d) Upon completion of the temporary sojourn, the certification shall be surrendered to the collector of customs at the port of entry. If the ports of entry and departure differ, the customs officer shall forward the surrendered certificate, properly endorsed, to the customs authorities at the original port of departure. The completed certificate must be returned to the Department.

(e) The Department may permit a privately owned military aircraft to make a series of flights to and from the United States under a certificate of temporary sojourn not to exceed 6 months' duration. Full details of the proposed flights must be given.

(f) The dates of actual departure and entry shall be noted on the reverse side of the certificate and endorsed by appropriate customs officials. No action is to be taken on the copy of the certificate which is returned to the original port of exit until the pilot's copy of the certificate is taken up by the customs officer upon his last entry into the United States prior to the expiration of the authorized period.

(g) Requests for extension of temporary sojourn must be made to the Department in writing, stating the original port of departure.

§ 123.66 Nuclear materials.

To the extent that articles or technical data, the export of which is controlled by the Atomic Energy Commission under the Atomic Energy Act of 1954, as amended, are coextensive with articles or technical data in Category VI(e), Category XVI, and Category XVIII, this subchapter shall not apply.

SPECIAL EMERGENCY PROVISIONS

§ 123.70 Temporary suspension or modification of the regulations of this part.

The Director, Office of Munitions Control, Department of State, is authorized to order the temporary suspension or modification of any or all of the regulations of this part in the interest of furthering the objectives of world peace and the security and foreign policy of the United States.

PART 124—LICENSE AND TECHNICAL ASSISTANCE AGREEMENTS

Sec.

- 124.01 Manufacturing license agreements.
- 124.02 Technical assistance agreements.
- 124.03 Exportation of technical data in furtherance of an agreement.
- 124.04 Required information in agreements.

Authority: The provisions of this Part 124 issued under sec. 414, as amended, 68 Stat. 645, 22 U.S.C. 1934; secs. 101 and 103, E.O. 10973, 26 F.R. 10469; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10606, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redlegation of Authority No. 104-3-A, 7231.

§ 124.01 Manufacturing license agreements.

Agreements between persons or companies in the United States and foreign persons or entities, private or governmental, for the manufacture abroad of articles designated as arms, ammunition, and implements of war, are required to be submitted to the Department of State before the effective date of the agreement for review from the standpoint of U.S. foreign policy and military security.

§ 124.02 Technical assistance agreements.

Agreements entered into between persons or companies in the United States and foreign persons or entities, private or governmental, for the furnishing of technical assistance and technical information relating to articles designated as arms, ammunition, and implements of war are required to be submitted to the

Department of State before the effective date of the agreement for review from the standpoint of U.S. foreign policy and military security.

§ 124.03 Exportation of technical data in furtherance of an agreement.

Collectors of customs or postal authorities may permit the exportation, without a license, of unclassified technical data being exported in furtherance of a manufacturing license or technical assistance agreement covering U.S. Munitions List items, concerning which the Department of State has, in writing, expressed no objection, unless the data contain a major advance in design, process or manufacturing technique over the U.S. Munitions List items covered in the original agreement. In such event, the data must be reviewed by cognizant representatives of the U.S. Government. The United States principal to the agreement will be responsible for submitting to the Department of State unclassified technical data of this type for review.

§ 124.04 Required information in agreements.

(a) Manufacturing license or technical assistance agreements should define in precise terms the following:

(1) The equipment and technology involved as described by military nomenclature, contract number, Federal stock number, nameplate data, or other specific information;

(2) The detail scope of the information to be furnished;

(3) The period of duration of the agreement;

(4) Statement of ownership of equipment and special tools involved (especially U.S. Government-owned) which would be utilized or made available in connection with the agreement. In lieu of inclusion as an integral part of the agreement, the applicant may submit this information in the form of an attachment or enclosure to the agreement submitted for review;

(5) Technology or equipment not under contract considered of advanced design, process, or technique should include a statement as to whether the equipment or technology involved was derived, produced or developed for any U.S. Government agency or military service for bidding or other purposes.

(b) (1) It is the policy of the U.S. Government not to pay or allow to be paid in connection with purchases made with Military Assistance Program or other U.S. Government funds, a charge for patent rights in which it holds a royalty-free license, or for technical data which it has a right to use and disclose to others for purposes of the Military Assistance or other U.S. Government Program or which are in the public domain, or with respect to which it has been placed in possession without restriction upon their use and disclosure to others. Reasonable charges for reproduction, handling, mailing, and other similar administrative costs do not fall within this policy.

(2) Pursuant to the above policy (subparagraph (1) of this paragraph), all

agreements shall contain the following provisions: (i) purchases of items by or for the U.S. Government, or with funds derived through the Military Assistance or other U.S. Government Programs, will not include a charge (a) for technical data in the possession of the U.S. Government, or in which the U.S. Government has a right to possession, and regarding which there is no prohibition against use by the U.S. Government and disclosure to others and (b) for royalties or amortization for patents or inventions in which the U.S. Government holds a royalty-free license; and (ii) the license rights transferred by the agreement are subject to existing rights of the U.S. Government.

(c) (1) It is further the policy of the U.S. Government not to approve agreements envisaging the transmittal abroad of classified U.S. military information unless certain security arrangements are in existence on a government-to-government basis, under which the U.S. Government can be assured that its classified information will be properly protected abroad. Additionally, prior to the Department's approval of such an agreement, the release of the classified U.S. military information involved must be approved by the cognizant U.S. military department and the Department of Defense under established procedures.

(2) In accordance with subparagraph (1) of this paragraph, any proposed agreement envisaging the transmission of classified U.S. military information abroad shall first be submitted to the Department of State for review and coordination with appropriate military authorities and the Department of Defense prior to the consummation of negotiations with the foreign government or firm.

(3) If only unclassified equipment or technology is involved, it should be so indicated. If classified information is involved, the highest degree of security classification should be specified.

(d) No liability shall be incurred by or attributed to the U.S. Government by reason of this review requirement in connection with any possible future infringements of privately owned patent or proprietary rights, either domestic or foreign. The applicant shall acknowledge this provision of the regulations either by its inclusion in the agreement or by letter over the signature of an appropriate officer of the company.

NOTE: Proposed manufacturing licenses or technical assistance agreements for the production in a foreign country of any item on the U.S. Munitions List, and particularly for the production of such items developed under a government contract, are subject to technical and security review by the Department of Defense. When this is necessary, the Department will assign a case number to the draft agreement and will inform the U.S. firm of that number and of the date of referral of the case to the Department of Defense. This is to enable the firm to confer, if it so desires, with cognizant military officials on technical and security requirements of the agreements. After the Department of Defense has submitted its recommendations to the Department of State on the proposed agreement, the Department of State will take final action on the case.

PART 125—TECHNICAL INFORMATION

DEFINITIONS AND INTERPRETATIONS

- Sec.
125.01 Technical data.
125.02 Classified military information.

TRANSMISSION OF INFORMATION

- 125.11 Transmission of unclassified technical information.
125.12 Transmission of classified military information.

EXPORT CONTROL REQUIREMENTS

- 125.20 Requirements.
125.21 Government agency shipments.

TECHNICAL DATA EXEMPTIONS

- 125.30 General exemptions.
125.31 Importation of technical data.
125.32 Canadian shipments.

MAILING AND SHIPPING PROCEDURES

- 125.40 Certification requirements.
125.41 Clearance of exports.
125.42 Sino-Soviet bloc destinations.

AUTHORITY: The provisions of this Part 125 issued under sec. 414, as amended, 68 Stat. 948; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10409; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redelegation of Authority No. 104-3-A, 28 F.R. 7231.

DEFINITIONS AND INTERPRETATIONS

§ 125.01 Technical data.

The term "technical data" as used in Category XVIII of the U.S. Munitions List means any professional, scientific, or technical information relating to arms, ammunition, and implements of war which includes any model, design, photographic print or negative, plan, specification, or drawing, engineering performance characteristics data, or similar information which could enable the recipient to use, produce, operate, maintain, repair, or overhaul the article to which these data relate (see also § 125.20).

§ 125.02 Classified military information.

Classified U.S. military information, including classified technical data and equipment as covered by Category XVII of the U.S. Munitions List, refers to any equipment or information which has been assigned a security classification, by any agency of the Department of Defense. Classified U.S. military information is information under the control and jurisdiction of the Department of Defense, its departments or agencies, or of primary interest to them. Any request for authority to export classified U.S. military equipment or information by other than the cognizant Military Departments must first be submitted to the Department of State for approval (see also §§ 125.12 and 125.20(c)).

TRANSMISSION OF INFORMATION

§ 125.11 Transmission of unclassified technical information.

The export controls established under the provisions of section 414 of the Mutual Security Act of 1954, as amended, relating to technical data, cover the ex-

portation of technical information on articles designated as arms, ammunition, and implements of war in the U.S. Munitions List, regardless of whether the transmission of such information is accomplished by oral, visual, or documentary means. This includes, but is not limited to, transmission by mail, by hand, through foreign visits by American technical personnel, release to foreign nationals in the United States, or through participating in symposia.

§ 125.12 Transmission of classified military information.

Classified U.S. military information, including classified technical data, and equipment as covered by Category XVII, U.S. Munitions List, approved for export by the Department of State, may only be transferred or communicated under procedures established by the cognizant military department or the Department of Defense (see §§ 125.02 and 125.20(c)).

EXPORT CONTROL REQUIREMENTS

§ 125.20 Requirements.

(a) A license issued by the Department of State is required for the exportation of unclassified technical data, Category XVIII of the U.S. Munitions List, unless the exportation falls within the exemption provisions of these regulations (see § 125.30). The application for license must be submitted on the prescribed form (DSP-5), complete in all details so as to afford adequate identification of data or material, together with five (5) copies of the technical data.

(b) A license issued by the Department of State is required for the exportation of unclassified technical data relating to arms, ammunition, and implements of war which are included in any applications for a foreign patent. This licensing requirement is in addition to the license for foreign filing, which must be obtained by an exporter from the Patent Office during the first 6 months of the pendency of a patent application. After 6 months, only a Department of State license is required. If the patent application is covered by a secrecy order, all questions relating thereto should be addressed to the Patent Office.

(c) Communication with the Department of State is required in the event that classified United States military information will be involved in a proposed exportation. A letter must be submitted initially to the Department of State containing full details of the proposed transaction, accompanied by five (5) copies of the documentation to assist in the consideration of the proposal. The letter to the Department of State should indicate:

(1) The highest degree of security classification of the information involved;

(2) The responsible cognizant project or contracting agency;

(3) If the information was not directly contracted for, whether the information was or was not derived from U.S. Government sources, project development, bid requirements or contractual arrangements. (See §§ 125.02 and 125.12.)

§ 125.21 Government agency shipments.

An export license is not required when the shipment of technical data is made by the U.S. Government or an agency thereof unless a private individual or firm is involved in the shipping or mailing procedure.

TECHNICAL DATA EXEMPTIONS

§ 125.30 General exemptions.

(See § 125.40.)

(a) Collectors of customs or postal authorities may permit the exportation, without a license, to any destination, other than those listed in § 125.42, of unclassified technical data as follows:

- (1) If it is in published form and subject to public dissemination by being:
 - (i) Sold at newsstands and bookstores;
 - (ii) Available by subscription or purchase without restrictions to any person or available without cost to any person;
 - (iii) Granted second class mailing privileges by the U.S. Government;
 - (iv) Freely available at public libraries.

(2) If it has been approved for public release by an authorized agency of the Department of Defense and has in fact been publicly disseminated in a manner specified in subparagraph (1) of this paragraph or presented at a symposium authorized for attendance by the public.

(3) If it is being exported in furtherance of a manufacturing license or technical assistance agreement, upon compliance with the procedure specified in § 124.03.

(4) If it is being exported in furtherance of a contract with an agency of the U.S. Government or a contract between an agency of the U.S. Government and a foreign manufacturer or other foreign entity, provided the contract calls for transmission of relevant technical data.

(5) If it relates to firearms not in excess of caliber .50 and ammunition for such weapons, except unclassified technical data containing advanced designs, processes, and manufacturing techniques.

(6) If it consists of technical data, other than design, development, or production information, relating to equipment, the exportation of which has been previously authorized to the same destination.*

(7) If it consists of operations, maintenance, and training manuals, and aids, relating to equipment, the exportation of which has been authorized to the same destination.*

(8) If it consists of additional copies of technical data previously approved for exportation to the same destination.

(9) If it consists solely of technical data being retransmitted to destinations from which it was originally imported.

(10) If it consists of material made available to the Clearinghouse for Federal Scientific and Technical Information (CFSTI), Department of Commerce, by the Department of Defense.

(b) *Plant visits.* No license is required for the exportation to any desti-

* Not applicable to technical data relating to Category VI(e) and Category XVI.

nation other than those listed in § 125.42 of unclassified technical data provided:

(i) The data is directly concerned with the subject matter of a plant visit on a classified basis which has been approved by the Department of Defense;

(ii) The data is to be disclosed by oral or visual means during a plant visit on an unclassified basis which has been arranged under Department of Defense procedures; or

(iii) Documentary data which pertains to (ii) of this subparagraph and which is a verbatim presentation of the data disclosed by oral or visual means, as approved by appropriate Department of Defense authority. Copies of such documents should be filed with the Office of Munitions Control with appropriate reference to this section.

§ 125.31 Importation of technical data.

A license is not required for the importation of technical data.

§ 125.32 Canadian shipments.

Collectors of customs or postal authorities may permit unclassified technical data to be exported to Canada without presentation of an export license, except such technical data as relates to the items enumerated in § 123.23 (d).

MAILING AND SHIPPING PROCEDURES

§ 125.40 Certification requirements.

If the exporter wishes to claim the benefit of an exemption from the requirement of an individual license in accordance with the provisions of § 125.30, he is required to certify that the proposed exportation is covered by one of the provisions of that section. He shall so certify by marking the package or letter "22 CFR 125.30 * * * applicable," identifying the specific subsection or subsections under which the exemption is claimed.

§ 125.41 Clearance of exports.

Licenses covering nonexempt technical data exports must be presented to the appropriate collector of customs or postal authority when shipment is made.

§ 125.42 Sino-Soviet bloc destinations.

The exemptions provided in this part do not apply to the following destinations: The Soviet Union, Soviet bloc countries, Communist China, North Korea, Cuba, any of the territories of Vietnam which are under de facto Communist control, or any other area that comes under Communist control.

PART 126—VIOLATIONS AND PENALTIES

Sec.	
126.01	Violations in general.
126.02	Misrepresentation and concealment of facts.
126.03	Penalties for violations.
126.04	Authority of collectors of customs.
126.05	Seizure.

AUTHORITY: The provisions of this Part 126 issued under sec. 414, as amended, 68 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R.

10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redlegation of Authority No. 104-3-A, 28 F.R. 7231.

§ 126.01 Violations in general.

It shall be unlawful for any person to export or attempt to export from the United States any of those articles designated by the U.S. Munitions List or to import or attempt to import such articles into the United States without first having obtained a license therefor, unless written approval was obtained from the Department of State or an exemption from this requirement is authorized by this subchapter.

§ 126.02 Misrepresentation and concealment of facts.

(a) It shall be unlawful willfully to use, or attempt to use, for the purpose of exportation or importation of U.S. Munitions List articles, any export or import control document which contains a false statement or misrepresents or conceals a material fact. Any such false statement, misrepresentation or concealment of material fact in such a document shall be considered, as made in a matter within the jurisdiction of a department or agency of the United States, in violation of section 1001 of Title 18, United States Code and section 414 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1934).

(b) For the purpose of this section, the term export or import control document shall include the following when used for the purpose of exportation or importation, or attempted importation or exportation of U.S. Munitions List articles:

- (1) Applications for import, export, or intrasit license and supporting documents.
- (2) Shipper's export declarations.
- (3) Invoices.
- (4) Declarations of destination.
- (5) Delivery verifications.
- (6) Applications for certificate of temporary sojourn.
- (7) Applications for registration.
- (8) Purchase orders.
- (9) Foreign import certificates.
- (10) Bills-of-lading.
- (11) Air way bills.

§ 126.03 Penalties for violations.

Any person who willfully violates any provision of section 414 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1934), or any rule or regulation issued under that section, or who willfully, in a registration or license application, makes any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein not misleading, shall, upon conviction, be fined not more than \$25,000, or imprisoned not more than 2 years, or both.

§ 126.04 Authority of collectors of customs.

(a) Collectors of customs are authorized to take appropriate action to insure observance of this subchapter as to the importation or exportation, or the attempted importation or exportation, of

arms, ammunition, and implements of war, whether or not authorized by licenses or written approval issued under this subchapter, including, but not limited to, inspection of loading or unloading of carriers.

(b) Upon the presentation of a license or written approval to a collector of customs, authorizing the exportation or importation of arms, ammunition, and implements of war, the collector may require, in addition to such documents as may be required by customs regulations, the production of other relevant documents and information relating to the proposed exportation or importation, including, but not limited to, invoices, orders, packing lists, shipping documents, correspondence, and instructions.

§ 126.05 Seizure.

Whenever an attempt is made to import, or bring into the United States, or to export, or ship from or take out of the United States, any arms, ammunition, implements of war, and technical data relating thereto in violation of law, the several collectors of customs, or officials of such other United States agencies as may be authorized to perform law enforcement functions, may seize and detain any such arms, ammunition, and implements of war, and the vessel, vehicle or aircraft containing the same, and retain possession thereof until released or disposed of as directed by law.

PART 127—ADMINISTRATIVE PROCEDURES

§ 127.01 Exclusion of functions under section 414 of the Mutual Security Act of 1954, as amended.

The functions conferred by section 414 of the Mutual Security Act of 1954, as amended, are excluded from the operation of the Administrative Procedures Act (60 Stat. 237), as contemplated by sections 1003 and 1004 thereof.

(Sec. 414, as amended, 68 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redlegation of Authority No. 104-3-A, 28 F.R. 7231)

Effective date. This revision and republication of Subchapter M is effective July 13, 1965.

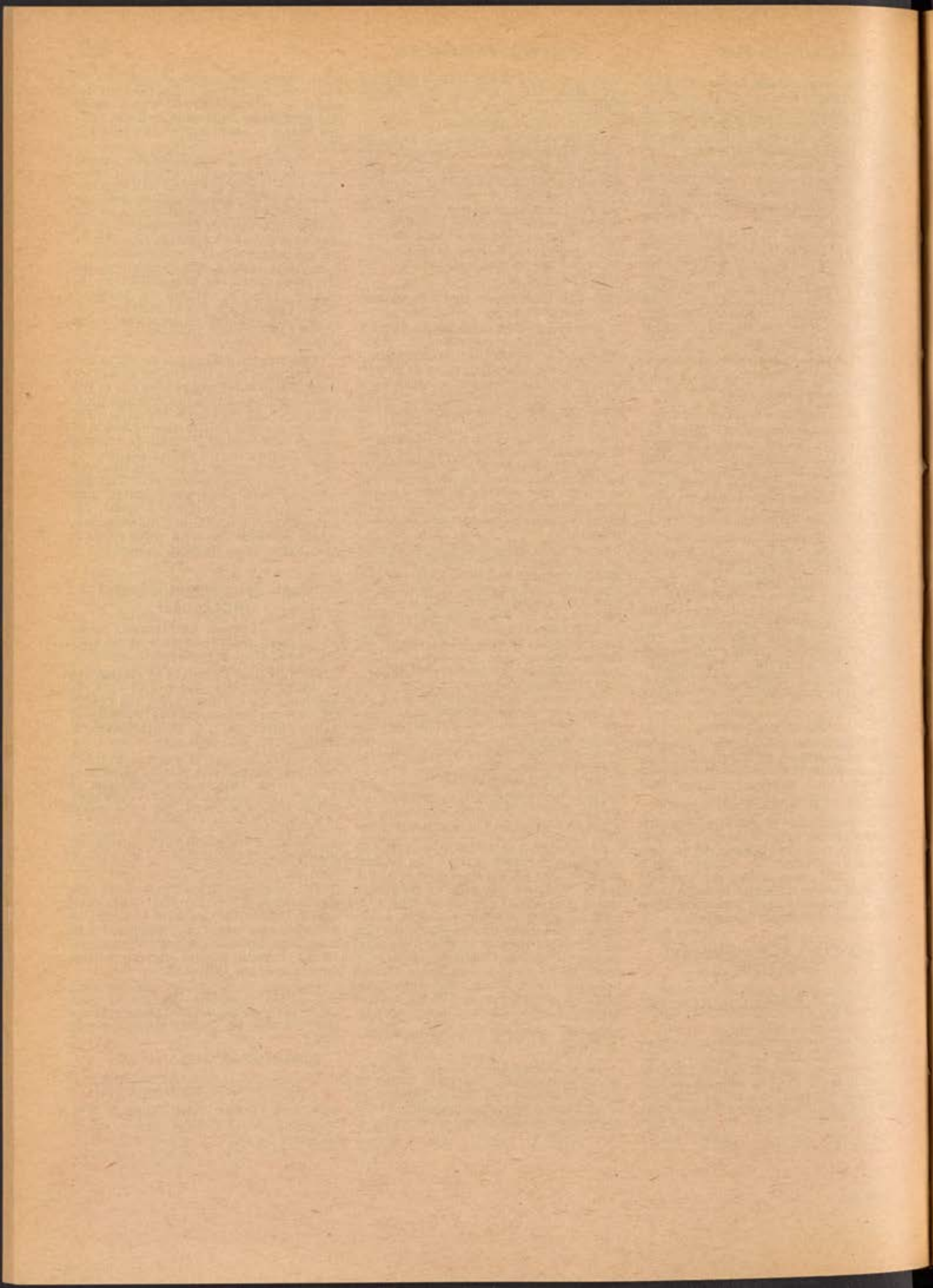
The provisions of section 4 of the Administrative Procedure Act (60 Stat. 283; 5 U.S.C. 1003) relative to notice of proposed rule making are inapplicable to this order because the regulations contained therein involve foreign affairs functions of the United States.

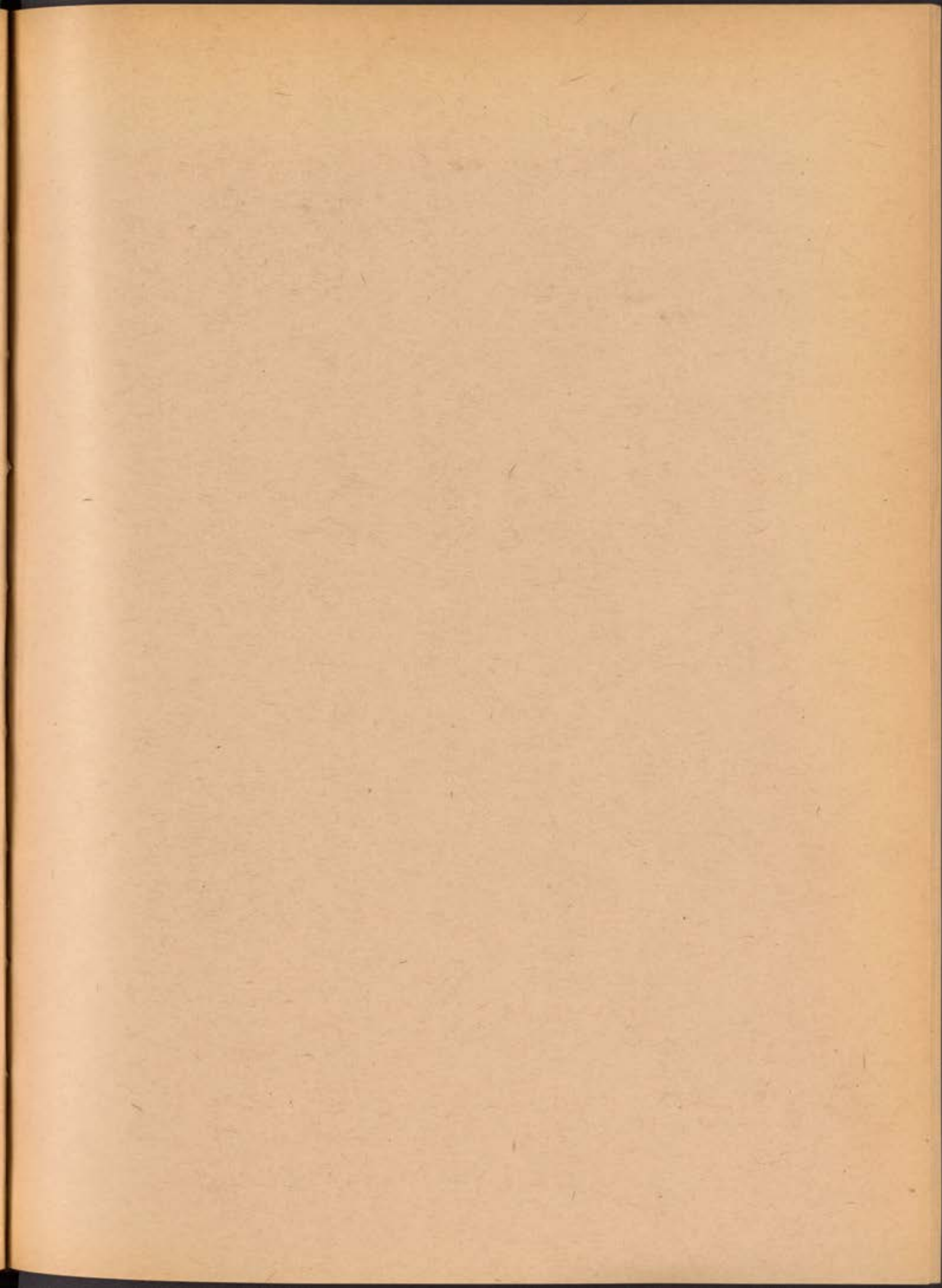
NOTE: The recordkeeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

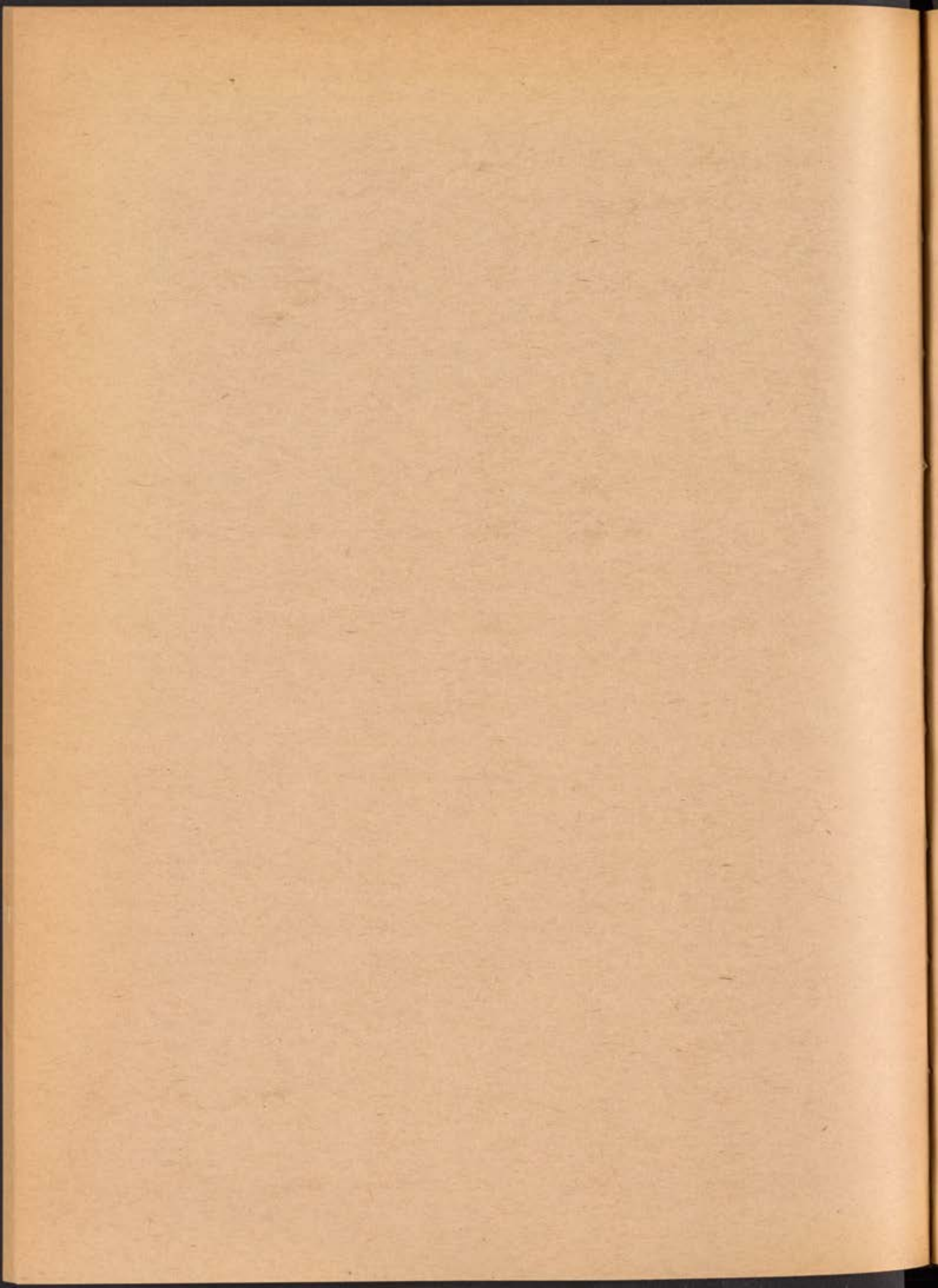
Dated: July 13, 1965.

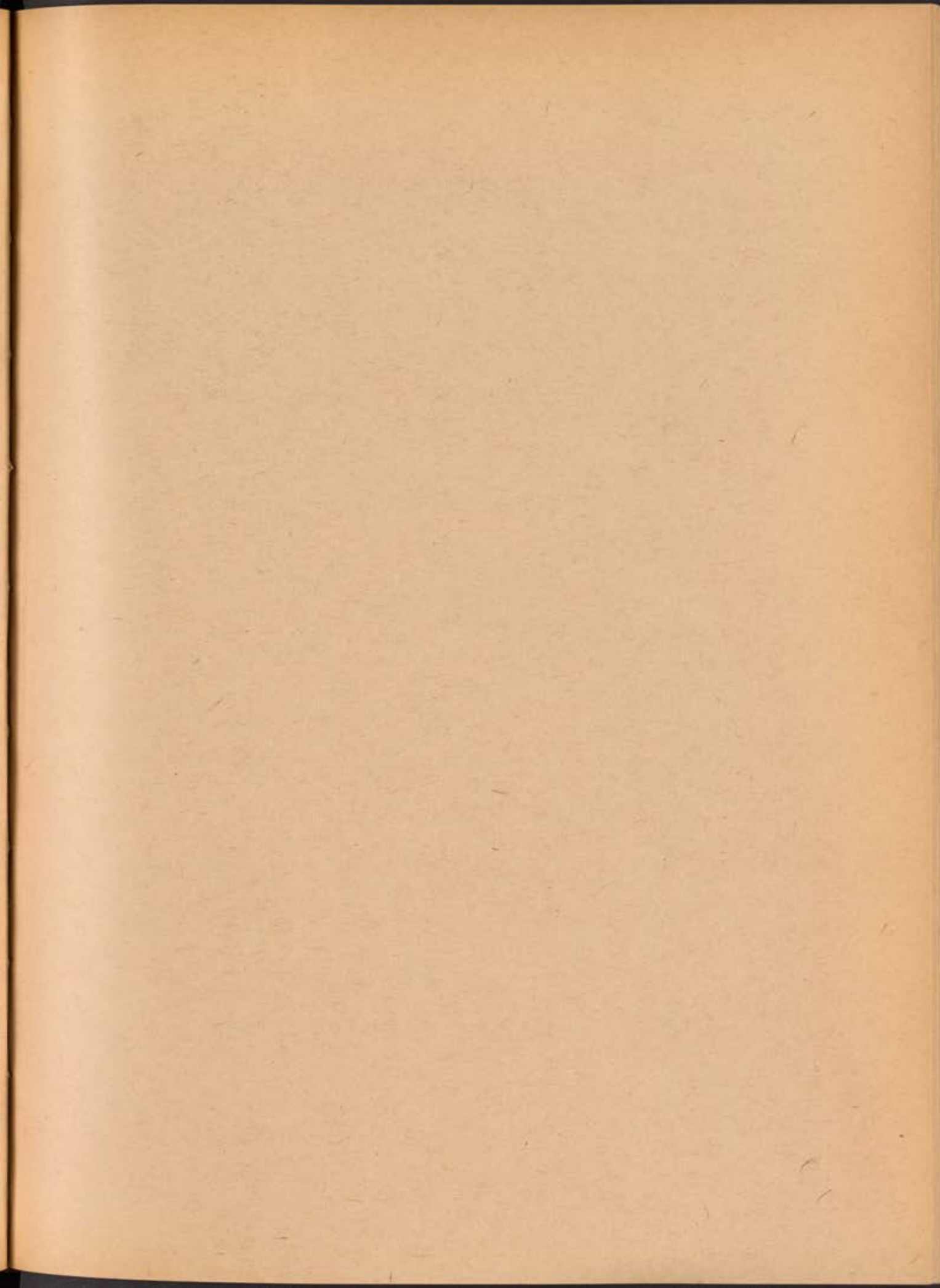
DEAN RUSK,
Secretary of State.

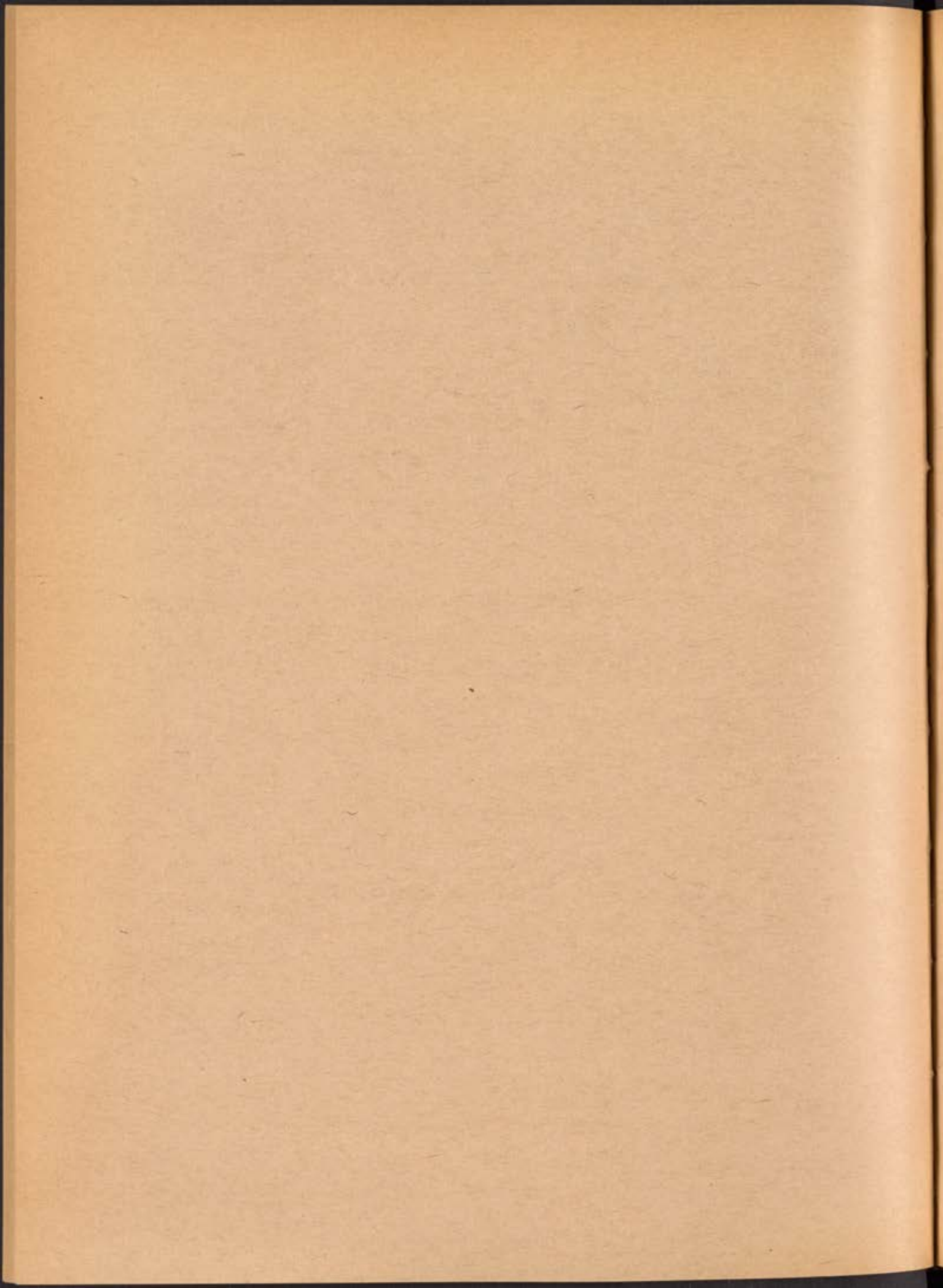
[F.R. Doc. 65-7614; Filed, July 16, 1965; 8:49 a.m.]

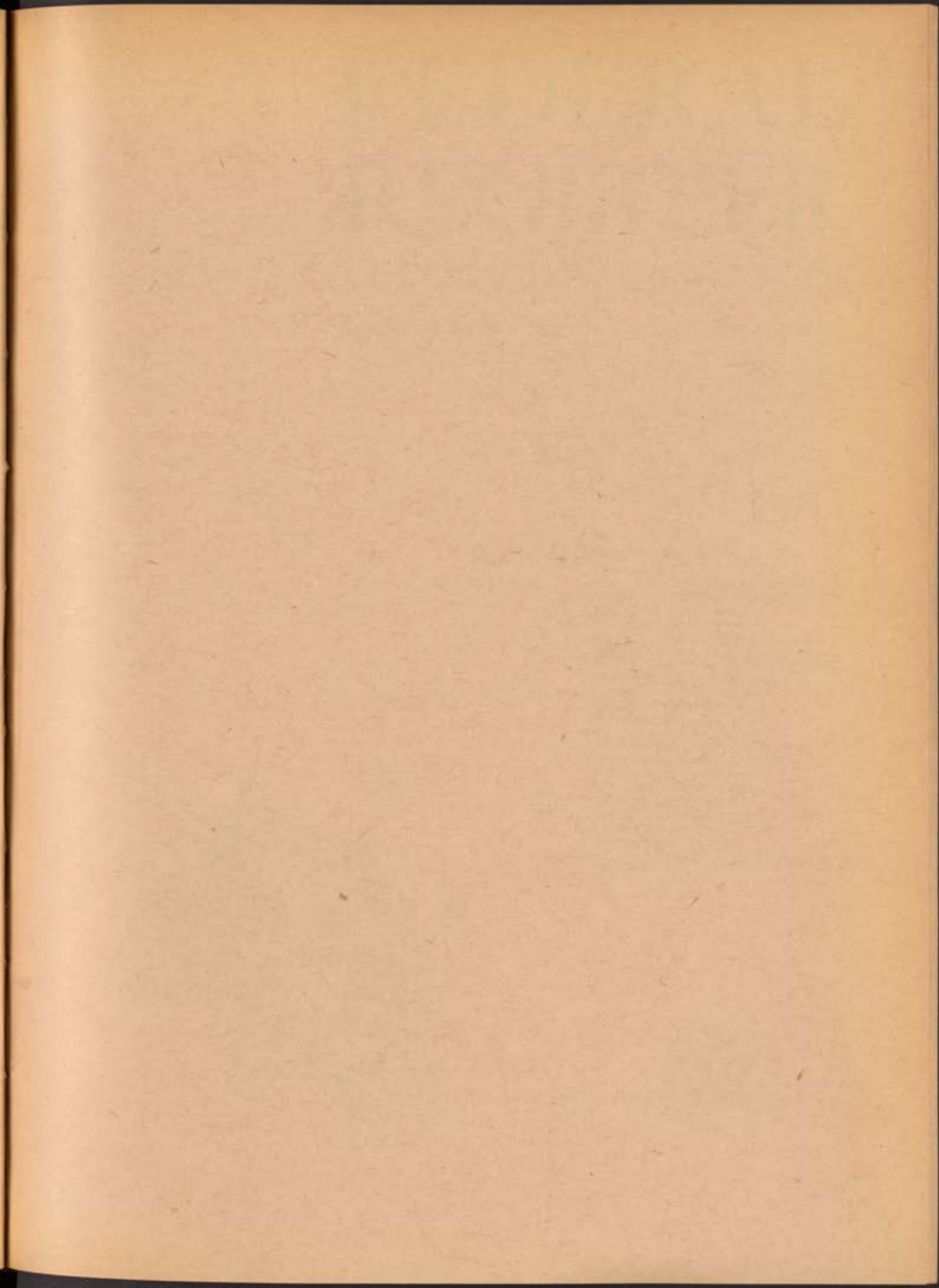












FEDERAL

RESERVE

RECORDS

OFFICE

OF THE

SECRETARY OF THE

TREASURY

WASHINGTON

D. C.

1917

NO. 1

1917