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Memo

Robert Murray to Hayes Redmon (Original in Ex HS 2)

11/20/65

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Legislative Background: Department of Housing and Urban Development 1965
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EXECUTIVE

SP2-5/LG

THE WHITE HOUSE
WASHINGTON

November 10, 1965

Joe Califano:

Some good lines here.

Hayes

Copy sent
HWP 11/15/65

11/15
Hayes

Held for hearing
on which sent
copy to them
after

T.R.B. from Washington

Cities in Straitjackets

★ In five or 10 years (we think) a sensational book will come out. It will be called something like *Captive Cities*. It will be written with passion and eloquence because it exposes a national disgrace. Like every book that is a real earth-shaker it will be effective because it will say things that people already know; things they know, but haven't thought about.

In brief, this book will say that malapportionment is worse in American cities than in the states. The Supreme Court waited half a century and then slammed into state rotten boroughs, with its one-man, one-vote decision. But who will rescue our cities I don't know. The cities are frozen. The middle class are moving out, the Negro and immigrant in, and the tax collector stops at the boundary. The straitjacketed cities supply hospitals, police, fire service, transportation and office space, and the suburbs enjoy but don't pay for them. On the affluent side of the boundary line the middle class enjoy grass, split-levels, clubs and swimming pools and look across in holy horror at the poor devils stuck in the cities, paying, or the victims of, high city taxes.

What causes these reflections? Because handsome young Rep. Lindsay has just been elected mayor of New York. The AP story said the victory "makes him a major contender for the GOP Presidential nomination." Our prediction is that the earnest, serious, conventional Mr. Lindsay won't get off the ground. We sympathize with him; we wish him well. But in many ways New York City is ungovernable.

Everybody knows how urban areas have grown. It is the great migration of our time. It includes 70 percent of us.

But the big cities have been getting smaller. Yes; it's a fact. Seven of the 10 largest US cities lost population between 1950 and 1960, including NY. The Census says so. There's a catch, of course. The metropolitan areas have exploded, but the frozen central city lost people — people, and industry and taxable wealth, and livability. These oozed out into the happy suburbs. The center city is what Mayor Lindsay has to try to reform when, by the rules of the game, the part of the area that would average things up is out of his reach.

These restrictive boundaries, we are persuaded, can't last. They represent unfair privileged sanctuaries. Did you realize that some American cities have other cities inside them? Long Beach, California, with a population of 350,000 surrounds the municipal enclave of Signal Hill, a debtless community with 1,000 tax-paying oil wells, that looks out complacently on the territory around it. It is a new version of the Bible story: Jonah has the comfortable couch and the whale has the bellyache.

No other nation hates its own cities. Only in the United States of America are suburbs afraid of their parents.

City boundaries are archaic. Toronto and Winnipeg have set up modern "Metro's," to incorporate the whole area. Philadelphia attained its present size in 1854; San Francisco 1856; St. Louis, 1876; NYC 1898; and so on. Central cities are little more than enlarged downtowns for bedroom suburbs. But ethnically they are in churning transition. It is like a whirlwind blowing out middle-class whites at one side and sucking in low-income immigrants and Negroes at the other.

Fleeing City Hall

★ Look down at the modern city from a jet plane. There is a new modern beltway around it. It is lined with homes and new factories. They have all fled City Hall. Look back at the central city. That is the place where, as in Mayor Lindsay's New York, 60 tons of soot fall on each square mile each month.

The refugees find cleaner air, better schools and often, paradoxically, better rents for the money. The middle class leave their hygienic suburbs in the morning; work in the center city by day; and wash their hands of both civic soot and civic duty at night. Affluence

and responsibility are divorced. Take a look at the quaint system now, friends. We don't know how it will happen, but we are persuaded it won't last, partly because it is uneconomic and more particularly because it violates the Americans' sense of fair play. But they have first got to understand it.

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

4:30 p.m., Thursday
November 11, 1965

FG 155-18
FG 155
FG 135
FG 170

FOR THE PRESIDENT

FROM Joe Califano *jc*

The attached memorandum from Jack Connor recommends that the Community Relations Service be transferred to the Department of Urban Affairs rather than to the Department of Justice. Connor also warns of growing discontent among civil rights groups about the weakening of our civil rights program because of the Civil Rights reorganization and particularly because the Community Relations Service is being transferred to the Justice Department.

In the memorandum Connor says that he did not have a chance to discuss this with you before you acted. While that is literally true, I called Secretary Connor, who was out of town (in New York or New Jersey) and told him that you were considering a proposal to transfer the Community Relations Service to the Justice Department and wanted his views. He said it was "fine with me". The publicly released memorandum from the Vice President, which you approved, reflects the concurrence of the Secretary of Commerce. Further, while the memorandum recommends the transfer of the CRS to Justice, it leaves latitude to have elements of it in other Departments, including Urban Affairs.

I recommend that you refer Secretary Connor's memorandum to Nick Katzenbach for his consideration with Secretary Connor, in preparing reorganization plans for your approval for submission next year. Katzenbach, incidentally, did not know anything about this memorandum and disagrees with many of the comments about the work of the CRS.

I would like on your behalf to tell Connor and Governor Collins (who I think is behind this memorandum) that the basic decision is now made and their job is to work with Katzenbach and keep the CRS in line.

I recommend your approval of the above actions.

Approve _____

Disapprove _____

Functions of the Department of Housing and Urban Development

In considering the organization of the Department of Housing and Urban Development, it is necessary to take into account the new responsibilities inherent in the creation of the new Department as well as those it inherited by the transfer of existing functions of the Housing and Home Finance Agency. Although there is no clear-cut division here, it is necessary, for the sake of clarity, to spell out the former functions. This can best be done by setting forth the philosophical basis for the new activities and describing certain specific problems and issues that will be involved.

The two position papers attached recommend plans of reorganization. Since most of the major administrative problems of the new Department will result from existing programs of housing and urban development, Position Paper I refers primarily to rearranging and augmenting the program operating staffs in Washington and in the regions. Position Paper II relates to a new function which departmental status occasions. But neither of these position papers deals adequately with the scope and image of the Department of Housing and Urban Development.

The purpose of this statement is to suggest, among other things, a sound conceptual basis for organizing the Department. Thus it deals with functions and objectives, as well as methods, rather than with organizational arrangements. This basis must be formulated, even though it -- as a sound comprehensive city or metropolitan plan -- can

never be a static concept. But it should provide a set of principles and objectives to be pursued. Again, like a plan, the concept and the functions of the Department will become meaningless unless machinery and programs are developed to carry them out.

The Department was created because we have problems of urbanization. Thus, the Department must be concerned with identifying, analyzing, and dealing with these problems. This does not mean, however, that the Federal Government can solve all -- or even any -- of these matters directly or alone. Nor does it require that all Federal action affecting urbanization be concentrated in the new Department.

Most of those familiar with urban affairs recognize the continuing need for more knowledge about all aspects of urbanization. We need to learn how to attack a host of human problems, how to upgrade the technology of home building, how to design and construct urban mass transit systems that are economically feasible and responsive to human needs (perhaps with greater subsidies than now are contemplated), and how to become the master rather than the servant of the automobile. We need to evolve and adopt an urban land policy. We need to identify problems which are common to central cities and suburbs, demonstrating how parochialism on the part of either in such matters damages both. There are also problems of local governmental organization

which if unsolved will dilute the effectiveness of Federal financial assistance to urban and urbanizing areas.

Basic to this issue is the three level structure of our system of government. Failure to recognize the nature of this situation can not only vitiate the President's concept of "creative federalism" but also engender extreme political opposition to progressive action. And that opposition will appear at every level of government.

The new Department comes into being at a time when the conflict between state and large city governments still exists and when the interests of the central cities and the suburbs which surround them are frequently divergent. Any realistic plan of action must direct its thrust toward dealing with these two facts of life. At the same time, however, Federal influence can encourage state, city, and metropolitan actions necessary to attain national as well as local goals and objectives.

Perhaps the most difficult problem incident to the new Department is centered at the Federal level; certainly it is a most immediate issue. It follows from the fact that many departments and agencies in Washington operate programs which

in whole or in part impinge upon urban America. Some should and can be transferred to the new Department. Others, largely because of opposition of Congressional committees and bureaucratic vested interests, will be difficult or impossible to dislodge from their present bureaucratic homes. Still others are more appropriately located outside the new Department because their major purpose is central to some other department or agency, because of technology, or because of the nature of their geographic impact. Thus three things are needed:

- 1) a determination of those functions which can be transferred and a proposed schedule for action;
- 2) development of techniques to effect such transfers with minimum disruption;
- 3) development of techniques for the coordination of a large number of Federal programs both within and outside HUD.

In delineating the role of the Department of Housing and Urban Development it must be made clear that the President is appointing more than a "Secretary for Cities", as the New York Herald Tribune inaccurately characterized the 11th member of the Cabinet (Nov. 6, 1965 editorial). Not only does such nomenclature fail to reflect accurately the Department's great concern for the urbanizing areas of the country, but it also artificially, and unfortunately, leaves the impression that urban problems and city problems are one and the same, that the suburbs have no urban problems, and that the Federal Government has no concern for the process of urbanization that is taking place in and beyond the suburbs.

The new Department will, of course, be concerned with this process, not only because the issues involved are intertwined with central city problems, but also because many Departmental activities are addressed directly to areas outside central cities. Public facility loans, grants for basic water and sewer facilities, advances for public works planning, and the mass transit and open space programs are examples of such activities.

Moreover, the Congress in considering the Departmental legislation placed much emphasis on aids to outlying areas and small communities and revealed a fear that the Department would serve the central city while neglecting these areas. The provision in section 3(c) which refers to serving communities without regard to "population or corporate

status" was developed during the 1962 predecessor legislation by Senator Muskie at the request of Senator Mundt. In 1965, several Senators, including Senators Aiken, Miller, and Montoya, based their support in large part on what the Department would do for outlying areas and small communities. References in section 3(b) to cooperation with "State agencies" and to "community and metropolitan development problems" and "regional" cooperation were added in the Senate Committee at the request of Senator Montoya; and a number of references to counties, towns, and villages or communities were similarly added either in Committee or through Senator Miller's floor amendments in order to make clear the Congressional intent that the Department not limit its concern to the central cities.

At the same time the programs and the organization of HUD must be such as to reflect the Administration's continuing major concern for the central cities. In an effort to emphasize metropolitan approaches to urban problems we cannot afford to neglect or further disadvantage the cities. Indeed the challenge is to foster metropolitanism at the same time that the central cities continue to identify with the Department and continue to feel that it is oriented to their problems.

In developing relationships with state and local governments HUD should reflect and articulate the President's concept of creative federalism. This can be done through positive action which recognizes the role of the state and local governments in

local affairs. At the same time attention should be directed to the importance -- indeed the necessity -- of state action in geographic areas involved in urbanization where there is no existing effective local governmental organization. Also, the Department should call for more effective county governments in rapidly urbanizing areas.

Care should be taken, however, to avoid an implication that either states or counties will be utilized by Federal programs if they become instrumentalities for starving the central cities or merely additional layers of bureaucracy, contributing little or nothing to the programs involved. In this connection, the new Department must continue to deal directly with the cities in relation to problems which are peculiar to them -- matters such as urban renewal, urban neighborhood facilities, and open space in built-up areas. No less important, creative federalism recognizes and articulates the fact that Federal financial assistance cannot and will not carry the major financial burden for urban government.

Creative federalism suggests, also, greater flexibility in the administration of Federal aid. The most promising means of accomplishing this is probably through some form of "block grants."

These should not, in my opinion, be structured to projects or restricted to a given program but rather made available for a range of vital activities which can be identified as either neglected or underfunded. This, obviously, would be an effective instrument for aiding cities. In addition, it can foster metropolitan approaches to certain problems, such as air pollution. Federal assistance for these programs could readily be limited to area-wide activities. (We are already doing this successfully in urban mass transportation and our paper on planning, submitted to the Bureau of the Budget, sets forth how the objectives outlined here might be achieved.)

With or without block grants neither the new Department nor the Federal Government can, or in my opinion should, dictate decisions on local matters. At the same time, of course, when Federal funds are made available, there must not only be a need for them but also a public purpose served by their availability. Thus, criteria of performance (not in terms of a specific activity but the impact of that activity upon the process of urbanization) should be required for block grants. It would be inexcusable if this new form of Federal assistance resulted in further fostering blight and unattractiveness in central cities or encouraging greater scattering and economic as well as racial exclusiveness in the suburbs.

Coordination of Federal assistance to urban areas is clearly a desirable goal. Two functions are involved: first, coordination of the new Department's programs at the Washington and local levels, and second, coordination of the total Federal effort to assist in the solution of urban problems. The new Department will be responsible for achieving the first objective and should take leadership in achieving the second.

The immediate task is to develop administrative approaches which will avoid inconsistent impacts of Federal programs and serve to assure that they complement and support each other.

During the next few months, we shall move in this direction in the emerging Department. Two devices will be used: first, we shall (as necessitated by rent supplements) establish in our regional offices a consolidated market and economic analysis corps, so that all programs in a given area will operate upon the same market and economic assumptions; second, (as necessitated by several new 1965 planning requirements) we shall establish in our regional offices centralized and consolidated staffs to review and accelerate compliance with Comprehensive Planning and Workable Program requirements for programs affected by these two instruments. Special attention will be given to assisting metropolitan areas meet area-wide planning criteria. At the same time, the present Regional Administrators will be given additional authority to coordinate our programs in the field.

(When the Department is reorganized there will be a basis for granting greater authority to the principal regional officers. The possibilities and machinery for accomplishing this are set forth in Position Paper I.)

During the past four and a half years we have been able to work out cooperative agreements with other Federal departments and agencies for greater coordination and cooperation of Federal programs operating in urban America. The most effective instrument for achieving this has been agreement upon common comprehensive planning and organizational requirements. This is the instrument which I believe has real potential for the future, but to achieve the maximum results from this approach it will be necessary to increase the quality and effectiveness of planning at the local level. (For a more detailed discussion of this see our paper on planning submitted to the Bureau of the Budget and Position Paper II.)

In addition to this operating tool, other approaches are required. HUD should review the impact of Federal programs upon the urban areas of America. Conflicts of approach will immediately become apparent. The highway program is a dramatic example. Already we have been able to work out arrangements to avoid its destroying, or seriously damaging, urban renewal programs, and we are, in many instances, jointly financing planning with the Bureau of Public Roads. But often State Highway Authorities pay little attention to the impact of their activities upon

land use and urbanization. They will continue to ignore this unless and until there are systematic studies which more thoroughly identify the problem and set forth its impact in quantitative terms.

Other related problems require action. When a highway system of multiple lanes cuts through a central city to provide access and egress, the principal beneficiaries are the suburban residents (usually affluent) and frequently the downtown businesses. Those who suffer from it are the poorer people (often non-white) who lie in the path of the demolition and the central city itself whose tax base may be further eroded. It would be equitable, therefore, that two things be required: first, the suburbs which benefit most from the highways should provide compensating housing facilities for income groups displaced; and second, the highway program should absorb the additional cost of building over air rights where this is feasible and desirable for a more orderly and economically sound redevelopment of the city. Problems of this type should be identified and analyzed by the new Department. It, in turn, should develop possible solutions which would be reported to the President and the Congress.

Another issue that is immediate and lends itself to early positive resolution is the absence of a Federal urban land policy. The first effort in this direction was the proposal for Federal assistance, via FHA insurance, for new communities.

Congress has not yet enacted this innovation, although a start was made in this direction in 1965. HUD will have to press for this legislation. It will, I believe, have additional leverage as a few successful new communities emerge in the immediate future. While these are well planned, they lack an ingredient that Federal assistance could facilitate -- economic diversification among the residents.

There is some measure of agreement relative to the form that urban America should take. Yet the vast acreage of land now in Federal ownership and subject to disposition for urban development is largely devoid of any regulations which would positively affect future use. HUD should analyze this situation, establish its dimensions and, in cooperation with other agencies, develop policy guides to promote desirable future patterns of urbanization of land now under direct Federal control.

Needless to say these will be sensitive processes. To achieve their objectives with any hope of success, several things are required. The new Department should have a clear Presidential mandate to give attention to these matters. It should be authorized to carry out the studies which will be required (in an Institute of Urban Development adequately funded and by using outside non-profit corporations, as is done in the Department of Defense).

Once this authority has been granted, HUD should involve the other Federal operating agencies in the planning and execution of the analyses. Finally, the proposed solutions should be a joint effort. This may result in several alternative proposals, but if there has been involvement of all agencies affected and if there is general agreement on the nature of the problem, the possibilities of some agreement on solutions will be greatly enhanced.

Related to such solutions is the development of desirable patterns of urbanization. While there is much agreement on what is wrong with our cities, suburbs, and emerging urbanizing areas, less consensus exists relative to what we should and could achieve. Here is a major role for the new Department. In order to perform this function effectively, more research is basic. But facts alone will not be enough. Nor will sound analyses suffice. There must be demonstrations of what can be, so as to excite the imagination of the American people -- the new communities would fall in this category. Facts, figures and analyses must be translated into understandable goals. And these goals, ultimately expressed in legislative proposals, will have to be championed by strong and effective public support.

The Department of Housing and Urban Development should become the agency of government which spearheads this activity. It will have to explain and champion new directions in urban development.

This, of course, will be no easy task. It is complicated by the complexity of the subject matter, no less than by the conflict of interests (both real and imaginary) between the central cities and the suburbs as well as between city and state. If, however, the basic homework is well done, a Cabinet member should have a platform from which he could give leadership to the education necessary to facilitate understanding and support.

Rational and effective approaches to urbanization cannot be achieved unless HUD successfully performs this function. The task is further complicated by the absence of an effective public interest lobby. The legislative history incident to the Housing and Urban Development Law of 1965 demonstrated the dangers in the current situation. In the controversy in Congress over rent supplements and the colloquy outside Congress relative to FHA support of new communities, the effective spokesmen articulated their special interests, usually either economic or protective of a bureaucracy. Just as the problems of urbanization are not a series of unrelated issues, so the solutions cannot be a group of programs to serve narrow special interests. There is an over-all public interest and the new Department must articulate it.

While we will not eradicate special interests, the new Department can and should harness special interests to over-all interests and offset the impact of special interests by nurturing and encouraging widespread citizen understanding and concern for housing and urban development.

Most of the new functions assigned to the Department of Housing and Urban Development assume more knowledge than now exists. No area of urbanization is more crucial or neglected than research. When I became Administrator of HHFA no identifiable funds for this purpose were available. (There were funds for demonstration and experimental programs.) Since then the agency has been able to secure token appropriations, but the current funding is still only three-quarters of a million dollars. This is a matter which the Department must meet head-on, because without research, funds made available for dealing with urban problems will not be used most effectively; and without more knowledge, state, county and municipal public expenditures will not achieve maximum benefits; nor will the Department be able to speak authoritatively about urban problems or assume leadership in establishing national goals for urban America.

The initial steps taken by HHFA in setting up systems analysis must be accelerated and expanded so as to achieve a significant impact within the Department. HUD must carry out extensive analyses of

existing programs and planned alternatives to arrive at the solutions to urban problems which promise the greatest cost effectiveness. Concurrently systems analysis at the local and metropolitan levels needs to be encouraged and supported. In all these efforts, early establishment and funding of the Institute of Urban Development proposed by the President in his Message on the Cities will be of basic importance.

It is generally recognized that enforced racial residential segregation, with its attendant economic exploitation and psychological frustration, is one of the toughest urban problems. Only during the past three years has the Federal Government addressed itself to the issue. HHFA has taken the lead in carrying out the Executive Order on Equal Opportunity in Housing. Further significant advances in this area within the new Department depend upon action to extend coverage of the Order. Without such action, homebuilders will utilize sources of finance that are not covered by the Order, thus rendering the enforcement activities of HUD less effective.

There is, however, much more that HUD can and should do to widen the housing opportunities available to non-whites. The principal instruments are its expanded low-income housing programs (public housing and rent supplements) and the moderate-income housing program (221(d)(3) below-the-market interest rate construction). With the bringing of FHA into the regional framework (as proposed in Position Paper I) and more

vigorous administration significant progress can be made.

The principal danger is that the restrictions on rent supplements contained in the report of the House Subcommittee and adopted by both branches of Congress in the 1965 supplemental appropriation may be reactivated in 1966. These restrictions require conformity with a Workable Program or local government approval. Their effect would be to eliminate rent supplements from most suburbs and encumber the program with all the site problems that have long harrassed public housing.

Housing is in the title of the new Department because the home is the basic environmental factor and because the Department will absorb most of the Federal Government's housing programs. But the scope of the new Department is the whole spectrum of urban matters.

Clearly, HUD will have little influence on other urban activities unless and until its own multiple programs are effectively coordinated. Position Paper I is addressed to the organization of the new Department. It proposes a plan for organizing the Department of Housing and Urban Development. It attempts, within the degree of freedom possible in light of the statute creating the Department and the legislative history pertinent thereto, to accomplish several things. First, it groups programs affecting the central cities and/or subject to

Workable Program requirements under an Assistant Secretary for Urban Renewal and Housing Assistance. This not only seems logical but has the virtue of giving additional emphasis and thrust to the Workable Program requirements. It would facilitate consolidation of relocation activities (now primarily centered in the Urban Renewal Administration and the Public Housing Administration). Equally important, it groups together a number of programs most of which primarily or exclusively benefit central cities. Thus there is a series of activities with which Mayors may identify. Also these are programs which might be stymied or neglected if administered through counties or states. Little would be achieved in effecting metropolitan cooperation, but much might be lost, should the Federal Government cease to deal directly with the cities in executing these activities.

The same reasoning occasioned the assignment of major programs to an Assistant Secretary for Community and Metropolitan Development. Here the overriding consideration has been the pertinence and applicability of Comprehensive Planning requirements and the fact that most of the activities are metropolitan-wide in their impact. This approach would greatly strengthen the planning grant program (now in the Urban Renewal Administration) and the administration of Comprehensive Planning requirements.

Position Paper II deals with a special, but vital phase of the

Department's field activities. Its concern is for what has been referred to as an urban desk. The thrust of this proposal is to establish machinery, attached to the Department's regional offices but usually resident in localities, which will assist our cities in developing coordinated programs involving the various activities of the Department. Obviously, if this machinery proves to be successful it can be adopted, expanded or otherwise modified to embrace a larger spectrum of Federal programs related to urbanization.

Although there is some repetition in this paper and in the two Position Papers, this is deliberate. It is designed to permit each of the statements identified as Position Papers to retain an integrity of its own.



Federal Housing Administration
Public Housing Administration
Federal National Mortgage Association
Community Facilities Administration
Urban Renewal Administration

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING AND HOME FINANCE AGENCY **EXECUTIVE**
OFFICE OF THE ADMINISTRATOR • WASHINGTON 25, D. C. **FH170**

November 13, 1965

MEMORANDUM FOR: Harry C. McPherson, Jr.
Special Assistant to the President

Attached are twelve copies of the position papers mentioned in the statement I sent, Friday. These should be distributed to the persons to whom the original memorandum was sent. They will, I believe, round out the analysis previously submitted.

Robert C. Weaver
Administrator

Enclosures - 12

cc: Hon. Jos. Califano, Jr., w/ enclosures

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Position Paper I

ORGANIZATION OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

This paper is a brief description of the organizational structure recommended for the Department of Housing and Urban Development in order to permit it most effectively to perform its role. The paper adopts and defends a specific organizational pattern. This is not to imply that alternative patterns would necessarily be unworkable; for the choice of any pattern involves a weighing of many advantages and disadvantages among alternatives.

A. Spheres of Responsibility and Nature of Authority of the Principal Officers

1. General. The Department of Housing and Urban Development Act provides that an Under Secretary, four Assistant Secretaries, a General Counsel, and an Assistant Secretary for Administration "shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time." This paper proposes that the Under Secretary, General Counsel and Assistant Secretary for Administration be assigned traditional functions. That is, the sphere of interest of the Under Secretary will be coextensive with the Secretary's; the General Counsel will be the principal legal officer of the Department; and the Assistant Secretary for Administration will be concerned with personnel, organization and other housekeeping functions.

The major question to which this Part A is addressed is the assignment of responsibilities to the four remaining Assistant Secretaries. Proposals for such assignments follow.

2. Assistant Secretary for Mortgage Credit. The Department of Housing and Urban Development Act specifies that one of the Assistant Secretaries shall head a Federal Housing Administration; shall administer, under the supervision and direction of the Secretary, Departmental programs relating to the private mortgage market; and shall have such duties and powers as the Secretary may prescribe. In effect, the Departmental law thus provides for an Assistant Secretary for Mortgage Credit who shall also be the Federal Housing Commissioner. It is clear that the Congress intended him to have, under the Secretary's direction, line authority over the mortgage insurance operations of the FHA. There is no implication that the Assistant Secretary is prohibited from making such delegations of authority to a subordinate FHA official or officials as he considers reasonable.

In view of the transfer of the Federal National Mortgage Association to the Department as a corporate entity, basic responsibility for the operations of the FNMA will remain in the Association's Board of Directors. Thus, while the Assistant Secretary for Mortgage Credit will have clear line authority with respect to FHA functions, his line authority with respect to the FNMA will derive primarily from his intended status as one of the members of the Association's Board of Directors. He will also manage certain consolidated services common

to the FHA and the FNMA.

Functions of this Assistant Secretary have been determined largely by the law. The law does not prevent the Secretary from assigning staff or supervisory or coordinating Functions which effect the Department's private mortgage market operations to Department officials other than this Assistant Secretary. But it would be contrary to Congressional intent to divest this Assistant Secretary of major line functions affecting the private mortgage market. And it would be inconsistent and distracting to assign substantial functions to him divergent from his responsibility for "private mortgage market" activities. However, it does not seem inconsistent if, in the interest of economy, property disposition functions of the entire Department were assigned to this Assistant Secretary, at least to the extent that property is being disposed of primarily for private ownership.

Finally, this Assistant Secretary will, in addition to exercising extensive line authority, act as a major staff adviser to the Secretary with respect to private mortgage market matters generally.

3. Assistant Secretary for Policy and Program Analysis. Staff functions essential to achievement of the new Department's policy goals will involve analysis in depth of Departmental objectives, collection and evaluation of data concerning the effectiveness and costs of programs, and financial planning to support decisions growing out of a policy planning and programming system. These functions are of

~~such scope and importance that they should occupy the greatest portion~~
of the time of one Assistant Secretary. This Assistant Secretary (who might be designated as Assistant Secretary for Policy and Program Analysis) will direct three essential staff elements:

- a. A planning staff for policy analysis;
- b. A programming staff for the direction of a Departmental information system that is designed to collect and evaluate data essential to the making of major decisions; and
- c. A budget analysis staff for making both long-range and short-range budget projections fully reflecting the major decisions that result from policy analysis and program evaluation.

Data collection and evaluation will draw on research, statistics and market analyses generated outside the Department and, within the Department, by program operating offices as well as by the programming staff itself. The information so collected will be of service not only in policy planning, program evaluation, and budgeting, but also to Departmental program operating offices (such as the three separate offices assisting housing for the elderly through grants, loans, and mortgage insurance) and to the clientele of the Department. Dissemination of this information at the Washington level will be a function of the Assistant Secretary for Policy and Program Analysis.

Therefore, he will have under his control another staff element working closely with his programming staff to provide a technical

informational service to clients of the Department. Eventually, this information "clearing house" service will be absorbed by the Department's "Institute of Urban Development" proposed by the President in his message of March 2. When such an Institute is established and funded, it should be given several programs in addition to its major research and technical clearing house functions. These would include training and fellowship programs and some demonstration programs. For example, the low-income housing demonstration program (which may involve either public or private financing) and the urban renewal demonstration program (which may involve problems in the fields of planning, urban renewal and housing) could profitably be assigned to the Institute.

In the meantime, these additional programs will be assigned to the Assistant Secretary for Policy and Program Analysis. Skills involved are to a considerable extent research skills. Need for the demonstrations would often be made manifest as a result of program evaluations; and the demonstrations themselves would often be useful in policy planning, as well as in program operations.

Because of the more specialized skills involved in mass transit, and because all the mass transit programs are still largely experimental, the demonstration program in this field should remain, at least for the time being, elsewhere in the Department along with other mass transit programs.

There remains the question of placement for the FHA experimental housing program. In view of the involvement of the FHA mortgage insurance fund, the FHA experimental housing program should not be administered separately from other FHA programs. However, technical research work done in the office of the Assistant Secretary for Policy and Program Analysis, and later in the Institute, can be used by the FHA in its processing of experimental housing applications.

4. Remaining Functions. Functions of the Assistant Secretary for Mortgage Credit are logically derived as a group from the Departmental legislation and are consistent with the close relationship between FHA and FNMA mortgage market functions. Functions of the Assistant Secretary for Policy and Program Analysis fall into place largely because of the need to fix responsibility at a high level for the Department's major, policy-oriented staff functions, and because the data essential to these staff functions are the same as the data required for the few line functions to be assigned to this office. Remaining functions of the Department do not so easily fall into groupings. Among the unassigned programs, there are many with overlapping purposes. It is impossible to separate them without drawing artificial dividing lines. Yet the vast scope and variety of the programs dictate that they be divided between the two remaining Assistant Secretaries.

It is proposed that responsibility for the remaining programs be divided between an "Assistant Secretary for Urban Renewal and Housing

Assistance" and an "Assistant Secretary for Community and Metropolitan Development."

5. Assistant Secretary for Urban Renewal and Housing Assistance.

This Assistant Secretary will be a line officer concerned with welfare-oriented and other programs whose clientele would to a great extent be found in the central city. Urban renewal is being used increasingly as sites for low-rent public housing, both new and rehabilitated, and for privately-financed low and moderate income housing, including relocation housing. Increasingly, the full resources of Departmental programs for urban renewal, for housing, and for neighborhood facilities will be focused on individual urban neighborhoods so as to provide a coordinated Departmental attack on the ills of urban life. Increasingly, too, the resources of the entire Federal Government, including those of the Department of Health, Education and Welfare and the Office of Economic Opportunity, will be devoted to a coordinated attack on interrelated urban problems. At this point in time, it is essential that the new Department be organized to administer its segment of these interrelated programs with maximum coordination, maximum flexibility, and minimum regard for the source of Federal funds. Giving full line responsibility to the Assistant Secretary for Urban Renewal and Housing Assistance with respect to his sphere of interest will further this purpose, especially with respect to relocation, rehabilitation, land acquisition standards, and bond financing activities that cut across several of the programs for which he is responsible.

More specifically, it is proposed that this Assistant Secretary administer the low-rent housing program under the U. S. Housing Act of 1937 and the urban renewal program under Title I of the Housing Act of 1949. In addition, he would have responsibility for rehabilitation loan and grant programs authorized in 1964 and 1965 and the neighborhood facility program authorized in 1965. A single office under this Assistant Secretary will also administer cash relocation payments in connection with all Departmental programs. All these functions are largely welfare and central-city oriented. The urban beautification program authorized in 1965 will be added to this grouping.

The open-space land program presents a special problem. Creation of a small open space in an urban renewal area will have quite a different purpose than the preservation of a large open space in the path of a city's growth where an important motive may be to change the direction of that growth. Accordingly, responsibility for open-space land assistance should be divided between the Assistant Secretary for Urban Renewal and Housing Assistance and the Assistant Secretary for Community and Metropolitan Development, depending on the size and purpose of the open space being assisted. Any small inconvenience which may result from this division at the Washington level is warranted by the benefits resulting from organizing Departmental functions according to major purposes. Also, such a division of responsibility in Washington need not be extended to the field where clients of the program could be served by a unified staff.

Careful thought must be given to assigning responsibility for determining whether a locality has an adequate workable program for community improvement. Unless such a local program is approved by the Secretary or his designee, the locality will be ineligible to receive certain urban renewal, low-rent public housing, and mortgage insurance aids. The Congress, in adopting this provision in 1954, prohibited delegation of approval authority by the Housing Administrator. The Departmental Act repealed this prohibition so that the Secretary would not be required to perform the function personally. Nevertheless, it is probable that the intent of the Congress was for this formerly non-delegable function to be administered not below the level of an Assistant Secretary. An argument can be made for delegating the function to the Assistant Secretary for Policy and Program Analysis on the grounds that it cuts across several Departmental programs; or to the Assistant Secretary for Community and Metropolitan Development on the grounds that some of the elements of the workable program could be developed with assistance under the comprehensive planning grant program to be assigned to him; or to the Assistant Secretary for Urban Renewal and Housing Assistance on the grounds that the major purpose of this function and the major purpose of the several programs administered under this Assistant Secretary are most closely interrelated.

On balance, it is preferable that the function be assigned to the

Assistant Secretary for Urban Renewal and Housing Assistance whose other functions make him most familiar with the problems involved and the people concerned. This is the overriding consideration, particularly when the workable program is viewed not merely as a requirement to be met in order to receive other Federal aids, but as another tool to be used imaginatively for the improvement of unsatisfactory living conditions in the community. When the function is viewed in this light, the programs of the Assistant Secretary for Community and Metropolitan Development appear less relevant to the function because his programs are addressed primarily to problems of urban growth and not to problems of inherited urban blight.

It would also seem undesirable to burden the Assistant Secretary for Policy and Program Analysis with operating problems in individual localities, since this Assistant Secretary is primarily engaged in staff functions relating to overall National policies and programs. The workable program function will actually be administered primarily in the field, and the Assistant Secretary for Urban Renewal and Housing Assistance will have far more occasions to work with Departmental field offices on closely related operating matters than will the Assistant Secretary for Policy and Program Analysis.

Programs of low-interest-rate direct loans for rental housing for the elderly and for college housing are essentially "housing assistance" programs. It would be appropriate that offices handling these programs fall within the sphere of responsibility of the Assistant

Secretary for Urban Renewal and Housing Assistance. In the college program the Department will deal directly with colleges and universities. This is not true of the Department's academic facilities functions and school construction functions performed under delegations of authority from the Department of Health, Education and Welfare. In the academic facilities program the sponsoring agency is the State Department of Higher Education and not individual colleges and universities. There may be some minor disadvantages in separating the academic facilities functions from the college housing program. But it seems reasonable that they be performed under the supervision of the Assistant Secretary for Community and Metropolitan Development because the functions delegated are technical in nature and limited to public works aspects of the HEW programs.

6. Assistant Secretary for Community and Metropolitan Development.

This Assistant Secretary will be a line officer largely concerned with programs having a major effect on the structure and development of entire urban or metropolitan areas. Program clientele would be found not only in the central city but also in suburban areas and in the metropolitan area as a whole. Indeed, most of the clients would be either outside the central city (as in the case of advance land acquisition) or both in the central city and the suburbs (as in the case of mass transportation). The one unifying characteristic of the programs to be concentrated in this Assistant Secretary is that they

are (or, ideally, should be in the case of public facility loans) subject to comprehensive planning requirements. The one program similarly conditioned that would not be assigned to this Assistant Secretary -- mortgage insurance for large scale land development -- is necessarily resident in the FHA in view of the involvement of the FHA mortgage insurance fund.

More specifically, the Assistant Secretary for Community and Metropolitan Development will administer urban planning assistance under Section 701 of the Housing Act of 1954, public works planning advances under Section 702 of that Act, mass transit programs, loans and grants for basic water and sewer facilities, loans for other public facilities, and the recently enacted program of grants for advance acquisition of land for the future construction of public works or community facilities. In addition, financial assistance for preserving major open spaces would be one of his responsibilities. All these programs should be directed toward achievement of effective and comprehensive planning in community and metropolitan development. The history of public works planning advances and public facility loan assistance indicates, however, that they have not been exploited at their greatest potential in the orderly development of urban areas. If these programs (some having their roots in public works legislation dating to 1932 and 1933 and others in urban development legislation first enacted in 1961 or 1965) are to be used flexibly and effectively in improving the total urban environment, it seems timely that full

line responsibility for all of them be vested in the Assistant Secretary for Community and Metropolitan Development.

7. Role of Officials Specializing in Individual Programs. Assignment of line authority to the Assistant Secretaries will carry authority to approve policies, procedures and other directives relating to programs administered under their supervision. It would not, however, prevent them from making extensive delegations of authority to officials at the bureau level concerned with specific programs. On the contrary, these officials, at the least, will have the important function of preparing and perfecting the technical standards and procedures for their respective programs. It is these technical standards and procedures which make it possible for the policies formulated at the Secretarial and Assistant Secretarial levels to be carried out with a reasonable degree of consistency in the field. Officials concerned with specific programs would also perform the related functions of providing staff advice to the Assistant Secretaries in the development of program policies; and would furnish technical staff assistance to the regions, including assistance in the interpretation of program standards and in the solving of specific problems.

B. Other Officers Reporting to the Secretary

In addition to officers appointed or approved by the President, there will be a number of other officers who ought to report directly to the Secretary. Each of these officers will have staff responsibilities affecting all or many of the functions of the

Department. Span of control considerations require that no officer report directly to the Secretary unless his function involves importance or delicacy requiring the personal attention of the Secretary, or unless there are considerations of protocol preventing the function from being placed at a lower level.

Officers reporting to the Secretary would include the heads of the following offices:

1. Congressional Liaison;
2. Public Affairs;
3. Urban Program Coordination (partly because of protocol in relation to other departments and agencies, and partly because of Congressional expectations arising out of the legislative history that was made in the Senate);
4. Office of International Affairs (as a matter of protocol in relation to foreign organizations and visitors);
5. Inspection, including separate units for audit and compliance and a labor office whose day-to-day functions will largely involve compliance (partly because of the advantages that result from separating these inspection offices from the operating offices that are inspected); and
6. Civil Rights, including separate offices concerned with policy formulation and with compliance.

C. Field Office Organization

A major purpose in establishing the new Department was to secure more integrated management of its closely interrelated programs. The Department's operations are addressed largely to local problems of urban decay and rapid growth. While most of our communities share similar local problems, they occur in specific local form and their solutions must be specific and local. Coordinated and flexible use of the various Departmental aids for urban development must be achieved primarily at the field level where programs are carried out.

Accordingly, organization of field offices should be designed to strengthen the authority and ability of field office staffs to process applications of federal urban development aids with a minimum of Washington office case-by-case review, except post review.

It is proposed that the Secretary be represented in the field by seven Regional Directors. In those programs for which Assistant Secretaries have line authority, clear and direct lines of authority would flow from the Secretary, through the Assistant Secretaries, to the Regional Directors. Decentralized major programs will be directed in each regional office by a Deputy Regional Director for the specific major program concerned.

Regional Directors will communicate freely with the Secretary and Assistant Secretaries. Deputy Regional Directors will be en-

couraged to communicate on technical matters directly with Washington officials who are below the level of the Assistant Secretaries and who have specialized program responsibilities. However, such freedom of communication on technical matters is not intended to alter the flow of line authority from the Secretary, through the Assistant Secretaries with respect to programs under their supervision, to the Regional Directors and the Deputy Regional Directors.

~~In order to expedite communications with respect to technical matters, a field office service center will be established in Washington, headed by a non-policy making director. This office will provide more efficient communications, including transmittal of documents and information, between Washington and the Regional Offices. The director of the office will have no authority over any field official, nor will he participate, except occasionally in an advisory or informal capacity, in the preparation of instructions to the field.~~

Deputy Regional Directors are expected to carry the main burden of administering the operations of programs assigned to them in the regional area. Regional Directors are expected to supervise and maintain surveillance over the broad spectrum of program activities for which they are responsible, but it will be patently impossible for a Regional Director to concern himself with the detailed supervision of all of the programs. He will have to concern himself rather with major problems, such as

problems of program relationships, problems having important public relations or political implications, and metropolitan area, locality, or project situations which require a judgment beyond the context of a single operating program. In general, the Regional Director will be expected to be able to deal with local officials in regard to their overall programs of housing and urban development in relation to the programs of the Department.

Another organizational objective of the Department will be to have representatives physically stationed in each of the major metropolitan centers who can represent the Department and all of its programs with some degree of authority.

Within the Departmental regional office structure, there will be an office or offices reporting to the Departmental Regional Director to assist him in reviewing and coordinating proposed program actions impinging on other program actions of the Department, and to advise and assist localities with problems involving a wide range of Departmental programs.

There will also be established in regional offices groups of specialists and generalists organized on a geographic area basis, who will be expected to be familiar with the housing and development situation in the cities and metropolitan areas within their geographic areas, and particularly with housing market problems and comprehensive planning objectives of the localities. All market

data available from any source in the Department, including comprehensive market analyses, will be furnished these offices, and common market interpretations will be supplied for application by all elements of the Department. These offices might also review and approve local comprehensive plans where such approval is a prerequisite to individual project actions in the various programs of the Department. Advice and assistance could thus be provided to representatives of cities in comprehensive metropolitan area planning and in market aspects of Departmental programs, as well as on the range of program assistance which can be made available to help cities attack housing and urban development problems.

The broad organizational pattern sketched above is suitable and readily achievable for all Departmental programs other than those of the FHA. In the case of the FHA, special circumstances must be taken into consideration.

FHA has no existing regional offices similar to those of other HHFA constituents which could readily be made a part of the Departmental regional pattern. FHA's "Zone Commissioners" to some extent supervise, and communicate with, FHA field offices, but they do so out of Washington and their activities do not extend in depth to many of the important programs carried out in the field. Similarly, the FHA's Multifamily Housing Representatives, although stationed in the field, perform technical or advisory functions on behalf of the Washington office of the Assistant FHA Commissioner for Multi-

family Housing. To an even greater extent than the Zone Commissioners, Multifamily Housing Representatives limit their activities to a part of the FHA's programs. Thus, neither the Zone Commissioners nor the Multifamily Housing Representatives are comparable to regional officers of the HHFA who have been responsible for public housing, urban renewal, community facility and FNMA programs.

The basic field office unit in the FHA is the insuring office, of which there are seventy-six. These local offices are thus not comparable to the other field offices of the HHFA, each of which has jurisdiction over several states.

Quite apart from the foregoing differences, there is a significant difference in the type of workload handled by FHA offices and other field or regional offices of the HHFA. The bulk of applications for mortgage insurance processed by FHA field offices relate to sales housing, both new and existing. Generally these applications are processed without necessity for inter-program coordination, or consideration of any other broad policy problems. That is to say, the bulk of the insurance processing in the FHA field offices is carried out in accordance with established technical and procedural instructions without need for policy supervision in the field above the level of the field office director.

For these reasons the proposed organization of the Departmental regional offices will not affect the bulk of the work of the FHA field offices. However, there are a number of important FHA functions

that are interrelated with other Departmental programs. They must be coordinated with those programs both as to policy and execution. To accomplish this coordination, there will be in each Departmental regional office a Deputy Regional Director for FHA matters. As in the case of other Deputy Regional Directors, he will be a member of the staff of the Regional Director. Under supervision of the Regional Director, he will perform supervisory functions in connection with those FHA matters requiring Departmental supervision and coordination. For example, these matters will include FHA's rent supplement program, Section 221(d)(3) below-the-market interest rate program, housing in urban renewal areas, urban renewal relocation housing, mortgage insurance for land development, assistance to those sales housing subdivisions large enough to be considered "new towns", and real property disposition where the property is large enough to warrant consideration for other program uses. Also, certain matters now referred by FHA field offices to Washington could be referred instead to the Deputy Regional Director.

Operations and activities of the types mentioned above must be integrated with Departmental field activities if many of the important FHA programs are to make the greatest possible contribution to desirable and orderly urban development. Yet even in the case of these limited classes of FHA operations, it is expected that review activities by the Deputy Regional Director will normally affect only a minority of applications handled by the FHA field offices. Also,

it is intended that regular processing of applications will remain a field office function, rather than a regional office function, even in the limited categories of cases that may be subjected to regional office review.

Position Paper II

ROLE OF REGIONAL REPRESENTATIVES IN THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

A. Background Considerations

The housing, planning, urban renewal, public works and other urban development programs of the Department of Housing and Urban Development are many; are complex; involve different forms of aid; require the exercise of varied professional skills; and provide assistance to diverse groups, including States and State agencies, municipalities and several types of special-purpose local public agencies, and many categories of builders, lenders and consumers. As a result, even at the narrowest local level where the programs are applied, their detailed administration cannot be turned over to small groups of generalists. Yet, all the programs of the Department are addressed to closely interrelated problems having their roots in rapid urban growth and urban decay, and unless generalists provide coordinated administration, there is bound to be duplication and financial waste. Even more important is the fact that uncoordinated local programs may actually conflict with, or negate, each other. Nor is it sufficient to achieve program policy coordination at the Washington and regional levels. While many of our communities have similar local problems requiring

generally similar solutions, the problems occur in uniquely local combinations and their solutions must be hammered out locally, utilizing appropriate Federal, State and local aids in varying combinations.

The pattern of organization of the Department's regional and field offices and the role of the Regional Representatives must thus reflect a delicate balance between the need for specialized administration of a large number of highly complex individual programs and the need for applying these programs in each locality in a coordinated manner and with full regard for peculiarly local conditions. A complicating factor which must be taken into account in striking this balance is the fact that the various programs administered by the Department of Housing and Urban Development need to be closely coordinated in each locality with programs of other Federal departments and agencies, particularly the Departments of Health, Education and Welfare, of Commerce, and of the Interior, and the Office of Economic Opportunity.

B. Place of the Regional Representatives in the Regional Office Structure

It is proposed that Regional Representatives be assigned to the Departmental Regional Offices. The Representatives will be expected to be familiar with the over-all housing and urban development situations in specific cities or metropolitan areas. Some of them will

be assigned to work in a single metropolitan area or large city, while others, traveling out of the Regional Office, will be assigned to work with groups of smaller towns or cities within a geographic area. In the early days of the Department, it is expected that a few Regional Representatives will be assigned to individual metropolitan areas, but the number of Representatives so assigned would gradually be increased at a rate depending on funding and on practical problems of recruitment and training. Eventually, there may be a Representative stationed in most of the 227 standard metropolitan statistical areas.

All the Regional Representatives, whether permanently stationed in a metropolitan area (or other large urban area) or traveling out of the Regional Office, would report to an Assistant or Deputy Regional Director who, under the supervision and direction of the Regional Director, would be responsible for certain important functions that cut across the Department's specific programs. This Assistant or Deputy Regional Director would have responsibilities, for the entire region, relating to comprehensive market analyses; comprehensive planning assistance; and the administration of the requirement governing some Departmental programs that the aided locality have a "workable program for community improvement". This Assistant or Deputy Regional Director would also be responsible for

reviewing and approving local comprehensive plans where such approval is a prerequisite to individual project actions in the various programs of the Department.

C. Functions of the Regional Representatives

It is proposed that the Regional Representative perform, with respect to the locality or localities to which he is assigned, the following separate, but closely related, functions:

(1) Comprehensive Planning Assistance. The President's Message to the Congress of March 2 on the "Problems and Future of the Central City and Its Suburbs" stated that the Regional Representative would "assist, where assistance is requested, in the development of metropolitan area plans". Under Section 701 of the Housing Act of 1954, Federal grants of $\frac{2}{3}$ (or in some cases $\frac{3}{4}$) of the cost of preparing comprehensive urban plans may be made to State, metropolitan and regional planning agencies. In addition to making the grant funds available, the Department is authorized to provide technical assistance for areawide metropolitan planning.

(2) Administration of Comprehensive Planning Requirements. Certain Federal grants and other financial aids, such as those for mass transportation, the provision of open spaces, and basic sewer and water facilities, are conditioned on a finding by the Department that the aided project is consistent with local comprehensive urban

plans or planning. Because the Regional Representative for the locality would be expected to be the Departmental official most familiar with over-all urban development problems and plans of the locality, he would have an important function in assisting the Regional Director in the administration of these important requirements.

(3) Approval of Workable Programs for Community Improvement. For reasons similar to those stated in item (2), the Regional Representative would have an important function in assisting the Regional Director in administering the "workable program" requirement under the Housing Act of 1949. That Act requires a locality to have an approved workable program for its own over-all community improvement in order to receive the benefits of Departmental aids for low-rent public housing or for urban renewal, including FHA mortgage insurance for urban renewal housing.

(4) Informational, Advisory and Liaison Functions. The Regional Representative would also perform general informational, advisory and liaison functions relating to the availability, processing, and coordination of Departmental program aids. He would in no sense be exercising any local governmental powers and his assistance would be given, as the President stated, when requested.

(5) Assistance With Respect to Programs of Other Federal Departments and Agencies. In addition to the need for coordinating the many interrelated programs administered by the Department, there is need for coordination, at the local level, among programs of the Department and programs of other Federal departments and agencies that importantly affect urban development and also of coordination among Federal, State and local programs. Regional Representatives can perform several functions that would be helpful in achieving such coordination.

First, the Representative should become generally familiar with all Federal, State and local programs available in the area that have an impact on urban development so that he may recognize their interrelationships. This will enable him to consult intelligently with other appropriate officials whenever necessary to the sensible exercise of his own responsibilities.

Second, the Regional Representative could assist local officials by calling to their attention the availability of aids administered by other agencies as well as the pitfalls involved in failures of coordination. Especially in the case of smaller communities, local officials will often find it helpful if the Regional Representative performs a clearinghouse informational service or referral service with respect to programs of other departments and agencies.

Third, where the Federal departments and agencies concerned have laid the appropriate foundation in Washington for cooperation under clear understandings as to divisions of responsibility and cross-delegations of authority, it may be possible for the Regional Representative to perform certain functions on behalf of other departments and agencies. This would be done in smaller communities where an unusual degree of interdepartmental cooperation is a useful device for stretching the limited, available Federal staff resources. It could also be done in larger communities where highly coordinated attacks are made on complex and closely interrelated urban problems. In neither case would the Regional Representative perform any function on behalf of another Federal department or agency except under clear delegation of authority from that department or agency. Such delegations could permit the Regional Representative to act as a liaison officer for other agencies with respect to some of their programs in the locality. For example, the Representative could furnish application forms and informational materials relating to programs of the other agency; could assist in filling out application forms; and could perform other expediting functions beyond the sphere of responsibility of the Department of Housing and Urban Development. The other departments and agencies would, of course, provide back-up assistance in the form of materials and instructions.

In effect, the Representative would be performing a limited "one-stop" service and a limited coordinating service on behalf of two or more Federal agencies. Without minimizing the important extent to which such services could be helpful both to small communities which are distant from most Federal offices and to large communities involved in a concerted attack on urban problems, it is nevertheless important to recognize the substantial limitations inherent in such services. One limitation arises from the complexity of Federal aid programs and the fact that enabling legislation and detailed regulations and procedures are often technical, voluminous, and subject to constant revision. Under these circumstances, it is not feasible for an agency to delegate very extensive responsibilities for a specific program, let alone several programs, to generalists on its own staff, let alone generalists on the staff of some other agency.

Secondly, quite apart from the necessarily limited scope of such delegations, there are intrinsic difficulties in achieving (solely through interdepartmental administrative devices) local, project-by-project coordination of numerous complex and interrelated urban development activities. These difficulties are briefly stated in the report of the Senate Committee on Government Operations on the legislation establishing the Department of Housing and Urban Development

(Sen. Report 536, 89th Cong., dated August 2, 1965). That report, at page 11, contains the following statement:

"Unless meaningful and effective comprehensive planning--whether federally aided or not--is being carried out by the locality itself, no amount of coordination by Federal agencies can achieve sensible local development. It is for this reason that the existence of appropriate comprehensive local plans has been made by the Congress a prerequisite for many forms of Federal development aid.

"During the time that an airport or a highway is in its preliminary planning stage, it is often too early to achieve meaningful coordination by relying on intergovernmental conferences involving perhaps 10 or more State and local agencies and 2 or 3 Federal agencies. The subject matter of the conference at this early planning stage is typically too indefinite to provide a basis for agreement among so many interested parties. After an airport or a highway is in a very advanced stage of planning, it is often too late to achieve coordination among numerous interested agencies by any means other than wasteful and time-consuming conflict. By then, much money has been spent on planning; deadline dates are approaching; and the pressures are too great to get on with breaking ground. Thus, a major tool for achieving sensible urban development will always be the coordination of planning for specific projects against a background of preexisting comprehensive planning carried on for the entire local area by the local officials themselves. Federal assistance to localities for such comprehensive local urban planning would be a function of the proposed new Department and a major device for coordinating local development projects, including many which receive aid under programs of other Federal departments and agencies."

In effect, the Committee Report suggests that coordination of Federally-aided urban development projects is most effectively furthered when interdepartmental liaison and expediting functions are exercised along with comprehensive planning functions.

It should perhaps be noted that the limited "one-stop" service described above bears only superficial resemblance to the broad

"one-stop" Federal service for municipalities that has often been recommended. Complete or nearly complete "one-stop" service is simply not feasible because the Federal Government's activities affecting urban areas are too many and too complex. For example, Federal airport responsibilities are properly vested in the Federal Aviation Agency because the primary purpose of the Federal aid and the major technical skills involved relate to air transportation, notwithstanding the important impact that airports have on urban development. Similarly, it is not feasible to administer the urban links of the Commerce Department's interstate highway system separately from the rest of the highway program or the urban aspects of HEW's air pollution program separately from the rest of that program. Indeed, if all the functions which in some important way relate to urban development were administered in depth by a single department, or by a single representative of several departments and agencies that department or representative would absorb such a miscellaneous grab bag of functions that it would merely give the appearance, but not the reality, of coordination.



Federal Housing Administration
Public Housing Administration
Federal National Mortgage Association
Community Facilities Administration
Urban Renewal Administration

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING AND HOME FINANCE AGENCY
OFFICE OF THE ADMINISTRATOR • WASHINGTON, D.C. 20410

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EXECUTIVE

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MEMORANDUM FOR:


Lee White
Special Counsel to the President
The White House

Subject: Department Interim
Order I

Immediately after our telephone discussion on the morning of November 9, a member of my staff called the Federal Register and secured assurance that the word "said" would be inserted in the reference to the Administrator in the Interim Order, as we had agreed. Copies of the Order distributed within the Department have accordingly contained this insertion.

You will note that the Order as published in the Federal Register of November 11, 1965, at page 14198 (copy attached), omitted this word. This was due to an error at the Federal Register.

I regret this error, but believe that it would be a mistake to insist on correction at this time by the Federal Register.


Milton P. Semer
Deputy Administrator
and General Counsel

Enclosure

FEDERAL REGISTER

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Federal Communications Commission
Federal Home Loan Bank Board
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Federal Power Commission
Federal Trade Commission
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Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show the exception under Schedule C of the position of Deputy Under Secretary for Transportation Research. Effective on publication in the FEDERAL REGISTER, subparagraph (37) is added to paragraph (a) of § 213.3314 as set out below.

§ 213.3314 Department of Commerce.

(a) *Office of the Secretary.* . . .

(37) One Deputy Under Secretary for Transportation Research.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] DAVID F. WILLIAMS,
Director, Bureau of Management Services.

[F.R. Doc. 65-12146; Filed, Nov. 10, 1965; 8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 19,479]

PART 545—OPERATIONS

Loans on Other Improved Real Estate NOVEMBER 5, 1965.

Resolved that, notice and public procedure having been duly afforded (30 F.R. 11974) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of § 545.6-1(c) of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.6-1(c)), and for the purpose of effecting such amendment, hereby amends said § 545.6-1(c) to read as follows, effective January 1, 1966.

§ 545.6-1 Lending powers under sections 13 and 14 of Charter K.

(c) *Other improved real estate.* Subject to the limitations of § 545.6-7, a Federal association may, if permitted by

the terms of its charter, make loans on other improved real estate, as defined in paragraph (a) of § 541.12, to the extent authorized by this paragraph (c):

(1) Any monthly installment loan may be made in an amount not exceeding 70 percent, and any loan repayable on any other plan may be made in an amount not exceeding 60 percent, of the value of such real estate, except that the maximum loan-to-value ratios for loans made under §§ 545.6-16 and 545.6-18 shall be the ratios provided in those sections.

(2) Any monthly installment loan shall be repayable in not more than 20 years and any loan repayable on any other plan shall be repayable in not more than 5 years but with interest payable at least semiannually, except that the maximum loan terms for monthly installment loans made under §§ 545.6-16 and 545.6-18 shall be the terms provided in those sections;

(3) Any insured loan may be made in such amount and may be repayable upon such terms and conditions as are acceptable to the insuring agency; and

(4) Any guaranteed loan at least 20 percent of which is guaranteed, and any guaranteed loan which does not exceed the amount that the association may otherwise lend plus the amount guaranteed, may be made and may be repayable upon such terms and conditions as are acceptable to the guaranteeing agency.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[F.R. Doc. 65-12147; Filed, Nov. 10, 1965; 8:48 a.m.]

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION [No. FSLIC-2,319]

PART 563—OPERATIONS

Re-Evaluation of Assets; Adjustment of Book Value; Adjustment Charges

NOVEMBER 5, 1965.

Resolved that, notice and public procedure having been duly afforded (30 F.R. 8972) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of Part 563 of the rules and regulations for insurance of accounts (12 CFR Part 563) as hereinafter set forth, and for the purpose of

effecting such amendment, hereby amends said Part 563 by the addition of a new section, § 563.17-2, to read as follows, effective December 13, 1965.

§ 563.17-2 Re-evaluation of assets; adjustment of book value; adjustment charges.

(a) *By insured institutions.* An insured institution shall appraise each parcel of real estate owned which is or becomes a scheduled item, except that the foregoing requirement shall not apply to any parcel of real estate that is sold and reacquired less than 12 months subsequent to the most recent appraisal made pursuant to this sentence. A dated, signed copy of each report of appraisal made pursuant to any provision of this paragraph (a) shall be retained in the institution's records.

(b) *By examiners.* In connection with each examination of an insured institution, the Board's examiner shall make such re-evaluation of such institution's assets (exclusive of insured or guaranteed loans) as he deems advisable or necessary. Any such re-evaluation of real estate shall be based on an appraisal as provided by § 563.17-1, except that re-evaluation of parcels of real estate that are similar in all essential respects may be based on an appraisal of one or more of such parcels.

(c) *Adjustment of book value.* If the re-evaluation of assets pursuant to paragraph (b) of this section discloses that any asset of an insured institution is over-valued on its books (exclusive of over-valuation due to fluctuations in value which are caused by changes in market interest rates), such institution shall, at the direction of the Supervisory Agent, make an adjustment of the book value of such asset; unless otherwise directed by the Supervisory Agent, such institution shall make such adjustment by establishing and maintaining a specific reserve in an amount equal to the over-valuation.

(d) *Adjustment charges.* Adjustment of the book value of an asset by an insured institution pursuant to any provision of this section may be made by charge against such institution's earnings for the period in which such charge is made, or against surplus, undivided profits, or reserves established for the sole purpose of absorbing losses. Any recovery of any portion of any amount previously charged against reserves established for the sole purpose of absorbing losses shall be credited to such reserves; such credit shall be in addition to all other required credits to such reserves. Any recovery of any portion of any amount previously charged against earnings shall be credited to earnings for the period in which such recovery

is effected. For the purposes of this paragraph (d), any charge against a specific reserve established pursuant to any provision of this section shall be deemed to be a recovery on an asset the book value of which was previously adjusted unless such charge is made for the purpose of concurrently writing down the book value of such asset.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR.,
Assistant Secretary.

[F.R. Doc. 65-12148; Filed, Nov. 10, 1965;
8:49 a.m.]

[No. FSLIC-2,320]

PART 570—BOARD RULINGS

Computation of Scheduled Items, Assets and Specified Assets

NOVEMBER 5, 1965.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amendment of Part 570 of the rules and regulations for insurance of accounts (12 CFR Part 570) as hereinafter set forth, and for the purpose of effecting such amendment, hereby amends said Part 570 as follows, effective December 13, 1965.

Part 570 is hereby amended by adding, immediately after § 570.7, a new § 570.8, to read as follows:

§ 570.8 Computation of scheduled items, assets and specified assets.

(a) Insurance Regulation 563.17-2 provides for the establishment of specific reserves in connection with the re-evaluation of assets of an insured institution.

(b) The amount of any specific reserve established to offset the overvaluation of any asset shall be deducted from the book value of the asset in determining scheduled items, assets and specified assets.

Resolved further that, since the aforesaid amendment contains only statements of general policy or interpretations of substantive rules adopted or formulated by the Board for the guidance of the public, the requirements of notice and public procedures set out in § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) and section 4(a) of the Administrative Procedure Act do not apply.

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR.,
Assistant Secretary.

[F.R. Doc. 65-12149; Filed, Nov. 10, 1965;
8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 63-SO-55]

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

Alteration of Control Zones and Designation of Transition Area

On July 27, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 9323) stating that the Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Fort Lauderdale, Fla., and Homestead, Fla., control zones and designate the Miami, Fla., transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable. The substance of the final rule is the same as that contained in the Notice except for three minor changes as follows: (a) In the Fort Lauderdale control zone the "134°" bearing is changed to "135°" due to a revision of the AL-744-ADF-1 approach to Fort Lauderdale; (b) in the Homestead control zone the "047°" radial is changed to "046°" and the "233°" radial is changed to "232°" due to revisions to several instrument approaches to Homestead AFB; and (c) in the 1,700-foot portion of the Miami transition area the coordinates shown for the Key West VOR are deleted. The Key West VOR will be moved on November 11, 1965, to a new position approximately a mile northwest of its present location.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., January 6, 1966, as hereinafter set forth.

1. In § 71.171 (29 F.R. 17581) the Fort Lauderdale and Homestead control zones are amended to read as follows:

FORT LAUDERDALE, FLA.

Within a 5-mile radius of Fort Lauderdale-Hollywood International Airport (latitude 26°04'25" N., longitude 80°09'10" W.); within 2 miles each side of the Fort Lauderdale VOR 079° radial, extending from the 5-mile radius zone to 10 miles E of the VOR; within 2 miles each side of the Fort Lauderdale VOR 278° radial, extending from the 5-mile radius zone to 8 miles W of the VOR; within 2 miles each side of the Fort Lauderdale VOR 306° radial, extending from the 5-mile radius zone to the INT of the Fort Lauderdale VOR 306° radial and the Miami, Fla. VORTAC 043° radial; within 2 miles each side of the 135° bearing from the Fort Lauderdale RBN, extending from the 5-mile radius zone to the RBN; excluding that portion within a 1.5-mile radius of Bradley Field Airport, Fort Lauderdale, Fla. (latitude 26°09'15" N., longitude 80°09'50" W.).

HOMESTEAD, FLA.

Within a 5-mile radius of the Homestead AFB (latitude 25°29'15" N., longitude 80°23'10" W.); within 2 miles each side of the Homestead VOR 046° radial, extending from the 5-mile radius zone to the VOR; within 2 miles each side of the Homestead ILS localizer SW course, extending from the 5-mile radius zone to the LOM; within 2 miles each side of the Homestead TACAN 232° radial, extending from the 5-mile radius zone to 7.5 miles SW of the TACAN; and within 2 miles each side of the Homestead ILS localizer NE course, extending from the 5-mile radius zone to 6 miles NE of Homestead AFB.

2. Section 71.181 (29 F.R. 17643) is amended by adding the following transition area:

MIAMI, FLA.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Miami International Airport (latitude 25°47'35" N., longitude 80°17'10" W.); within 5 miles S and 8 miles N of the Miami Runway 9-L ILS localizer W course, extending from the airport to 12 miles W of the Runway 9-L ILS LOM; within 5 miles N and 8 miles S of the Miami Runway 27-L ILS localizer E course, extending from the airport to 12 miles E of the Runway 27-L ILS LOM; within 5 miles S and 8 miles N of the Runway 9-L ILS localizer E course, extending from the airport to 12 miles E of the INT of Runway 9-L ILS localizer E course and the Biscayne Bay VOR 351° radial; within 2 miles each side of the Miami VORTAC 139° radial, extending from the 7-mile radius area to the VORTAC; within a 4-mile radius of the Tamiami Airport, Fla. (latitude 25°45'15" N., longitude 80°22'35" W.); within a 6-mile radius of Opa Locka Airport, Fla. (latitude 25°54'25" N., longitude 80°16'40" W.); within 2 miles each side of the Miami VORTAC 108° radial, extending from the 6-mile radius area to the VORTAC; within a 7-mile radius of Fort Lauderdale-Hollywood International Airport (latitude 26°04'25" N., longitude 80°09'10" W.); within 2 miles each side of the 315° bearing from the Fort Lauderdale RBN, extending from the 7-mile radius area to 8 miles NW of the RBN; within a 7-mile radius of Homestead AFB (latitude 25°29'15" N., longitude 80°23'10" W.); within 2 miles each side of the Homestead ILS localizer NE course, extending from the 7-mile radius area to 2 miles NE of Homestead AFB; that airspace extending upward from 1,200 feet above the surface within a 50-mile radius of Miami International Airport; that airspace south of Miami extending from the 50-mile radius area bounded on the E and S by V-35, and on the W by V-3; that airspace NW of Miami extending from the 50-mile radius area bounded on the W by V-97, on the N by V-492 S alternate, and on the E by V-267; that airspace extending upward from 1,700 feet above the surface bounded by a line beginning at the INT of the eastern edge of V-225 E alternate and the western edge of V-35, thence S along the eastern edge of V-225 E alternate to the INT of a 35-mile radius arc centered at the Key West VOR, thence clockwise along the 35-mile arc to the northwestern edge of V-51/V-157, thence NE along the northwestern edge of V-51/V-157 to the INT of a 50-mile radius arc centered at Miami International Airport, thence clockwise along the 50-mile radius arc to the W edge of V-35 W alternate, thence NW along the western edge of V-35 W alternate

and V-35 to the point of beginning; and that airspace NW of Miami bounded on the N by V-7, on the SW by V-35, and on the E by V-157 W alternate; excluding the portion within W-173.

(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 November 4, 1965.

JAMES L. LAMPL,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-12106; Filed, Nov. 10, 1965;
8:45 a.m.]

[Docket No. 7013; Amdt. 151-9]

PART 151—FEDERAL AID TO AIRPORTS

Labor Protective Provisions; Fringe Benefit Requirements

The purpose of this amendment is to revise paragraph A(4) of Appendix H of Part 151 of the Federal Aviation Regulations to conform it to recently amended § 5.5(a) (1) (iv) of the regulations of the Secretary of Labor (30 F.R. 13136), effective October 15, 1965.

Appendix H of Part 151 sets forth the contract provision required by the regulations of the Secretary of Labor. Section 151.49(a) requires sponsors to insert this provision in full in each construction contract. Paragraph A(4) of Appendix H pertains to "Fringe Benefit Requirements" and reflects § 5.5(a) (1) (iv) of the regulations of the Secretary of Labor.

The procedural and effective date requirements of section 4 of the Administrative Procedure Act do not apply to this amendment because it is within the exception in that section relating to public grants, benefits and contracts.

This amendment is made under the authority of the Federal Airport Act, as amended (49 U.S.C. 1101-1120), and Part 5 of Title 29 of the Code of Federal Regulations. It is adopted by the Director, Airports Service, Federal Aviation Agency, under authority delegated in § 151.49(a) of Part 151 of the Federal Aviation Regulations.

In consideration of the foregoing, paragraph A(4) of Appendix H of Part 151 of Chapter I of Title 14 of the Code of Federal Regulations is amended, effective November 11, 1965, to read as follows:

(4) If the contractor does not make payments to a trustee or other third person, he may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing benefits under a plan or program of a type expressly listed in the wage determination decision of the Secretary of Labor which is a part of this contract: *Provided, however,*

The Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

Issued in Washington, D.C., on November 3, 1965.

COLE MORROW,
Director, Airports Service.

[F.R. Doc. 65-12107; Filed, Nov. 10, 1965;
8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. No. ER-447]

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

Reporting of Revenue Plane Mileage Flown by Scheduled Carriers in Charter and Special Service Operations

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of October 1965.

The Board has published in 30 F.R. 7251 and circulated to the industry in EDR-83, dated May 25, 1965, Docket 16186, a notice of proposed rule making which proposed additional reporting requirements for certificated air carriers. The explanatory statement in the notice sets forth the reasons for the amendment at length. Briefly, they are that by requiring the route carriers to report the details concerning their charter and special service operations in a manner similar to that now supplied by supplemental carriers, the Board would obtain the overall view of the charter market which it requires in order to cope with the problems arising from the enactment of P.L. 87-528, 76 Stat. 143, which authorizes the certification of the supplemental carriers as charter operators, and grants all-cargo carriers the right to conduct passenger charters subject to regulation. Additionally, the report now required by the amendment will provide the Board with precise information, which it now lacks, to police the Part 207 volume limitation upon the charter operations of the scheduled route carriers.

Industry comments on the notice of proposed rule making were filed by two carriers. United Air Lines, Inc., suggested that the reporting requirements with respect to operations between certificated points be clarified so as to insure that they pertain solely to the points authorized in the certificate of the reporting carrier. In order to remove any possibility of ambiguity, United's suggestion has been adopted.

Cordova Airlines, Inc., has recommended that the regulation be amended so as to be inapplicable to intra-Alaskan air carriers, stating that these carriers are not subject to Part 207 (14 CFR Part 207). However, this recommendation overlooks the fact that the present reporting requirement is designed to obtain industrywide charter operations statistics and that the omission of the charter operations of intra-Alaskan carriers would detract from the overall view of the charter market. For this reason we are not adopting Cordova's suggestion.

We have also determined to make additional modifications in the proposed rule primarily for the purposes of clarification. Thus, with reference to a flight involving both certificated and noncertificated points, we have included an explanation in the instruction for filling out Schedule T-41 that those portions of the flight should be considered mileage between certificated points which are represented by (1) on-loading or off-loading at a certificated point, and then (2) off-loading at a certificated point subsequently reached, so long as there is no off-loading at intermediate noncertificated points. Other mileage on such flights is not between certificated points. We have also provided for separate reporting of paid ferry mileage as a component of revenue aircraft miles in Schedule T-41 although such mileage is not, strictly speaking, part of revenue aircraft mileage. We have done so because separate itemization of paid ferry mileage insures that a paid empty ferry leg on-route cannot be used to enlarge the route carrier's 2-percent allotment of off-route mileage, and that an empty ferry leg off-route will not use up part of the route carrier's allowable off-route mileage. We have also provided for the separate reporting of flights between foreign noncertificated points to insure that such flights will not exhaust part of the route carrier's allowable off-route mileage.

Accordingly, the Board hereby amends Part 241 of the Economic Regulations (14 CFR Part 241), effective December 13, 1965,¹ as follows:

1. By amending paragraph (a) of Section 22 by inserting into the list of schedules a line for new Schedule T-41 "Charter and Special Service Revenue Aircraft Miles Flown," after Schedule T-5 and before Schedule G-41, to read as follows:

Section 22 General reporting instructions.

(a) . . .

¹ Under the revised regulation, the first Schedule T-41, covering the calendar year 1965, shall be filed along with the other annual schedules 90 days after the close of the year.

Schedule No.		Filing	
		Frequency	Postmark interval (days)
T-5.....	Monthly Listing of Summarized Passenger Loads by Flight Stages—Local Service Air Carriers.	Monthly.....	(7)
T-41.....	Charter and Special Service Revenue Aircraft Miles Flown.	Annually.....	90
G-41.....	Persons Holding More Than 5 Per Centum of Respondent's Capital Stock or Capital.	do.....	90

2. By amending paragraph (a) of "General Instructions" in section 25 and by inserting after the full text of "Schedule T-5 Monthly Listing of Summarized Passenger Loads by Flight Stages—Local Service Air Carriers" language under the heading of "Schedule T-41 Charter and Special Service Revenue Aircraft Miles Flown" to read as follows:

Section 25 Traffic and capacity elements.

General instructions. (a) The prescribed reporting for traffic and capacity elements is designed to reflect, on a uniform basis, the physical factors relating to air transport operations as actually conducted. Schedules T-1 through T-41, reflecting traffic carried, capacity operated and other operating statistics, correlate similar information for the various services regardless of the schedule on which reported. The four-letter codes used on Schedules T-1, T-2 and T-3 are systematically assigned for each item of information to facilitate use of the data irrespective of the schedule in which they appear. Thus, the first digit of the four-letter code denotes basic class of service; for example, 1xxx indicates scheduled First-Class Services, 2xxx Scheduled Coach Services, 8xxx Nonscheduled Services and 9xxx All Services. The second digit denotes the basic operating element involved; for example, x0xx indicates passenger count, x1xx passenger-miles and x9xx unclassified. The last two digits denote the particular detailed operating element involved; for example, xx11 indicates first-class passengers/passenger seats, xx18 nonrevenue passengers, and xx31 through xx53 nonpassenger revenue traffic classes.

Schedule T-41 Charter and Special Service Revenue Aircraft Miles Flown

(a) This schedule shall be filed by each route air carrier.

(b) A complete report shall be made on this schedule for the overall or system operations conducted by the air carrier during the calendar year.

(c) Total charter and special service revenue aircraft miles flown by the reporting air carrier during the calendar year shall be reflected in this schedule by combination carriers and all-cargo carriers in the sections provided therefor, respectively. Such data shall be broken down to reflect revenue aircraft miles flown for the Department of Defense and for all other customers.

(d) The revenue aircraft miles flown for the Department of Defense and for

all other customers, moreover, shall be broken down to reflect operations between certificated points of the reporting carrier and operations not between certificated points of the reporting carrier. Include under these headings revenue aircraft miles flown under exemption authority. (When a flight involves both certificated and noncertificated points, that portion or portions of the flight which are represented by (1) on-loading or off-loading at a certificated point, and then (2) off-loading at a certificated point subsequently reached shall be considered revenue aircraft mileage between certificated points: *Provided*, That there is no off-loading at any intermediate non-certificated point. All other revenue aircraft miles flown on such a flight shall be considered as mileage not between certificated points.) Under the heading of operations between certificated points the reported data shall reflect revenue aircraft miles involving (1) passengers exclusively; (2) cargo exclusively; (3) passengers and cargo jointly; and (4) paid ferry mileage. Under the heading of operations not between certificated points the reported data shall reflect revenue aircraft miles involving (1) passengers exclusively; (2) cargo exclusively; (3) passengers and cargo jointly; (4) paid ferry mileage; and (5) flights between foreign points. In the case of charters performed for the Department of Defense by an all-cargo carrier between its certificated points, the passenger legs of trips on which the legs in the other direction involved transportation of cargo shall be shown separately as a subtotal. Also, in the case of an all-cargo carrier, cargo charter revenue aircraft miles flown which are not between points certificated to such carrier shall be broken down to reflect those within and those outside the carrier's "area of operations" as defined in § 207.6 of the Board's Economic Regulations. In the event special services are performed by any reporting carrier, the revenue aircraft miles in such services shall be separately identified.

4. By deleting from Schedule T-3 of CAB Form 41,³ herein incorporated by reference, Item 9969 reading "Revenue aircraft miles flown off-route (non-scheduled)."

(Secs. 204, 407, Federal Aviation Act of 1958, 72 Stat. 743, 766; 49 U.S.C. 1324, 1377)

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

³ Filed as part of the original document.

By the Civil Aeronautics Board.

[SEAL]

HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 65-12138; Filed, Nov. 10, 1965;
8:48 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Subtitle A—Department of Housing and Urban Development

[Department Interim Order I]

CONTINUITY OF FUNCTIONS

The heading of Subtitle A of Title 24 is amended to read as set forth above.

Pending the appointment of a Secretary of Housing and Urban Development, this Interim Order I is issued to provide, until changed by appropriate authority, for continuity of functions.

1. **Nomenclature changes.** Reference to the "Housing and Home Finance Administrator" or "Administrator" appearing in a rule, regulation, order, authorization, delegation, or other action continued in effect under section 9(c) of Public Law 89-174 shall hereafter be deemed to refer to the Administrator in the Department of Housing and Urban Development pending the appointment of the Secretary.

2. **Certain offices or positions and organizational units; delegation of authority.** The offices or positions and organizational units in the Department shall include:

Office or position	Respective organizational unit
Federal Housing Commissioner.	Federal Housing Administration.
Public Housing Commissioner.	Public Housing Administration.
Community Facilities Commissioner.	Community Facilities Administration.
Urban Renewal Commissioner.	Urban Renewal Administration.
The Board of Directors and the President of the Federal National Mortgage Association.	Federal National Mortgage Association.

Each officer or employee appointed to, or designated to act in, the office or position listed immediately above and each organizational unit so listed is hereby authorized to exercise the functions, powers, and duties vested in, or delegated or assigned to, the office or position or officer or employee or organizational unit having the same title immediately prior to the effective date of the Act, and to redelegate and authorize successive delegations of such authority to the extent empowered under authority vested, delegated, or assigned immediately prior to the effective date of the Act.

3. **Applicability of rules, regulations, orders, authorizations, delegations, or other actions continued in effect.** Subject to paragraph 2, a reference in a rule, regulation, order, authorization, delega-

tion, or other action continued in effect under section 9(c) of the Act to an office or position, officer or employee, or organizational unit (including board or committee) shall be deemed to refer to the office or position, officer or employee, or organizational unit having the same title in the Department.

4. *Conclusive evidence of authority.* Any instrument or document, including an instrument purporting to transfer any right, title, or interest in or to real or personal property, executed by an officer or employee of the Department under the authority of this order shall be conclusive evidence of the authority of such officer or employee to execute such instrument or document.

5. *Custody of and accountability for assets and liabilities.* The assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations or allotments, or other funds referred to in section 7(a) of Public Law 89-174 shall be in the custody and subject to the accountability of the office or position, officer or employee, or organizational unit, responsible for such custody and accountability immediately prior to the effective date of the Act.

Effective as of the 9th day of November 1965.

ROBERT C. WEAVER,
Housing and Home
Finance Administrator.

[F.R. Doc. 65-12154; Filed, Nov. 9, 1965;
4:00 p.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Miscellaneous Amendments

The regulations of the Post Office Department are amended as follows:

In § 168.5 *Individual country regulations*, make the following changes:

I. In "El Salvador (Republic of)", under Postal Union Mail, the item *Prohibitions* is amended to prohibit the importation of jewelry and other precious articles. As so amended, the item reads as follows:

Postal Union Mail

Prohibitions. Banknotes. Coins of gold and silver, jewelry, precious stones, and other precious articles.

Articles prohibited as parcel post are prohibited in the postal union mail.

II. In "Algeria" make the following changes to show that watches are now prohibited in both incoming parcel post and postal union mail:

A. Under Postal Union Mail, the item *Prohibitions and import restrictions* reads as follows:

Postal Union Mail

Prohibitions and import restrictions. Same as France. Watches are prohibited.

B. Under Parcel Post, under the item *Prohibitions and import restrictions*, a new second paragraph is inserted between the present first and second paragraphs. As so added, the new second paragraph reads as follows:

Parcel Post

Prohibitions and import restrictions.

Watches are prohibited.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

HARVEY H. HANNAH,
Acting General Counsel.

[F.R. Doc. 65-12129; Filed, Nov. 10, 1965;
8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3863]

[Anchorage 062764]

ALASKA

Partial Revocation of Executive Order No. 1919½ of April 21, 1914, and Executive Order No. 2242 of August 31, 1915

By virtue of the authority vested in the President by section 1 of the Act of March 12, 1914 (38 Stat. 305; 48 U.S.C. 303), and pursuant to Executive Order 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Executive Order No. 1919½ of April 21, 1914, which withdrew lands for townsite purposes, and Executive Order No. 2242 of August 31, 1915, which withdrew lands in Alaska for townsite and other purposes in connection with the construction and operation of railroad lines, are hereby revoked so far as they affect the following described lands:

ANCHORAGE TOWNSITE, EASTERN ADDITION
Block 23, lots 1 and 2, 7 to 10, inclusive;
Block 24, lots 4 to 6, inclusive.

The areas described aggregate 63,000 square feet.

2. Until 10 a.m. on February 5, 1966, the State of Alaska shall have a preferred right to select the lands in accordance with the Act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339) and the regulations in 43 CFR 2222.9 (formerly 43 CFR Part 76).

3. This order shall not otherwise become effective to change the status of the lands until 10 a.m. on February 5,

1966. At that time they shall be open to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable laws. All valid applications received at or prior to 10 a.m. on December 11, 1965, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands shall be addressed to the Manager, Anchorage District and Land Office, Bureau of Land Management, Anchorage, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

NOVEMBER 5, 1965.

[F.R. Doc. 65-12121; Filed, Nov. 10, 1965;
8:46 a.m.]

[Public Land Order 3864]

[Oregon 013158]

OREGON

Powersite Modification No. 441, Umpqua River, Oregon, To Permit Grant of Right-of-Way

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in the Act of June 9, 1916 (39 Stat. 218), it is ordered as follows:

The Executive Orders of June 4, 1912, and July 24, 1917, creating Powersite Reserves No. 280 and No. 633, respectively, and the Departmental Order of July 13, 1917, establishing Waterpower Designation No. 11, are hereby modified to the extent necessary to permit the grant of a right-of-way of varying widths but not exceeding 200 feet in any part thereof over the following described lands, to Douglas County, under section 2477, U.S. Revised Statutes (43 U.S.C. 932), for construction of a highway as shown on a map on file with the Bureau of Land Management under Oregon 013158 as a part of the application by the County:

WILLAMETTE MERIDIAN

T. 25 S., R. 7 W.,
Sec. 5, lot 2;
Sec. 6, lot 1.

The lands are described in favorable determination DA-513-Oregon of the Federal Power Commission issued August 23, 1965. As provided by the Commission allowance of the right-of-way shall be subject to the right of the United States, its permittees, or licensees to enter upon, occupy and use any part or all of the subject lands for purposes of power development.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

NOVEMBER 5, 1965.

[F.R. Doc. 65-12122; Filed, Nov. 10, 1965;
8:46 a.m.]

Title 47—TELECOMMUNICATION**Chapter I—Federal Communications Commission**

[FCC 65-992]

PART 18—INDUSTRIAL, SCIENTIFIC, AND MEDICAL EQUIPMENT**Certification Regarding Operation**

Order. 1. The Commission¹ having under consideration the amendment of § 18.112 of its rules concerning the certification of industrial heating equipment; and

2. It appearing, that § 18.112 provides that in the case of a corporation the certification required in Part I of FCC Form 724 shall be executed by an officer or an authorized employee, but if executed by an authorized employee, an officer shall execute Part II of the certificate; and

3. It further appearing, that the signature requirements of § 18.112 have proved cumbersome for corporations whose officers may not be located near the facility where the industrial heating equipment is being installed; and

4. It further appearing, that an amendment of § 18.112 to permit Part II of FCC Form 724 to be signed either by an officer or any party having authority to bind the corporation would relieve corporations of the cumbersome signature requirements of the present rule, while assuring the Commission of a binding certification; and

5. It further appearing, that the amendments adopted herein pertain to Commission procedure and practice, and hence the notice and effective date requirements of section 4 of the Administrative Procedure Act are not applicable; and

6. It further appearing, that the amendments adopted herein are issued pursuant to authority contained in section 4(i) and 303(r) of the Communications Act of 1934, as amended:

7. *It is ordered*, Effective November 12, 1965, that § 18.112 of the Commission's rules is amended to read as follows:

§ 18.112 Certification regarding operation.

The certification required in Part I of FCC Form 724 shall be executed by the owner or lessee of the equipment, in the case of a proprietorship; by one of the partners, in the case of a partnership; or by an officer or authorized employee, in the case of a corporation. If Part I is signed by an authorized employee, Part II shall be executed either by an officer or a party with respect to whom there is on file with the Commission a letter from an officer of the corporation authorizing that party to execute Part II of FCC Form 724.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

¹ Commissioner Hyde absent.

RULES AND REGULATIONS

Adopted: November 3, 1965.

Released: November 8, 1965.

[SEAL]

BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-12141; Filed, Nov. 10, 1965;
8:48 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****Upper Souris National Wildlife Refuge, N. Dak.**

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.**NORTH DAKOTA****UPPER SOURIS NATIONAL WILDLIFE REFUGE**

Sport fishing on the Upper Souris National Wildlife Refuge, N. Dak., is permitted only on the areas designated by signs as open to fishing. These open areas comprise 7,000 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from December 15, 1965, through March 27, 1966, daylight hours only.

(2) The use of minnows or fish, or parts thereof, for bait is not permitted north of the Lake Darling dam.

(3) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through March 27, 1966.

JOHN M. DAHL,
Refuge Manager, Upper Souris
National Wildlife Refuge,
Foxholm, N. Dak., 58738.

NOVEMBER 1, 1965.

[F.R. Doc. 65-12119; Filed, Nov. 10, 1965;
8:46 a.m.]

PART 33—SPORT FISHING**Hagerman National Wildlife, Tex.**

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.**TEXAS****HAGERMAN NATIONAL WILDLIFE REFUGE**

Sport fishing including frog gigging on the Hagerman National Wildlife Refuge, Tex., is permitted April 1 through September 30, 1966, inclusive, only on areas designated by signs as open to fishing. These open areas, comprising 2,900 acres, are delineated on maps available at refuge headquarters, Sherman, Tex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex., 87103. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulations supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 30, 1966.

FRED L. BOLWAHN,
Refuge Manager, Hagerman
National Wildlife Refuge,
Sherman, Tex.

OCTOBER 28, 1965.

[F.R. Doc. 65-12120; Filed, Nov. 10, 1965;
8:46 a.m.]

Title 16—COMMERCIAL PRACTICES**Chapter I—Federal Trade Commission**

[Docket 8627o.]

PART 13—PROHIBITED TRADE PRACTICES**Bear Sales Co. and E. Robert Baer**

Subpart—Using, selling, or supplying lottery devices: § 13.2475 *Devices for lottery selling*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Bear Sales Co., et al., Chicago, Ill., Docket 8627, July 8, 1965]

Order requiring a Chicago mail-merchandising firm to desist from furnishing its customers pushcards and other devices to be used in selling its merchandise to the public by means of a game of chance, gift enterprise, lottery scheme, chance, or gaming device, or selling or otherwise disposing of any merchandise by such means.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered That respondent Bear Sales Co., a corporation, and its officers, and respondent E. Robert Baer, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device,

in connection with the offering for sale, sale, or distribution of any merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Supplying to or placing in the hands of others, push cards or any other device designed or intended to be used in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise, lottery scheme, chance, or gaming device.

2. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise, lottery scheme, chance, or gaming device.

It is further ordered, That the initial decision of the hearing examiner, as modified, be, and it hereby is, adopted as the decision of the Commission.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist contained herein.

Issued: July 8, 1965.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 65-12118; Filed, Nov. 10, 1965;
8:46 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Use of the Word "Chamois"

§ 15.1 Use of the word "chamois."

Any use of the word "chamois" in conjunction with a product not made from (a) the skin of the Alpine antelope or (b) sheepskin fleshers which have been oil-tanned after removal of the grain layer is unlawful and a deceptive act or practice in commerce.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

The Commission was requested to express an opinion concerning the legality of describing unsplit sheepskin as "Chamois-like Sheepskin" or "Chamois-type Sheepskin" on the basis, it is claimed, that the product looks and feels

like chamois leather, and possesses the same qualities as the genuine product.

This problem has been before the Commission in different forms on several occasions. In each instance the Commission has taken the position that it will prohibit the branding or labeling of leather products as "Chamois," "Chamois Type" or "Chamois Like" unless such products are made, (a) from the skin of the Alpine antelope, commonly known and referred to as Chamois, or (b) from sheepskin fleshers which have been oil-tanned after removal of the grain layer.

The word "chamois" has its origin in the common name of a small goatlike Alpine antelope whose skin was made into a soft, pliable leather used in the manufacture of gloves, and for polishing such articles as glass, jewelry, fine metals and wood. It possessed the additional feature of absorbing water readily and returning, when dry, to its original state of softness and pliability. The animal became virtually extinct for commercial purposes about 1890 and since that time the word acquired a secondary meaning after being widely used commercially to designate certain leathers produced from split sheepskin fleshers.

The necessity for splitting sheepskin is to remove the impervious grain layer so as to make the underside more receptive to tanning. Since the two layers do not react at the same rate, should an amount of the grain layer remain the skin will not stretch uniformly and will eventually rip and crumble. In any event, irrespective of the relative merits of the many processes which may be employed to produce the leather, the fact remains that the grain layer must be separated from the sheepskin flesher in order that an acceptable chamois will result. This requirement the requesting party's product does not fulfill.

The claim that the subject product is equal in all respects to genuine chamois is not true, since the grain layer has not been removed. The genuine product has become firmly established in industry and elsewhere as herein defined, and such product is what the public is entitled to get when it purchases chamois even though the choice may be dictated by caprice or fashion, or perhaps by ig-

norance. The fact that the product is equal or will serve substantially the same purpose is wholly immaterial. *F.T.C. vs. Algoma Lumber Co.*, 291 U.S. 67, 78. To the same effect see *Benton Announcements, Inc., vs. F.T.C.*, 130 F. 2d 254.

The question posed herein is whether the word chamois might be a permissible designation for the subject product if qualifying terms as "like" or "type" were added. Use of the word in any manner is a representation that the product is that which has traditionally been sold as chamois and so accepted by the public after years of buying experience. Although the ordinary purchaser may not know how chamois is made, he is entitled to believe that the particular product sold under that name is in fact a chamois as it is understood in the industry, and such implication cannot be offset by qualifying words. After reading both, an ordinary consumer would still not know the truth about the product without resort to specialized information. In other words, the capacity and tendency to deceive through any other application of the word chamois would continue to exist.

The requesting party was advised that the definition of chamois has become firmly established in law, in industry, and in the public's mind to mean nothing less than those leather products made from the skin of the Alpine antelope or from the fleshers of sheepskin which have been oil-tanned after removal of the grain layer and that any other use of the word, whether or not modified by qualifying language, to describe leather made by other or incomplete processes would serve only to dilute its accepted meaning and would not be in the general public interest. Consequently, to label the subject product in the manner contemplated would be a deceptive practice and subject the requesting party to a charge of violation of section 5, Federal Trade Commission Act.

By direction of the Commission.

Dated: November 8, 1965.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 65-12133; Filed, Nov. 10, 1965;
8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1.1]

INCOME TAXES

Consolidated Returns; Hearing

The proposed amendment to the regulations under section 1502 of the Code, relating to Consolidated Returns, was published in the FEDERAL REGISTER for October 1, 1965.

A public hearing on the provisions of this proposed amendment to the regulations will be held starting on Wednesday, December 8, 1965, at 10 a.m., and continuing if necessary on December 9, and 10. The hearing will be held in Room 43, Smithsonian Institution, Natural History Building, 10th and Constitution Avenue NW., Washington, D.C.

Persons who plan to attend the hearing are requested to notify the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C., 20224, by December 3, 1965. Telephone (Washington, D.C.) 964-3970.

[SEAL]

PAUL F. SCHMID,
Acting Director,

Legislation & Regulations Division.

[F.R. Doc. 65-12206; Filed, Nov. 10, 1965;
8:49 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 19,480]

FEDERAL SAVINGS AND LOAN SYSTEM

Operations; Loans in Excess of 80 Percent of Value

NOVEMBER 5, 1965.

Resolved that, pursuant to Part 508 of the general regulations of the Fed-

eral Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that § 545.6-1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.6-1) be amended by an amendment, the substance of which is as follows:

Amend subdivisions (v), (vi), and (vii) of subparagraph (4) of paragraph (a) of § 545.6-1 to read as follows:

§ 545.6-1 Lending powers under sections 13 and 14 of Charter K.

(a) *Homes or combination of homes and business property.* . . .

(4) *Loans in excess of 80 percent of value.* . . .

(v) The borrower, including a purchaser defined as a borrower in the proviso clause of subdivision (x) of this subparagraph, has executed, not earlier than the date on which the security instrument securing the loan is executed and, except as provided by subdivision (x) of this subparagraph, not later than the date on which any disbursement on the loan is made, a certification in writing stating (a) the purpose for which the loan is sought and, if for the purpose of enabling the borrower to purchase the security property, the name of the vendor or vendors; (b) that no lien or charge upon such property, other than the lien of the association or liens or charges which will be discharged from the proceeds of the loan, has been given or executed by the borrower or has been contracted or agreed to be so given or executed; and (c) that the borrower is actually occupying the property as a dwelling or that the borrower in good faith intends to do so;

(vi) If the loan is sought or assumed for the purpose of enabling a purchaser to acquire the security property, the vendor or vendors have executed, not earlier nor later than the dates specified in subdivision (v) of this subparagraph, a certification in writing stating that no lien or charge upon such property, other

than the lien of the association or liens or charges which will be discharged from the proceeds of the loan, has been given or executed to the vendor or vendors by the purchaser or has been contracted or agreed to be so given or executed;

(vii) If the loan is sought or assumed for the purpose of enabling a purchaser to acquire the security property, the purchaser and the vendor or vendors have jointly executed, prior to approval of the loan, a certification in writing stating (a) the purchase price of the security property and the items comprising such price and (b) that there is outstanding a contract or agreement between the vendor or vendors and the purchaser that the security property will be conveyed to the purchaser;

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than December 1, 1965, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] GREENVILLE L. MILLARD, JR.,
Assistant Secretary.

[F.R. Doc. 65-12150; Filed, Nov. 10, 1965;
8:49 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

[Notice No. 842]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

NOVEMBER 5, 1965.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR 1.247), published in the *FEDERAL REGISTER*, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the *FEDERAL REGISTER*. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 200 (Sub-No. 209), filed October 29, 1965. Applicant: RISS & COMPANY, INC., Temple Building, 903 Grand Avenue, Kansas City, Mo. Applicant's representative: Ivan E. Moody, 1111 Scarritt Building, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular

routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, live poultry, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving Winchester, Ind., as an off-route point in connection with applicant's regular route operations between Kingdom City, Mo., and New York City, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 1540 (Sub-No. 16), filed October 29, 1965. Applicant: J. D. LEONARD, INC., 232 North George Street, York, Pa. Applicant's representative: Basil A. Shorb, 101 East Market Street, York, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furniture and bedding*, in less than truck load shipments, from points in York County, Pa., to points in Ohio, Michigan, New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Delaware, Maryland, Virginia, West Virginia, Pennsylvania, and District of Columbia, and *refused, damaged, and rejected merchandise*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at York, Pa.

No. MC 2202 (Sub-No. 285), filed October 27, 1965. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Akron, Ohio. Applicant's representative: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Worcester, Mass., and Providence, R.I., from Worcester over Massachusetts Highway 146 to the Massachusetts-Rhode Island State line, thence over Rhode Island Highway 146 to Providence and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 3560 (Sub-No. 23), filed October 28, 1965. Applicant: GENERAL EXPRESSWAYS, INC., 1205 South Platte River Drive, Denver, Colo., 80223. Applicant's representative: Ken Wolford, 1205 South Platte River Drive, Denver, Colo., 80223. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, com-

modities in bulk, and those requiring special equipment), between junction U.S. Highway 6 and Ohio Highway 192 approximately 2 miles east of Edgerton, Ohio, and junction U.S. Highway 6 and U.S. Highway 20 at or near Fremont, Ohio, over U.S. Highway 6, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations, and serving the junction of U.S. Highway 6 and U.S. Highway 20 for joinder only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 8948 (Sub-No. 65), filed October 25, 1965. Applicant: WESTERN GILLETTE, INC., 2550 East 28th Street, Los Angeles, Calif. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives (other than explosives, incendiary, gas, smoke, or tear-producing ammunition), and except livestock, articles of unusual value, household goods as defined by the Commission, bulk commodities, and commodities requiring special equipment), (1) between Freeport and Texas City, Tex.; from Freeport over Texas Farm-To-Market Road 1561 to junction Texas Highway 6 at or near Hitchcock, Tex., thence over Texas Farm-To-Market Road 519 to junction Texas Highway 341, thence over Texas Highway 341 to junction Loop 197, and thence over Loop 197 to Texas City, and return over the same route, serving all intermediate points, and (2) between Freeport and Galveston, Tex.; (a) from Freeport over Texas Farm-To-Market Road 1561 to junction Texas Highway 6 at or near Hitchcock, Tex., thence over Texas Highway 6 to junction U.S. Highway 75, and thence over U.S. Highway 75 to Galveston, and return over the same route, serving all intermediate points, and (b) over County Road 257 (commonly known as San Luis Beach Road), serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 10928 (Sub-No. 51), filed October 25, 1965. Applicant: SOUTHERN-PLAZA EXPRESS, INC., 175 Linfield Drive, Menlo Park, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Freeport and Texas City, Tex., from Freeport over Texas Highway 288 to junction Texas Farm-To-Market

¹ Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

Road 1561, thence over Texas Farm-To-Market Road 1561 to junction Texas Highway 6 at or near Hitchcock, thence over Texas Highway 6 to junction Texas Farm-To-Market Road 519, thence over Texas Farm-to-Market Road 519 to junction Texas Highway 341, thence over Texas Highway 341 to Texas City, and return over the same route, serving all intermediate points, (2) between Freeport and Galveston, Tex., from Freeport over Texas Highway 288 to junction Texas Farm-to-Market Road 1561, thence over Texas Farm-to-Market Road 1561 to junction Texas Highway 6 at or near Hitchcock, thence over Texas Highway 6 to junction U.S. Highway 75, thence over U.S. Highway 75 to Galveston, and return over the same route, serving all intermediate points, and (3) between Galveston and Freeport, Tex., over County Highway 257 (commonly known as San Luis Beach Road), serving all intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 21170 (Sub-No. 124), filed October 29, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Milton, Pa., to points in Illinois, Iowa, Kansas, Missouri, Minnesota, Nebraska, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 21170 (Sub-No. 125), filed October 29, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa, 50158. Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: *Foodstuffs*, from La Porte, Ind., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 21170 (Sub-No. 126), filed October 29, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: *Foodstuffs*, (1) from Decatur and Lawton, Mich., to points in Illinois, Indiana, and Kentucky, and (2) from Decatur, Mich., to points in Missouri. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 21170 (Sub-No. 127), filed November 1, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles*, distributed by meat packinghouses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Denison and Iowa Falls, Iowa, to points in Connecticut, Delaware, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minne-

sota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, Colorado, California, Washington, Oregon, Arizona, Idaho, Utah, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 23939 (Sub-No. 160), filed October 25, 1965. Applicant: ASBURY TRANSPORTATION CO., a corporation, 2222 East 38th Street, Los Angeles 58, Calif. Applicant's representative: Warren N. Grossman, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid hydrogen*, in bulk, in tank vehicles, between the plantsite of Air Products & Chemicals, Inc., within 1 mile of Long Beach, Calif., and points in Illinois and Missouri. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 26739 (Sub-No. 51), filed October 25, 1965. Applicant: CROUCH BROS., INC., Post Office Box 1059, St. Joseph, Mo., 64502. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Salina, Kans., to points in Illinois, Iowa, Missouri, and Nebraska. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 29566 (Sub-No. 113), filed October 29, 1965. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City, Kans. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from Wichita, Kans., to points in Arkansas, Illinois, Missouri, Oklahoma, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 29886 (Sub-No. 219), filed October 22, 1965. Applicant: DALLAS & MAVIS FORWARDING CO. INC., 4000 West Sample Street, South Bend, Ind. Applicant's representative: Charles Pieroni, 4000 West Sample Street, South Bend 21, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Concrete storage and mixing plants*, (2) *grading and road making machinery and equipment*, (3) *construction forms*, (4) *attachments and accessory equipment for the commodities listed in (1), (2), and (3) above*, and (5) *parts for the commodities described in (1), (2), (3), and (4) above*, from Madison, Ind., to

points in Colorado, Connecticut, Delaware, Illinois, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Missouri, Minnesota, Nebraska, New Jersey, New Hampshire, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, Wisconsin, Wyoming, and the District of Columbia. **NOTE:** Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 30844 (Sub-No. 200), filed October 25, 1965. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 5000, Waterloo, Iowa. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Schuyler, Nebr., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 30844 (Sub-No. 201), filed October 27, 1965. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 5000, Waterloo, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite of American Home Foods, Inc., located at or near Milton, Pa., to points in Colorado, Indiana, Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 33278 (Sub-No. 15), filed October 25, 1965. Applicant: LEE AMERICAN FREIGHT SYSTEM, INC., 418 Olive Street, St. Louis, Mo. Applicant's representative: B. W. La Tourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives other than small arms ammunition, household goods as defined by the Commission, currency, bullion, commodities exceeding ordinary equipment and loading facilities, loose bulk commodities, and other commodities expressly prohibited by law), between Bloomington, and Rockford, Ill., from Bloomington over U.S. Highway 51 to Rockford, and return over the same route, serving no intermediate points and serving Bloomington for joinder purposes only, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations between St. Louis, Mo.,

and Rockford, Ill. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 42919 (Sub-No. 7), filed October 28, 1965. Applicant: COASTAL TRUCKWAYS, INC., 200 Factory Street, Post Office Box 225, Wilkesboro, N.C. Applicant's representative: H. Overton Kemp, Room 101, 327 North Tryon Street, Post Office Box 20202, Charlotte, N.C., 28202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, including, but not limited to, beer, beer tonic, ale, porter, and stout, from Baltimore, Md., and Newark, N.J., to points in North Carolina west of U.S. Highway 1. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 42963 (Sub-No. 36), filed October 27, 1965. Applicant: DANIEL HAMM DRAYAGE COMPANY, a corporation, Second and Tyler Streets, St. Louis, Mo., 63102. Applicant's representative: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the plantsite of Marquette Cement Manufacturing Co. at St. Louis, Mo., to points in Illinois. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 48374 (Sub-No. 7), filed October 25, 1965. Applicant: FERNSTROM STORAGE AND VAN COMPANY, a corporation, Post Office Box 8801, Chicago 66, Ill. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in the United States (except Hawaii and Alaska). **NOTE:** Applicant states that it presently holds authority to and from 35 states and the District of Columbia. Twenty-eight of said states are nonradial and 7 of said states are radial to and from 20 states and the District of Columbia. Applicant does not seek any duplicating authority. If the authority applied for is issued, applicant is willing to surrender its existing authority contained in Docket MC 48374 Subs 4 and 6. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52751 (Sub-No. 52) (Amendment), filed October 20, 1965, published in FEDERAL REGISTER issue of November 4, 1965, and republished as amended this issue. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, Iowa, 50317. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa, 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery*, (2) *agricultural machinery parts*, and (3) *self-propelled loaders and attachments*, from Owatonna, Minn., to Omaha, Nebr., and points in Illinois, Iowa, Minnesota, North Dakota, and

South Dakota. **NOTE:** The purpose of this republication is to correct the commodity description of Part (3). If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Madison, Wis., or Minneapolis, Minn.

No. MC 56679 (Sub-No. 14), filed October 22, 1965. Applicant: BROWN TRANSPORT CORP., 1057 Ridge Avenue SW., Atlanta, Ga., 30315. Applicant's representative: R. J. Reynolds, Jr., 403-11 Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Millen, Ga., and Savannah, Ga.; from Millen over Georgia Highway 17 to junction U.S. Highway 80, thence over U.S. Highway 80 to Savannah and return over the same route, serving all intermediate points; (2) between Wrens, Ga., and Thomson, Ga., over Georgia Highway 17, serving all intermediate points; (3) between Wrens, Ga., and Harlem, Ga., over Georgia Highway 47, serving all intermediate points; and (4) serving Hephzibah and Blythe, Ga., as off-route points in connection with applicant's authorized regular-route operations. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 61592 (Sub-No. 53), filed October 29, 1965. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Experimental and show-display tractors and farm industrial machinery and equipment*, which, at the time of movement are being transported for the purposes of display or experiment, and not for sale, and *incidental paraphernalia*, moving in the same vehicles and at the same time, between points in the United States (except Alaska and Hawaii). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 64932 (Sub-No. 386), filed October 26, 1965. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill., 60643. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gin*, in bulk, in tank vehicles, from Pekin, Ill., to points in Illinois, Missouri, Kentucky, Ohio, Indiana, Minnesota, Michigan, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Connecticut, and West Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 64932 (Sub-No. 387), filed October 28, 1965. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill., 60643. Applicant's representative: David Axelrod, 39

South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, from Wichita, Kans., and points within ten (10) miles thereof, to points in the United States (except Alaska and Hawaii). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 71516 (Sub-No. 74), filed October 25, 1965. Applicant: ALABAMA HIGHWAY EXPRESS, INC., 3300 Fifth Avenue South, Birmingham, Ala. Applicant's representative: Robert E. Tate, 2025 City Federal Building, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles* (except those requiring special equipment), from Sterling and Rock Falls, Ill., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Nashville, Tenn.

No. MC 80428 (Sub-No. 52), filed October 28, 1965. Applicant: MC BRIDE TRANSPORTATION, INC., Main and Nelson Streets, Goshen, N.Y. Applicant's representative: Robert V. Gianniny, 900 Midtown Tower, Rochester 4, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, *invert sugar*, and *molasses*, in tank vehicles, and *dry sugar*, from Boston, Mass., to points in New York, and *refected and returned shipments*, on return. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83539 (Sub-No. 163), filed October 25, 1965. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's representative: W. T. Brunson, 419 Northwest 6th Street, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic conduit, pipe or tubing*, with or without valves or fittings, *compound, joint sealer, bonding cement, primer, coating, thinner, and accessories*, used in the installation of such conduit, pipe or tubing, from points in Oklahoma County, Okla., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, and West Virginia. **NOTE:** Applicant states it now holds no authority that it will tack with the authority sought herein. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 84737 (Sub-No. 76) (Amendment), filed May 24, 1965, published FEDERAL REGISTER issue of July 15, 1965, amended September 13, 1965, and republished as amended this issue. Applicant: NILSON MOTOR EXPRESS, a corporation, Post Office Box 3616, Charleston, S.C., 29407. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gen-*

eral commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, commodities moving in vehicles equipped mechanical refrigeration and those injurious or contaminating to other lading), between points in Florida (except those west of the Apalachicola River and those in Duval County), on the one hand, and, on the other, points in South Carolina, North Carolina, and Suffolk, Roanoke, Norfolk, Martinsville, Richmond, and Winchester, Va., Washington, D.C., and Baltimore, Md. **NOTE:** The purpose of this republication is to more clearly set forth the commodity and territorial descriptions. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 84739 (Sub-No. 19), filed November 1, 1965. Applicant: SEVERSON TRANSPORT, INC., Route 1 Box 163, Edgerton, Wis. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned foodstuffs*, from the plantsites of the Green Giant Co. located at or near Beaver Dam, Fox Lake, Ripon, and Rosendale, Wis., to points in Indiana, Kentucky, Michigan, and Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 87730 (Sub-No. 24), filed October 27, 1965. Applicant: R. W. BOZEL TRANSFER, INC., 414 West Camden Street, Baltimore, Md. Applicant's representative: Donald E. Cross, Munsey Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and foodstuffs*, fit for human and animal consumption, in vehicles equipped with mechanical refrigeration, (1) from Baltimore, Md., and Washington, D.C., to points in Virginia and North Carolina, (2) from Richmond and Norfolk, Va., to points in North Carolina, and (3) from Richmond and Norfolk, Va., to Baltimore, Md., and Washington, D.C. **NOTE:** Applicant seeks no duplicative authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 94265 (Sub-No. 162), filed October 26, 1965. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's representative: Harry C. Ames, Jr., Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Sussex County, Del., and Fruitland, Md., to points in Alabama, Arkansas, Louisiana, Mississippi, and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 96498 (Sub-No. 21), filed October 18, 1965. Applicant: BONIFIELD BROS. TRUCK LINES, INC., 1200 East Second Street, Metropolis, Ill. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between junction U.S. Highway 45 and Illinois Highway 141 and Mount Vernon, Ind.; from junction U.S. Highway 45 and Illinois Highway 141 over Illinois Highway 141 to the Illinois-Indiana State line, thence over Indiana Highway 62 to Mount Vernon, and return over the same route serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 96498 (Sub-No. 23), filed October 28, 1965. Applicant: BONIFIELD BROS. TRUCK LINES, INC., 1200 East Second Street, Metropolis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving points in that portion of Indiana beginning at Mount Vernon, Ind., and extending west along Indiana Highway 62 to the Wabash River, thence south along the shores of the Wabash River to the Ohio River, thence east along the shores of the Ohio River to Mount Vernon, Ind., the point of beginning, and Uniontown, Ky., and points within (5) five miles thereof, as off-route points in connection with applicant's authorized regular-route operations between Benton, Ill., and Evansville, Ind. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 102616 (Sub-No. 775), filed October 26, 1965. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aviation gasoline and jet fuel*, in bulk, in tank vehicles, from Port Mahon, Del., to Wallops Island, Va. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103051 (Sub-No. 203), filed October 22, 1965. Applicant: FLEET TRANSPORT COMPANY, INC., 340 Armour Drive NE., Atlanta, Ga., 30324. Applicant's representative: R. J. Reynolds, Jr., Suite 403-411, Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphate rock and phosphate by-products, including phosphoric acid and super phosphate*, in bulk, in tank, hopper or other special vehicles, from Occidental, Fla., and point within 15 miles thereof, to points in Georgia on and south of U.S. Highway 80. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 104893 (Sub-No. 7), filed October 26, 1965. Applicant: H. GORDON TRUEMAN, St. Leonard, Md. Ap-

plicant's representative: Chester A. Zyblut, 1000 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials and supplies* (except nails, building materials, in bulk, and gypsum and gypsum products), between La Plata, Md., and points within eight (8) miles thereof, on the one hand, and, on the other, points in West Virginia, Delaware, Pennsylvania, New Jersey, New York, and Virginia (except points in Loudoun, Fauquier, Fairfax, Arlington, Prince William, Stafford, and Culpeper Counties, Va., and Alexandria, Va.), within 250 miles of St. Leonard, Md. **NOTE:** Applicant states he now holds authority to provide the aforementioned transportation between St. Leonard, and points in Calvert County, Md., within 15 miles of St. Leonard, on the one hand, and, on the other, the territory heretofore described. The purpose of this application is to extend authority to serve La Plata and 8 miles to and from the points in the same destination area. If a hearing is deemed necessary, applicant does not specify a place of hearing.

No. MC 105463 (Sub-No. 5), filed October 28, 1965. Applicant: C. E. HORNBACK, INC., 400 West 9th, Tama, Iowa. Applicant's representative: Homer E. Bradshaw, 5th Floor Central National Building, Des Moines, Iowa, 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper, paper products, paper mill machinery and parts thereof and commodities used in the manufacture of paper products*, between Tama, Iowa, on the one hand, and, on the other, Griffith, Ind., and points in Indiana lying within the commercial zone of Chicago, Ill., and points in Kansas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 106674 (Sub-No. 45), filed October 22, 1965. Applicant: OSBORNE TRUCKING CO., INC., Vincennes, Ind. Applicant's representative: Thomas F. Kilroy, Federal Bar Building, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in containers, (1) from points in Pulaski County, Ill., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (2) from Paris, Tenn., to points in Connecticut, Kentucky, Michigan, North Dakota, and Rhode Island, and damaged, rejected, and returned shipments on return, in (1) and (2) above. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106674 (Sub-No. 46), filed October 27, 1965. Applicant: OSBORNE TRUCKING CO., INC., Vincennes, Ind. Applicant's representative: Thomas F. Kilroy, Federal Bar Building, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, compounds, and ingredients, feed and feed ingredients*, from Cairo, Ill., to points in Arkansas, Kentucky, Tennessee, Indiana, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107002 (Sub-No. 269), filed October 25, 1965. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representatives: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., 20006, and H. D. Miller, Jr., Post Office Box 1250, Jackson, Miss., 39205. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Vegetable oils, animal oils, shortenings, lards and greases*, in bulk, in tank vehicles, from Helena and Stuttgart, Ark., to points in Alabama, Arkansas, Louisiana, Mississippi, and Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or New Orleans, La.

No. MC 107107 (Sub-No. 352), filed October 28, 1965. Applicant: ALTERMAN TRANSPORT LINES, INC., Post Office Box 458, Allapattah Station, Miami, Fla., 33142. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Adams County, Nebr., to points in Tennessee (except Memphis and points in its commercial zone as defined by the Commission), North Carolina, South Carolina, Georgia, Alabama, and Florida. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 107403 (Sub-No. 647), filed October 29, 1965. Applicant: MATHIAS, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic pellets*, in bulk, in hopper type vehicles, from Washington, W. Va., to Blanchester, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107403 (Sub-No. 648), filed October 29, 1965. Applicant: MATHIAS, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Phosphatic fertilizer solution*, in bulk, in tank vehicles, from the site of storage facilities of Allied Chemical Corp., at Cincinnati, Ohio, to points in

Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 415), filed October 28, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, from the plant and terminal facilities of Olin Mathieson Chemical Corp. at or near Joliet, Ill., to points in Illinois, Indiana, Iowa, Michigan, Missouri, Minnesota, Wisconsin, Kentucky, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107496 (Sub-No. 416), filed October 28, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, from Chilli-cothe, Ill., to Davenport, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Des Moines, Iowa.

No. MC 107496 (Sub-No. 417), filed October 28, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer, acids and chemicals*, in bulk, in tank vehicles, from Selma, Mo., and points within 5 miles thereof, to points in Illinois, Indiana, Iowa, Kansas, Oklahoma, Kentucky, Tennessee, Ohio, and Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 107500 (Sub-No. 97), filed October 25, 1965. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Beatrice, Nebr., and junction U.S. Highways 36 and 73 (near Hiawatha, Kans.); from Beatrice over U.S. Highway 77 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction U.S. Highway 73 (near Hiawatha, Kans.), and return over the same route, serving the junction U.S. Highways 36 and 73 for purpose of joinder only, as an alternate route for operating convenience only, serving no intermediate points. NOTE: Applicant states it intends to use the

proposed route in connection with traffic it presently is handling between points in Illinois and Missouri on the one hand, and, on the other, points in Nebraska, Colorado, Wyoming, and Montana. Applicant is a wholly owned subsidiary of the Chicago, Burlington & Quincy Railroad Co. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Omaha, Nebr.

No. MC 107839 (Sub-No. 91), filed October 25, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., Post Office Box 16021, Denver, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses* (except commodities in bulk, in tank vehicles), from Dodge City, Kans., to points in Alabama, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 107839 (Sub-No. 92), filed October 28, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 5135 York, Denver, Colo. Applicant's representative: Duane W. Ackle, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles); (2) *frozen foods*; (3) *canned and preserved foods*; (4) *chemicals, chemical blends, and ingredients to be used in further manufacturing processes*; transportation of which does not require special equipment or bulk or tank vehicles; (5) *inedible meats, meat products, and meat byproducts, lard, tallow and oils*; (6) *agricultural products and those commodities embraced in section 203(b)(4) of Part II of the Interstate Commerce Act*, when moving in the same vehicle with economic regulated commodities; (7) *frozen animal and poultry foods*; (8) *industrial products*, in packages, requiring refrigeration; and (9) *coffee, condensed; coffee extracts; coffee, green tea and tea dust, and sugar*, from Gulfport, Miss., to points in Texas, Oklahoma, Missouri, Kansas, Arkansas, New Mexico, Colorado, Wyoming, Arizona, California, North Dakota, South Dakota, Oregon, Washington, Idaho, Nevada, Montana, Nebraska, and Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala.

No. MC 109478 (Sub-No. 86), filed October 27, 1965. Applicant: WORSTER MOTOR LINES, INC., East Main Road, Rural Delivery No. 1, North East, Pa. Applicant's representative: William W. Knox, 23 West 10th Street, Erie, Pa.,

16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, including canned carbonated beverages*, from Le Roy, Mount Morris, and Oakfield, N.Y., to Baltimore, Bethesda, and Landover, Md., and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 109692 (Sub-No. 19), filed October 23, 1965. Applicant: GRAIN BELT TRANSPORTATION COMPANY, a corporation, Livestock Exchange Building, Kansas City, Mo. Applicant's representative: Tom B. Kretsinger, Suite 510 Professional Building, Kansas City, Mo., 64108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, perishable commodities, liquid commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), between points in the Kansas City, Mo.-Kans. commercial zone, on the one hand, and, on the other, points in Nebraska. **NOTE:** Applicant states that by this application it seeks to remove its Hollenberg, Kans., and Latham, Nebr., gateways in connection with its existing operation. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 110098 (Sub-No. 70), filed October 26, 1965. Applicant: ZERO REFRIGERATED LINES, a corporation, 815 Merida Street, Box 7249, Station A, San Antonio, Tex. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles), from Clovis, N. Mex., to points in Arizona. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at San Antonio, Tex.

No. MC 110098 (Sub-No. 71), filed October 26, 1965. Applicant: ZERO REFRIGERATED LINES, a corporation, 815 Merida Street, Box 7249, Station A, San Antonio, Tex. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from the plantsite of Spencer Packing Co. at or near Schuyler, Nebr., to points in Louisiana, Texas, and Tennessee, restricted to traffic originating at the plantsite of Spencer Packing Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 110193 (Sub-No. 124), filed October 27, 1965. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos, Post Office Box 2628, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from Schuyler, Nebr., to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Delaware, New Jersey, Pennsylvania, Maryland, Virginia, and Washington, D.C., restricted to traffic originating at the plantsite of Spencer Packing Co. located at Schuyler, Nebr. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Washington, D.C.

No. MC 110365 (Sub-No. 4), filed October 26, 1965. Applicant: WARD MAUST, DONALD MAUST AND DWIGHT MAUST, a partnership, doing business as MAUST BROTHERS, Rural Delivery 4, Berlin, Pa., 15530. Applicant's representative: Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Potato chips and other edible food products*, from Berlin, Pa., to points in Ohio, Maryland and West Virginia, and *empty containers*, on return; (2) *sugar*, from Baltimore, Md., to points in Somerset County, Pa.; and (3) *mine supplies and mining equipment*, from McKees Rocks, Pa., and points in Somerset County, Pa., to points in West Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 110420 (Sub-No. 488), filed October 25, 1965. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup, liquid sugar, and blends or mixtures thereof*, in bulk, in tank vehicles, from Elk Grove Village, Ill., to points in Alabama, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 753), filed October 25, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005,

and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum transformer oil*, in bulk, in tank vehicles, from Coraopolis, Pa., to points in Kentucky and that part of Ohio west of U.S. Highway 23 and south of U.S. Highway 40. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110525 (Sub-No. 754), filed October 27, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., and Edwin H. van Deusen, 520 East Lancaster Avenue, Downingtown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products, and coal tar and coal tar products*, in bulk, in tank vehicles, from points in Hamilton County, Ohio, to points in Illinois. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 110541 (Sub-No. 6), filed October 25, 1965. Applicant: MARK E. YODER, INC., 41 Parkway, Schuylkill Haven, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anthracite coal*, in bulk, in dump vehicles, from the sites of Manbeck Dredging Co. in Carbon and Schuylkill Counties, Pa., to the plantsite of Matthiessen & Hegeler Zinc Co. at Spelter, Harrison County, W. Va., and (2) *bituminous coal*, in bulk, in dump vehicles, from points in Monongalia, Marion, and Barbour Counties, W. Va., to the plantsite of the New Jersey Zinc Co., in Palmerton, Carbon County, Pa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110563 (Sub-No. 36), filed October 25, 1965. Applicant: COLDWAY FOOD EXPRESS, INC., Ohio Building, Sidney, Ohio, 45365. Applicant's representative: Joseph Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Worthington and Mankato, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia, and *rejected and refused shipments on return*. **NOTE:** If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111015 (Sub-No. 7), filed October 29, 1965. Applicant: L. P. M. CORPORATION, 52 Westway, Chappaqua, N.Y. Applicant's representative: William P. Sullivan, 1825 Jefferson Place

NW., Washington, D.C., 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by manufacturers and refiners of, and dealers in, precious metals and precious metals alloys, and, in connection therewith, materials, supplies, and equipment used in the conduct of such business, between Fairfield, Conn., Providence, R.I., Chicago and Elk Grove, Ill., El Monte, Calif., New York, N.Y. and points in New Jersey and New York within 20 miles of New York, N.Y. on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to transportation to be performed under a continuing contract or contracts with Handy & Harman, of New York, N.Y.* Note: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 111045 (Sub-No. 52), filed October 25, 1965. Applicant: REDWING CARRIERS, INC., 7809 Palm River Road, Post Office Box 426, Tampa, Fla., 33601. Applicant's representative: James A. Harkins (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from points in Hamilton County, Fla., to points in Alabama, Georgia, and Florida. Note: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, or Tallahassee, Fla.

No. MC 111231 (Sub-No. 91), filed October 25, 1965. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Kansas City, Kans., to points in Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. Note: If a hearing is deemed necessary, applicant does not specify a place for hearing.

No. MC 111231 (Sub-No. 92), filed October 25, 1965. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared food and/or pies, not baked, poultry, dressed or eviscerated, frozen, from Macon, Marshall, Moberly, Carrollton, and Milan, Mo., to points in Missouri on and south of U.S. Highway 40, and those in Arkansas, Oklahoma, and Kansas.* Note: If a hearing is deemed necessary, applicant requests it be held at St. Louis, or Kansas City, Mo.

No. MC 111434 (Sub-No. 62), filed October 25, 1965. Applicant: DON WARD, INC., Post Office Box 1488, Durango, Colo. Applicant's representative: J. Albert Sebald, Equitable Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, from Denver, Colo., to points in New Mexico, Utah, Wyoming, Nebraska, and Kansas, and *rejected shipments on return.* Note: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 112520 (Sub-No. 132), filed October 26, 1965. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Post Office Box 1200, Tallahassee, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, from Attapulgus, Ga., to points in Illinois, New Jersey, Ohio, Kansas, Kentucky, and New York. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112617 (Sub-No. 208), filed October 25, 1965. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's representative: L. A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Seymour, Ind., and points within 10 miles thereof, to points in Illinois, Ohio, and Kentucky. Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112617 (Sub-No. 209), filed October 27, 1965. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's representative: L. A. Jaskiewicz, 600 Madison Building, 1155 15th Street, NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant and terminal facilities of the Olin Mathieson Chemical Corp. at or near Joliet, Ill., to points in Illinois, Indiana, Iowa, Michigan, Missouri, Minnesota, Wisconsin, Kentucky, and Ohio. Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112668 (Sub-No. 42), filed October 26, 1965. Applicant: HARVEY R. SHIPLEY & SONS, INC., Post Office, Finksburg, Md. Applicant's representative: Donald E. Freeman, 172 East Green Street, Westminster, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea*, in bulk, in dump vehicles, from Claymont, Del., to points in Delaware, Connecticut, Maryland, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113267 (Sub-No. 159), filed October 25, 1965. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Rubel L. Phillips, Deposit Guaranty Bank Building, Jackson, Miss., 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuff*, in vehicles equipped with mechanical refrigeration, from points in George, Hinds, Rankin, Copiah, and Green Counties, Miss., to points in Louisiana, Texas, Oklahoma, Kansas,

Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Georgia, Florida, Tennessee, Alabama, Arkansas, and Kentucky. Note: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 113388 (Sub-No. 66), filed October 25, 1965. Applicant: LESTER C. NEWTON TRUCKING CO., a corporation, Post Office Box 265, Bridgeville, Del., 19933. Applicant's representative: H. Charles Ephraim, 1411 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Florida to points in Georgia, North Carolina, and South Carolina. Note: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 113624 (Sub-No. 25), filed October 25, 1965. Applicant: WARD TRANSPORT, INC., Post Office Box 133, Pueblo, Colo. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feeds*, in bulk, in tank vehicles, (1) from Morrill, Nebr., to points in Colorado, Idaho, Kansas, Montana, South Dakota, Utah, and Wyoming; (2) from Denver, Colo., to points in Arizona, Kansas, Nebraska, New Mexico, California, Oklahoma, Utah, Texas, and Wyoming; and (3) from Omaha, Nebr., to points in Iowa, Minnesota, Missouri, Kansas, and South Dakota. Note: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 113651 (Sub-No. 93), filed October 25, 1965. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite of the Spencer Packing Co. located at Schuyler, Nebr., to points in Maine, Vermont, Massachusetts, New Hampshire, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and Washington, D.C., restricted to traffic originating at the plantsite of the Spencer Packing Co., located at Schuyler, Nebr. Note: If a hearing is deemed necessary, applicant does not specify location.

No. MC 113651 (Sub-No. 94), filed October 27, 1965. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware and glass containers*, with or without caps, covers or stoppers and *paper cartons*, used in the packing of glassware and glass containers, from Winchester, Ind., to points in Illinois, Iowa, Minnesota, Missouri and Wisconsin. Note: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 113651 (Sub-No. 95), filed October 27, 1965. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Frozen foods*, from Lafayette, Ind., to points in Iowa, Kansas, Nebraska, and Missouri. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 113666 (Sub-No. 22), filed October 27, 1965. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, Pa. Applicant's representative: James W. Hagar, Commerce Building, Post Office Box 432, Harrisburg, Pa., 17108. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: (1) *Fly ash, fly ash products and byproducts* from points in Allegheny, Beaver, Armstrong, Indiana, and Washington Counties, Pa., to points in Maryland, New York, Ohio, and West Virginia, and (2) *materials used in the production of fly ash products and byproducts* from points in Maryland, New York, Ohio, and West Virginia, to points in Allegheny, Beaver, Armstrong, Indiana, and Washington Counties, Pa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 113678 (Sub-No. 185), filed October 25, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in the *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Schuyler, Nebr., to points in North Carolina, South Carolina, Georgia, Florida, Alabama, Illinois, Michigan, Colorado, Missouri, Ohio, Iowa, Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Delaware, New Jersey, Pennsylvania, Maryland, Washington, California, Oregon, Utah, Idaho, Arizona, Nevada, Virginia, and Washington, D.C., restricted to traffic originating at the plantsite of Spencer Packing Co. at Schuyler, Nebr. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 113678 (Sub-No. 186), filed October 25, 1965. Applicant: CURTIS INC., 770 East 51st Avenue, Denver, Colo. Applicant's representative: Donald E. Leonard, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Michigan, to points in Kansas and Iowa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 113908 (Sub-No. 178) (Correction), filed September 22, 1965, published *FEDERAL REGISTER* of October 14, 1965, and republished as corrected this

issue. Applicant: ERICKSON TRANSPORT CORPORATION, 706 West Tampa, Post Office Box 3180, Springfield, Mo. **NOTE:** The purpose of this republication is to show applicant's correct name as shown in lieu of "GROENSON TRANSPORT CORPORATION" shown in previous publication, in error.

No. MC 114045 (Sub-No. 201), filed October 29, 1965. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, from Sterling, Colo., and points within five (5) miles thereof, to points in Colorado, Alabama, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114045 (Sub-No. 202), filed October 29, 1965. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Salina, Kans., to points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Salina, Kans.

No. MC 114045 (Sub-No. 203), filed October 29, 1965. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration, from points in George, Hinds, Rankin, Copiah, and Greene Counties, Miss., to points in Louisiana, Texas, Oklahoma, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Penn-

sylvania, New York, Massachusetts, Connecticut, New Jersey, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Arkansas, Kentucky, and Washington, D.C. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 114211 (Sub-No. 92), filed October 25, 1965. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Black Hawk County, Iowa. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and agricultural implements and parts*, from Hesston, Kans., to points in the United States (except Alaska and Hawaii), and *rejected shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115311 (Sub-No. 51), filed October 25, 1965. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 589, Americus, Ga., 31709. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities in bulk*, having prior or subsequent movement by rail or water, between points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., Chicago, Ill., or Washington, D.C.

No. MC 115331 (Sub-No. 163), filed October 29, 1965. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Applicant's representative: Thomas F. Kilroy, Federal Bar Building, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, from Mid American Pipeline Terminal at or near Cantril, Iowa, to points in Illinois and Missouri. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Des Moines, Iowa.

No. MC 115491 (Sub-No. 62) (Amendment), filed March 29, 1965, published *FEDERAL REGISTER* issue of April 14, 1965, amended October 26, 1965, and republished as amended this issue. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Auburndale, Fla. Applicant's representative: M. Craig Massey, 223 South Florida Avenue, Post Office Drawer J, Lakeland, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Cameron and Hidalgo Counties, Tex., to points in Minnesota, Iowa, Nebraska, Colorado, Oklahoma, Arkansas, Louisiana, Mississippi, Wisconsin, Michigan, Illinois, Indiana, Kentucky, Tennessee, Alabama, Ohio, Georgia, North Carolina, South Carolina, Florida, Virginia, West Virginia, Penn-

sylvania, New York, New Jersey, Maryland, Delaware, Connecticut, Vermont, New Hampshire, Maine, Massachusetts, Rhode Island, District of Columbia, Kansas, and Missouri. **NOTE:** The purpose of this republication is to add "points in Cameron County, Tex.," as origin points. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115491 (Sub-No. 81), filed October 25, 1965. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Post Office Drawer 67, Auburndale, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, commodities in bulk in tank vehicles, and frozen meats), from points in Adams County, Nebr., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 115491 (Sub-No. 82), filed October 25, 1965. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Post Office Drawer 67, Auburndale, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk in tank vehicles), from Schuyler, Nebr., to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 115491 (Sub-No. 83), filed October 25, 1965. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Auburndale, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk in tank vehicles) from Mankato and Worthington, Minn., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115826 (Sub-No. 112), filed October 25, 1965. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Bananas*, and (2) *agricultural products and commodities*,

the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with bananas, (1) from points in California to points in Utah, and (2) from points in Utah to points in Colorado, Idaho, Montana, and Wyoming. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 115841 (Sub-No. 254), filed October 25, 1965. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Candy, confectioneries, and confectionery products and ingredients*, from Reading and West Reading, Pa., to points in Tennessee, Alabama, Mississippi, and Louisiana. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116645 (Sub-No. 9), filed October 28, 1965. Applicant: DAVIS TRANSPORT CO., a corporation, Post Office Box 56, Gilcrest, Colo. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Hutchinson and Wichita, Kans., to points in Colorado, Nebraska, and New Mexico. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 117119 (Sub-No. 281), filed October 25, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described in sections A and C, appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Schuyler, Nebr., to points in Missouri, Kansas, Oklahoma, and Arkansas, restricted to traffic originating at the plantsite of Spencer Packing Co. at Schuyler, Nebr. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 117119 (Sub-No. 283), filed October 25, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Food and foodstuffs*, from Memphis, Tenn., to points in Arizona, California, Colorado, Nevada, Oregon, Utah, and Washington. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117686 (Sub-No. 65), filed October 28, 1965. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Sioux City, Iowa. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Salina, Kans., to points in Louisiana, Alabama, Mississippi, Oklahoma, Tennessee, Texas, Kansas, and Missouri. **NOTE:** If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118989 (Sub-No. 5), filed October 28, 1965. Applicant: CONTAINER TRANSIT, INC., 5323 South Ninth Street, Milwaukee, Wis. Applicant's representative: Richard A. Heilprin, Post Office Box 941, 222 South Hamilton Street, Madison, Wis., 53701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Glassware, bottles and containers*, and (2) *caps, covers and/or closures*, for glass containers, and *fiberboard boxes*, when moving in mixed loads with glassware, bottles and containers, from points in Lake and Will Counties, Ill., to points in Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Upper Peninsula of Michigan. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119384 (Sub-No. 8) (Amendment), filed July 6, 1965, published FEDERAL REGISTER issue of July 29, 1965, amended August 25, 1965, and republished in FEDERAL REGISTER issue of September 9, 1965, and republished as amended this issue. Applicant: MORTON TRUCK LINES, INC., 101 West Willis Avenue, Perry, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 62 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Perry, Iowa, to points in Illinois, Indiana, Michigan, Minnesota, Missouri, Nebraska, Ohio, Wisconsin, and South Dakota. **NOTE:** The purpose of this republication is to include points in Michigan, Missouri, and South Dakota, and the entire State of Indiana in the destination territory. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 119422 (Sub-No. 34), filed October 27, 1965. Applicant: EE-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln, Post Office Box 1037, East St. Louis, Ill. Applicant's representative: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Author-