

§ 1464.1775 1968 Crop—Northern Wisconsin Tobacco, Type 55, advance schedule.¹

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate
Binders:	
B1	44
B2	41
B3	39
Strippers:	
C1	37.5
C2	35
C3	28.5
Crop-run:	
X1	35.5
X2	32
X3	22.5
Farm Fillers:	
Y1	28
Y2	26
Y3	24
Nondescript:	
N1	21
N2	16

§ 1464.1776 1968 Crop—Puerto Rican Tobacco, Type 46, advance schedule.²

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate
CIF	
CIP Price Block I	40.00
XIP	
XIP Price Block II	29.90
XIS	
X2P	
X2F	
X2T Price Block III	21.45
X2S	
N Price Block IV	11.50

Effective date: Date of filing with Office of Federal Register.

Signed at Washington, D.C. on December 5, 1968.

LIONEL C. HOLM,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 68-14808; Filed, Dec. 11, 1968; 8:45 a.m.]

¹The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower fifty cents per hundred pounds to apply against receiving and overhead costs. Only the original producer is eligible to receive advances. No advance is authorized for tobacco graded "No-G" (no grade), or "S" (scrap).

²The cooperative association through which price support is made available is authorized to deduct from the amount paid the grower \$1.00 per hundred pounds to apply against receiving and overhead costs. Only the original producer is eligible to receive advances. No advance is authorized for tobacco graded "N1" (first quality nondescript), "N2" (second quality nondescript), "S" (scrap), or "No-G" (no grade).

³The cooperative association through which price support is made available to growers are authorized to deduct \$1.00 per hundred pounds from the advances to growers to apply against overhead and handling costs. Tobacco is eligible for advance only if consigned by the original producer. No advance is authorized for scrap or tobacco designated as "No-G" (no grade).

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 68-WE-41-AD; Amdt. 39-690]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas Model DC-8-61/61F/62/62F/63/63F Airplanes

Pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), an airworthiness directive (AD) was adopted on November 19, 1968, and made effective immediately as to all known U.S. operators of McDonnell Douglas Model DC-8-60 Series airplanes.

Telegraphic issuance of this directive was necessitated by a report of a rudder hardover caused by improper installation of the rudder tab crank assembly at the bottom end of the rudder tab torque tube. Since this condition is likely to exist in other airplanes of the same model, the telegraphic airworthiness directives required the installation of a placard in the cockpit forbidding use of the autopilot and/or yaw damper when the flaps are extended until an inspection and/or corrective action is taken in accordance with a McDonnell Douglas Alert Service Bulletin.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of McDonnell Douglas Model DC-8-60 Series airplanes by individual telegrams dated November 20, 1968. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to paragraph 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), Section 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

McDONNELL DOUGLAS. Applies to all McDonnell Douglas Model DC-8-61/61F/62/62F/63/63F Airplanes.

Prior to next operation, unless already accomplished, install a placard in the cockpit in clear view of the pilot reading, "With flaps down, do not operate with autopilot and/or yaw damper engaged." This placard may be removed when the inspection and/or corrective action specified in McDonnell Douglas DC-8 Alert Service Bulletin No. A27-229, dated November 18, 1968 is accomplished, or an equivalent inspection and/or corrective action approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective upon publication in the FEDERAL REGISTER for all persons except those to whom it was made effective immediately by telegram dated November 20, 1968.

(Secs. 313(a), 601 and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Los Angeles, Calif., on December 2, 1968.

LYNN L. HINK,
Acting Director
Western Region.

[F.R. Doc. 68-14815; Filed, Dec. 11, 1968; 8:45 a.m.]

[Special Federal Aviation Regulation No. 22; Reg. Docket No. 9305]

PART 91—GENERAL OPERATING AND FLIGHT RULE

Prohibition of Air Traffic Over SS Queen Elizabeth

The vessel *Queen Elizabeth* will be in the process of completing its voyage to Fort Lauderdale, Fla., on December 7 and 8, 1968. In the interest of safety of persons and property on the surface and aircraft operations in the vicinity of the ship, a temporary restriction must be placed on air traffic which will prohibit the operation of aircraft below 3,000 feet MSL within 2 statute miles of the *Queen Elizabeth* on December 7 and 8, 1968. Exempt from this restriction are aircraft used by government agencies participating in the control of surface operations and law enforcement activities, aircraft officially participating in the *Queen Elizabeth* ceremony, and aircraft operated by or for accredited news representatives. Authorization for any operation must be obtained from the FAA Control Tower at Fort Lauderdale-Hollywood International Airport. In consideration of the foregoing the following Special Federal Aviation Regulation is adopted:

1. No person may operate an aircraft below 3,000 feet above the surface within 2 statute miles of the *SS Queen Elizabeth* on December 7 and 8, 1968 unless:

(a) The aircraft is operated by a government agency officially participating in the control of surface operation or law enforcement activities;

(b) The aircraft is carrying accredited news representative or persons associated with the *Queen Elizabeth's* arrival ceremony; or

(c) The aircraft is operated under an authorization obtained from ATC.

2. The pilot in command of an aircraft operated under authority of sections 1 (a) and (b) of this regulation must have prior approval from ATC.

3. The pilot in command of an aircraft operated under the authority of section 1(a) of this regulation may deviate from the provisions of the minimum altitude requirement of § 91.79 of the Federal Aviation Regulations to the extent necessary to perform official duties. The pilot in command of other aircraft shall comply with the following mini-

minimum altitude requirements of Part 91 of the Federal Aviation Regulations:

(a) For fixed-wing aircraft the provisions of § 91.79(b).

(b) For helicopter the minimum altitude requirements of § 91.79(c).

This regulation becomes effective at 0001 e.s.t., December 7, 1968, and expires at 2400 e.s.t., December 8, 1968.

Issued in Washington, D.C., on December 5, 1968.

D. D. THOMAS,
Acting Administrator.

[F.R. Doc. 68-14845; Filed, Dec. 11, 1968;
8:48 a.m.]

[Docket No. 9032; Amdt. 151-26]

PART 151—FEDERAL AID TO AIRPORTS

Eligibility Standards for Buildings Housing Snow Removal and Abrasive Spreading Equipment and Materials

The purpose of this amendment to Part 151 of the Federal Aviation Regulations is to provide uniform standards based on temperature criteria for buildings used to house snow removal and abrasive spreading equipment and materials, for eligibility for participation under the Federal-aid Airport Program. These uniform standards apply regardless of the location of the airport. This amendment was proposed in Notice 68-17 issued on July 24, 1968 (33 F.R. 10882).

Several favorable public comments were received on the proposal. Other comments opposed the proposal on the ground that the amount of snowfall, rather than temperature, should be the standard used for determining eligibility for participation under § 151.93(a). However, although the amount of snowfall in an area determines the need for snow removal and abrasive spreading equipment and materials, it is the extreme low temperature in an area that creates the need for adequate housing to assure immediate availability of the equipment and materials for use.

Amendment 151-8, effective July 23, 1965, made field maintenance equipment buildings eligible for inclusion in airport development projects located in 15 named States, and in other locations, having a mean daily minimum temperature of zero degrees Fahrenheit, or less, for at least 20 days each year for the 5 years preceding application for Federal aid. The inclusion of the airport development projects in the 15 named States, as such, was based on official statistics of the U.S. Department of Commerce Weather Bureau for the period 1921-55, published in 1961, showing that all airports in these States met the defined temperature criteria. However, as stated in Notice 68-17, it now appears that many airports located in the 15 States do not meet the defined temperature criteria. Therefore, it is considered that a more appropriate basis for eligibility in all cases is the experienced temperatures

as heretofore defined in § 151.93(a)(2), regardless of the location of the airport.

In consideration of the foregoing, paragraph (a) of § 151.93 of the Federal Aviation Regulations is amended to read as follows, effective January 11, 1969:

§ 151.93 Buildings; utilities; sidewalks; parking areas; and landscaping.

(a) Only buildings or parts of buildings intended to house facilities or activities directly related to the safety of persons at the airport, including fire and rescue equipment buildings, are eligible items under the Federal-aid Airport Program. To the extent they are necessary to house snow removal and abrasive spreading equipment, and to provide minimum protection for abrasive materials, field maintenance equipment buildings are eligible items in any airport development project for an airport in a location having a mean daily minimum temperature of zero degrees Fahrenheit, or less, for at least 20 days each year for the 5 years preceding the year when Federal aid is requested under § 151.21(a), based on the statistics of the U.S. Department of Commerce Weather Bureau if available, or other evidence satisfactory to the Administrator.

(Federal Airport Act, as amended; 49 U.S.C. 1101-1120)

Issued in Washington, D.C., on December 5, 1968.

D. D. THOMAS,
Acting Administrator.

[F.R. Doc. 68-14816; Filed, Dec. 11, 1968;
8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Regulation No. ER-550; Amdt. 2]

PART 201—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 6th day of December 1968.

1. Section 201.4(b) provides that requests for authority "between points in the continental United States" and requests for authority "to or from any point outside the continental United States" shall not be included in the same application. In the days when "continental United States" described the limits of interstate air transportation, this section maintained the distinction between applications requiring Presidential approval and those not requiring such approval under section 801 of the Act. The admission of Alaska and Hawaii to statehood has rendered this term inappropriate. The section is being clarified by substituting the statutory categories of interstate, overseas and foreign air transportation.

2. Part 302 no longer requires that an application be verified under oath, but instead incorporates the effect of verification in the signature of the person

subscribing or executing the application. Accordingly, it is not necessary to refer to verification as a separate formal requirement, and the reference is being deleted.

3. Part 291 having been rescinded, the special requirements for applicants having authority under that Part are obsolete and are deleted from § 201.4(c).

This regulation is issued by the undersigned, pursuant to a delegation of authority from the Board to the General Counsel in 14 CFR 385.19 and shall become effective 20 days after publication in the FEDERAL REGISTER. Procedures for review by the Board are set forth in Subpart C of Part 385 (14 CFR 385.50-385.54).

Accordingly, the Board hereby amends Part 201 (14 CFR Part 201), effective January 1, 1969, as follows:

1. Amend § 201.1 to read:

§ 201.1 Formal requirements.

Applications for certificates of public convenience and necessity, or amendments thereof, shall meet the requirements set forth in Part 302 of this chapter as to execution, number of copies, service, and formal specifications of papers. All pages of an application shall be consecutively numbered, and the application shall clearly describe and identify each exhibit by a separate number or symbol. All exhibits shall be deemed to constitute a part of the application to which they are attached.

NOTE: * * *

2. Amend § 201.2 to read:

§ 201.2 Amendments.

If, after receipt of any application, the Board shall request the applicant to supply it with additional information, such information shall be furnished in the form of an amendment to the original application. All amendments to applications shall be consecutively numbered and shall comply with the requirements of this part as to form, number of copies, and other essential respects.

3. Amend § 201.4 in the following respects:

§ 201.4 General provisions concerning contents.

(a) * * *

(b) Requests for authority to engage in interstate air transportation shall not be included in the same application with requests for authority to engage in foreign or overseas air transportation. Similarly, requests for authority to engage in scheduled air transportation shall not be included in the same application with requests for authority to engage in non-scheduled air transportation.

(c) * * *

(1) * * *

(2) A statement that the applicant is a citizen of the United States as defined by section 101(13) of the Act. It is not required that the application shall contain all the evidence which the applicant is prepared to present at the hearing or otherwise in support of such statement, but the application shall at least indicate the nature and result of its investigations

in that matter and the character of the evidence it will be prepared to present in support of citizenship.

(7) [Deleted]
(8) [Deleted]

(Sec. 204 of the Federal Aviation Act of 1958 as amended, 72 Stat. 743; 49 U.S.C. 1324)

Effective: January 1, 1969.

Adopted: December 6, 1968.

By the Civil Aeronautics Board.

[SEAL] O. D. OZMENT,
Acting General Counsel.

[F.R. Doc. 68-14862; Filed, Dec. 11, 1968;
8:48 a.m.]

Chapter III—National Transportation Safety Board

[Amdt. 1]

PART 401—PUBLIC AVAILABILITY OF INFORMATION

Matters Exempted From Disclosure by Statute

Part 401 of the National Transportation Safety Board's Organizational Rules sets forth the Board's policy with reference to the disclosure of information to the public and identifies, in general terms, information which will not be made public in accordance with the exemption contained in section 3 of the Administrative Procedure Act, as amended (5 U.S.C. 552).

The purpose of this amendment is to include in section 401.20 the Board's determination that pursuant to the authority of section 1104 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1504), it is not in the public interest to disclose to the public the voice recorder tape or the entire transcription of any such tape removed from an aircraft involved in an accident. The Board also has determined, however, that a transcription of the tape, containing remarks relevant to the determination of probable cause of an accident will be made public and included in the Board's public docket for such accident.

Under § 121.359 of the Federal Aviation Regulations (14 CFR 121.359), an approved cockpit voice recorder must be installed in large turbine engine powered aircraft and in large pressurized aircraft having four reciprocating engines. Such recorder must be operating continuously from the start of the use of the checklist (before starting engines for the purpose of flight), to completion of the final checklist at the termination of the flight. As indicated in paragraph (e) of this regulation, the information obtained from the record is to be used to assist in determining the cause of accidents or occurrences investigated by the Safety Board. The history of this regulation indicates that this was the sole purpose of the requirement by the Federal Aviation Administration that the indicated aircraft be equipped with cockpit voice recorders.

It is the view of the Board that any lessening of the effectiveness of this aid would serve to frustrate the Board's overriding responsibility to determine the probable cause of civil aircraft accidents and take effective measures to prevent similar accidents. The Board believes that the disclosure of irrelevant and non-pertinent portions of the tape transcription can only result in the inhibition of free discussion in the cockpit and thereby seriously impede the value of the recorder as an effective tool for accident investigation and prevention.

As previously indicated, transcriptions of those communications pertinent and relevant to the accident, and which are utilized by the Board in determining the probable cause and in reporting the facts, conditions and circumstances of the accident, will be made public. Transcriptions of such communications have been made public in the past as an exhibit which is placed in the Board's public docket. This practice will continue.

Since this amendment is not a substantive rule and is not in derogation of any rights of any person, notice and public proceeding are not required and the amendment may be made effective immediately.

In consideration of the foregoing, the National Transportation Safety Board hereby amends Part 401 of its Procedural Regulations (14 CFR Part 401), effective as of the date of publication in the FEDERAL REGISTER, as follows:

By amending subparagraph (a) (2) of § 401.20 to read as follows:

§ 401.20 Matters exempted from disclosure by statute.

* * * * *

(2) Section 1504 of Title 49, United States Code, authorizes the Board to order certain information withheld from public disclosure when in its judgment a disclosure of such information would adversely affect the interests of a person and is not required in the interest of the public. All information ordered by the Board to be held confidential under this section will not be disclosed to the public; and, in addition, the Board has determined that it will not be in the interest of the public to disclose (i) any information or documents in the Board's possession dealing with or related to the Board's position or construction of the provisions of the Annexes to the Chicago Convention (61 Stat. 1180), (ii) any information obtained by the Board or the Board personnel as a result of participation by the Board and its personnel in accident investigations in foreign countries, unless the country of occurrence notifies the Board in writing that it has no objection to a disclosure of such information, and (iii) any cockpit voice recorder tape or transcription thereof, in the custody of the Board, except for a transcription of those communications determined by the Board to be pertinent and relevant to the accident, and which

will be placed in the Board's public docket of such accident.

By the National Transportation Safety Board.

[SEAL] JOSEPH J. O'CONNELL, Jr.,
Chairman.

DECEMBER 5, 1968.

[F.R. Doc. 68-14813; Filed, Dec. 11, 1968;
8:45 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-353; Order 376]

PART 1—RULES OF PRACTICE AND PROCEDURE

Preparation and Presentation of Prepared Written Testimony

DECEMBER 5, 1968.

Section 1.26(c) (2) (iii) of the Commission's rules of practice and procedure, 18 CFR, Chapter I, Subchapter A, Part 1, which governs the preparation and presentation of prepared expert testimony contemplates that such evidence shall be presented as an exhibit but it does not stipulate the format and procedure for the preparation and physical incorporation of prepared written testimony directly into the official transcript of the hearing.

By this order the Commission amends the rules to require all parties offering prepared written testimony to insert line numbers on each page. The amendment further provides that prepared testimony may be offered either in writing for inclusion in the transcript or in exhibit form as presently provided.

These changes are in conformity with accepted practices and are desirable for the purpose of facilitating references to testimony, particularly during the cross-examination of witnesses.

The Commission finds:

(1) The amendments of § 1.26(c) (2) (iii) herein ordered involve matters of agency procedure and practice; therefore compliance with the notice, public procedure and effective date provisions of 5 U.S.C. 553 is unnecessary.

(2) These amendments are necessary and appropriate for the administration of the Federal Power and Natural Gas Acts.

The Commission, acting pursuant to the Federal Power Act, as amended, particularly sections 308 and 309 thereof (49 Stat. 858; 16 U.S.C. 825g, 825h), and the Natural Gas Act, as amended, particularly sections 15 and 16 thereof (52 Stat. 829, 830; 15 U.S.C. 717n, 717o), orders:

(A) Subparagraph (c) (2) (iii) of § 1.26, Subchapter A, Chapter I, Title 18 of the Code of Federal Regulations is amended to read as follows: