§ 233.140 Expiration of community work and training program.

The provisions of section 409 of the Social Security Act, as amended, "Community Work and Training Programs", shall not apply to any State with respect to any quarter beginning after June 30, 1968. Federal financial participation will not be available in expenditures made in the form of payments for work performed in any month after June 1968, except under the Work Incentive Program authorized by Title IV, Part C of the Social Security Act, or under the work experience and training programs authorized by title V of the Economic Opportunity Act.

(Sec. 1102, 49 Stat. 647, 42 U.S.C. 1302; sec. 204(c)(2), 81 Stat. 892)

Effective date. The regulations in this part shall be effective on the date of their publication in the FEDERAL REGISTER.

Dated: December 17, 1968.

MARY E. SWITZER,
Administrator, Social and Rehabilitation Service.

Approved: December 26, 1968.

WILBUR J. COHEN,
Secretary.

[F.R. Doc. 68-15590; Filed, Dec. 31, 1968; 8:47 a.m.]

PART 237—FISCAL ADMINISTRATION OF FINANCIAL ASSISTANCE PROGRAMS

Interim Policy Statement No. 9 setting forth the regulations for the programs administered under titles I, IV—Part A, X, XIV, XVI, and XIX of the Act, with respect to the maintenance of State effort, was published in the FEDERAL REGISTER of August 10, 1968 (33 F.R. 11421). No objections having been received from any person, such regulations are hereby codified by adding a new Part 237 to Chapter II of Title 45 of the Code of Federal Regulations as set forth below.

§ 237.60 Maintenance of State effort; Federal financial participation.

For the programs administered under titles I, IV—Part A, X, XIV, XVI, and XIX of the Social Security Act:

(a) For fiscal years ending June 30, 1967, and June 30, 1968, a State may, at its option, apply the "maintenance of State effort" provisions under section 1117 of the Social Security Act on a fiscal year basis rather than on a quarterly basis. If a State exercises this option, it must choose, as the base period against which its effort is to be measured, either the fiscal year ending June 30, 1965, or the fiscal year ending June 30, 1964. Subsections (b) and (c) of section 1117 of the Act (relating to the manner of determining expenditures and reductions) would also be applied on a fiscal year basis if the State exercises this option.

(b) A State may, at its option, apply the "maintenance of State effort" provisions under section 1117 of the Act on the basis of several additional alternatives as to the expenditures (total and Federal share) that will be taken into account in determining whether a reduction is necessary under section 1117 of the Act.

(1) The State may take into account, as previously provided, all expenditures under titles I, IV—Part A, X, XIV, XVI, and XIX (including money payments, vendor medical payments, and costs of administration); or

(2) The State may make the determination

(i) On the basis of these expenditures plus the expenditures under section 523 of the Act (or section 422 of the Social Security Act, as amended by section 240(c) of Public Law 90-248), relating to child welfare services,

(ii) On the basis of money payments alone (under titles I, IV—Part A, X, XIV, and XVI), or

(iii) On the basis of money payments alone plus the expenditures under section 523 or 422 of the Act.

(c) These additional options both as to making the determination on a fiscal year rather than quarterly basis, and as to the expenditures included, may be applied retroactively to July 1, 1966, by any State subject to a reduction under the provisions of section 1117 of the Act as in effect prior to the enactment of section 221 of Public Law 90-248.

(d) The "maintenance of State effort" provisions have been made inapplicable to periods prior to July 1, 1966.

(e) Section 1117 of the Act was repealed, effective July 1, 1968, by section 221(d) of Public Law 90-248.

(Sec. 1102, 49 Stat. 647, 42 U.S.C. 1302)

Effective date. The regulations in this part are effective on the date of their publication in the FEDERAL REGISTER.

Dated: December 20, 1968.

MARY E. SWITZER,
Administrator, Social and Rehabilitation Service.

Approved: December 26, 1968.

WILBUR J. COHEN,
Secretary.

[F.R. Doc. 68-15589; Filed, Dec. 31, 1968; 8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18266]

PART 97—AMATEUR RADIO SERVICE

Novice Class Amateur Radio License; Correction

In the matter of amendment of Part 97 of the Commission's rules concerning the Novice Class amateur radio license, Docket No. 18266, RM-1288; amendment of Part 97 to extend special privileges to amateur Novice Class applicants and licensees over 40 years of age, RM-1324.

The amendment of § 97.9(f) as set forth in paragraph 1 to the report and order (FCC 68-1178, 33 F.R. 19017) in this proceeding which was released December 18, 1968, should read as follows:

§ 97.9 Eligibility for new operator license.

* * * * *

(f) *Novice Class.* Any citizen or national of the United States, except a person who holds, or who has held within the 12-month period prior to the date of receipt of his application, a Commission-issued amateur radio license. The Novice Class license may not be concurrently held with any other class of amateur radio license.

Released: December 27, 1968.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-15592; Filed, Dec. 31, 1968; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1004, Amdt. 1]

PART 1033—CAR SERVICE

Harriman & Northeastern Railroad Co. Authorized To Operate Over Certain Trackage Abandoned by Tennessee Central Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held at its office in Washington, D.C., on the 23d day of December 1968.

Upon further consideration of Service Order No. 1004 (33 F.R. 12660), and good cause appearing therefor:

It is ordered, That:

Section 1003.1004 *Service Order No. 1004* (Harriman & Northeastern Railroad Co. authorized to operate over certain trackage abandoned by the Tennessee Central Railway Co.), be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., April 30, 1969, unless otherwise modified, changed, or suspended by the order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1968.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

It is further ordered, That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the

terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 68-15581; Filed, Dec. 31, 1968; 8:46 a.m.]

[Corrected S.O. 1003, Amdt. 1]

PART 1033—CAR SERVICE

Illinois Central Railroad Co. Authorized To Operate Over Certain Trackage Abandoned by Tennessee Central Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held at its office in Washington, D.C., on the 23d day of December 1968.

Upon further consideration of Service Order No. 1003 (33 F.R. 12741), and good cause appearing therefor:

It is ordered, That:

Section 1033.1003 *Service Order No. 1003* (Illinois Central Railroad Co. authorized to operate over certain trackage abandoned by the Tennessee Central Railway Co.), be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., April 30, 1969, unless otherwise modified, changed, or suspended by the order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1968.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

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

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 68-15582; Filed, Dec. 31, 1968; 8:46 a.m.]

[S.O. 1005, Amdt. 1]

PART 1033—CAR SERVICE

Louisville and Nashville Railroad Co. Authorized To Operate Over Certain Trackage Abandoned by Tennessee Central Railway Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held at its office in Washington, D.C., on the 23d day of December 1968.

Upon further consideration of Service Order No. 1005 (33 F.R. 12660), and good cause appearing therefor:

It is ordered, That:

Section 1033.1005 *Service Order No. 1005* (Louisville and Nashville Railroad Co. authorized to operate over certain trackage abandoned by the Tennessee Central Railway Co.), be and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof.

(e) *Expiration date.* This order shall expire at 11:59 p.m., April 30, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., December 31, 1968.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

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

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 68-15583; Filed, Dec. 31, 1968; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 929]

CRANBERRIES GROWN IN CERTAIN STATES

Handling

Notice is hereby given that the Department is considering a proposed amendment, as hereinafter set forth, of the rules and regulations (§§ 929.101, 929.102, 929.103, 929.104, 929.105, and 929.106), hereinafter designated as Subpart—Rules and Regulations, currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 929, as amended (7 CFR Part 929; 33 F.R. 11639), regulating the handling of cranberries grown in Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The amendment of the said rules and regulations was proposed by the Cranberry Marketing Committee, established under the said amended marketing agreement and order as the agency to administer the terms and provisions thereof.

The proposal is that the following new sections be added:

§ 929.107 Basis for determining established cranberry acreage.

(a) To be classified as established cranberry acreage pursuant to §§ 929.16 and 929.48, all such acreage must presently be producing cranberries on a commercial basis or planted, in accordance with order provisions, so as to produce cranberries on a commercial basis. "Commercial crop" is synonymous with "commercial basis" and shall mean:

(1) Acreage on which a commercial crop of cranberries was produced, harvested, and sold at least once during the crop years 1965–66 through 1967–68, and the record of such sales as verified by the handler thereof, shall show that the cranberries were produced in a quantity of at least 15 barrels per acre; or

(2) Acreage that has a sufficient density of growing vines to show that such acreage can produce a commercial crop of at least 15 barrels an acre without replanting or renovation of any kind.

(b) It shall be the responsibility of the Cranberry Marketing Committee to determine no later than August 31, 1969, by physical inspection or other means whether there is sufficient vine density for cranberry acreage to qualify as "established cranberry acreage" in accordance with paragraph (a)(2) of this section. In making such determination, the committee shall be guided by standards of comparison between the potential bog and present existing bogs in the same area.

(c) If the determination were that all or part of the acreage eligible under paragraph (a)(2) of this section does not have sufficient vine coverage to produce 15 barrels an acre, that portion without sufficient vine coverage will not qualify as established acreage under this section. In the event only a portion of an acreage has sufficient vine population and density to produce 15 barrels of cranberries an acre, such portion will qualify as established cranberry acreage pursuant to this section. Since such qualified portion of the acreage would be eligible for a base quantity it must be definitely and permanently delineated. It shall be the responsibility of the grower to maintain adequate sales records to show actual sales from established acreage and submit such records to the committee separately from sales records pertaining to any other acreage. The report of sales must be filed by the grower no later than February 1 of the calendar year succeeding the crop year to which such sales pertain, except that such report of sales for the 1968 crop year shall be filed no later than July 1, 1969.

§ 929.108 Firm and substantial commitment as used in determining base quantities.

(a) (1) Pursuant to § 929.48(a)(1), provision has been made for growers who did not meet the August 16, 1968, deadline for having established cranberry acreage, but who had made a "firm and substantial commitment" prior to June 21, 1968, so that sales from such acreage may be eligible for calculating the base quantity. In considering what constitutes a "firm and substantial commitment" in order to grant an extension of time in which to plant, the committee should consider the investment in time, money, or labor, prior to June 21, 1968, on acreage for the purpose of producing cranberries, which acreage was not planted prior to August 16, 1968. Applications based solely on the acquisition of land or equipment, or a combination thereof, shall not automatically constitute a proper basis for the committee to find that a firm and substantial commitment had been made

(2) To receive an extension of time beyond August 16, 1968, in which to plant so as to be eligible for an adjustment or a new base quantity, as provided in § 929.48(a)(1), a grower shall submit proof to the committee which is satisfactory to show a "firm and substantial commitment" had been made. Such proof should include vouchers and sales slips, and records of labor or other expenditures which were made on the specific acreage in question prior to June 21, 1968. Any other form of satisfactory proof shall be considered also. The grower shall file with the committee, on forms furnished by it, other information which may be necessary to substantiate his claim.

(b) To establish proof of commitment, the evidence submitted by the grower shall be in the form of a certified statement transmitted to the committee for its consideration. Such form shall include the following:

(1) The grower's name, address, and phone number;

(2) The location of the acreage and the date of acquisition;

(3) The total cranberry acreage planted prior to 1968;

(4) The total new acreage completed by August 16, 1968;

(5) The total acreage not completed by August 16, 1968;

(6) A statement of contractual labor or equipment used by the grower, including the name of the contractor, the date of the contract, and a copy of the contract;

(7) A list of the names of employees, if the grower employed his own labor force and equipment;

(8) Reasons why the acreage was not completed by August 16, 1968;

(9) A statement describing the work necessary to complete the unfinished bog, including an estimate of expenditures necessary to complete it, specifying the expected date of completion and the year the first crop will be harvested;

(10) A statement giving alternative uses to which the property might be put; and

(11) Any other factors or information which will assist the committee in determining whether to grant an extension of time for planting.

(c) In the event the committee determines an exception should be granted, it may grant the grower an extension of time beyond August 16, 1968, in which to plant vines on the acreage involved.

(d) In the event the grower is not satisfied with the determination of the committee as to whether to grant an extension, he may appeal such decision as provided for in § 929.48(c) of the order. Such extension of time will in no way affect the representative period during which the base quantity will be determined. All requests for an extension must be made to the committee not later than March 31, 1969, and in cases where extensions are granted, all work necessary to produce a crop on the acreage involved must be completed prior to August 1, 1969.

§ 929.109 Unusual circumstances as used in determining base quantities.

"Unusual circumstances," as used in § 929.48(a)(3), shall include but not necessarily be limited to the taking of property under the power of eminent domain and also "Acts of God," such as an earthquake, seashore erosion, encroachment

of sand dunes, saline contamination due to prolonged inundation, a forest fire, and any other circumstances which are beyond the grower's control and destroy the ability of a cranberry bog to produce cranberries to such an extent that the bog is found, in the judgment of the committee, to be permanently lost for commercial purposes.

§ 929.110 Transfers or sales of cranberry acreage during the representative period.

(a) Sales or transfers of cranberry acreage during the representative period shall be reported, in writing, by the transferor and transferee setting forth sales attributed to such acreage, to the committee at its office in Wareham, Mass., or at such other location as it may designate, not later than 30 days after the transaction has occurred.

(b) Upon transfer of all or a portion of a given acreage, the committee should be given certain specific information either on forms it will provide, or in statements provided by the parties. The purchaser and seller must provide the following information:

(1) Crop records for the acreage involved;

(2) Annual production and sales for each year during the base period on the acreage involved, either in total, or for each individual parcel; and

(3) Such other information as the committee deems necessary.

(c) Cranberry acreage sold or transferred during the representative period shall be recognized in connection with the issuance of base quantities as follows:

(1) If a grower sells all of the acreage comprising the entity, all prior sales made during the representative period, shall accrue to the purchaser.

(2) If a grower sells only a portion of the acreage comprising the entity from which prior sales have been made during the representative period, the purchaser and the seller must agree as to the amount of sales attributed to each portion and both parties give notice thereof to the committee listing such sales separately by years. However, the sales attributed to each such portion shall not exceed the potential production as determined by the committee, for such acreage at the time of transfer.

§ 929.125 Committee review procedures.

Pursuant to § 929.48(c), growers may request, and the committee shall grant, a review of determinations made by the committee pursuant to § 929.48 (a) and (b), in accordance with the following procedures:

(a) If a grower is dissatisfied with a determination made by the committee which affects him, he may submit to the committee within 30 days after he is notified of the determination, a request for a review by the committee of that determination, along with any materials which he feels are pertinent and a written argument if he so desires.

(b) The committee shall review its determination within a reasonable length of time taking into account all materials submitted by the grower in accordance with paragraph (a) of this section, and any other material which it deems pertinent. Thereupon, the committee shall make a redetermination, and notify the grower of its conclusions, accompanied by the reasons for its decision.

(c) If the grower is not satisfied with the subsequent decision of the committee, he may appeal, through the committee, to the Secretary, within 30 days after he is notified of the committee's findings. The committee shall promptly forward the entire file on the matter to the Secretary.

(d) The Secretary shall promptly review the decision of the committee as a result of its redetermination, and in doing so shall consider at least the following information:

(1) The complete file on the issue which was submitted by the committee in accordance with paragraph (c) of this section;

(2) Additional pertinent information submitted to the Secretary by the grower; and

(3) Additional pertinent information submitted to the Secretary by the committee.

(e) Upon completion of his review, the Secretary shall reach a decision with respect to the matter before him. He shall promptly notify all interested persons of his decision, and such decision shall be final.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment of the said rules and regulations shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 15th day after publication of the notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: December 26, 1968.

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

[F.R. Doc. 68-15572; Filed, Dec. 31, 1968; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 221]

PINE RIVER INDIAN IRRIGATION PROJECT, COLO.

Operation and Maintenance Charges

Notice is hereby given of the intention to modify § 221.55 *Charges* of Title 25, Code of Federal Regulations, Chapter I, Subchapter T, dealing with operation and maintenance assessments against the irrigable lands of the Pine River Indian Irrigation Project, Colo., by increasing the basic water charges from $2 per acre to $2.50 per acre per annum for Project operation and maintenance and $0.16 per acre per annum for Vallecito Reservoir operation and maintenance. The revised section shall read as follows:

§ 221.55 Charges.

Pursuant to the provisions of the Act of August 1, 1914 (38 Stat. 583; U.S.C., sec. 385) and March 7, 1928 (45 Stat. 200, 210), the basic annual charges for operation and maintenance against the irrigable lands of the Pine River Indian Irrigation Project, Colo., for the year 1969 and thereafter until further notice are hereby fixed as follows:

(1) Project operation and maintenance	$2.50
(2) Vallecito Reservoir operation and maintenance	0.16
(3) Minimum charges for any tract	4.00

A minimum billing will be assessed against any tract of land where the total charges are less than $4.

Interested persons are hereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or argument in writing to Walter O. Olson, Area Director, Albuquerque Area Office, Albuquerque, N. Mex., Attention: Land Operations, within thirty (30) days from date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

(Order No. 2508, Amdt. 1 (16 F.R. 473-474); Order No. 551, Amdt. 1 (16 F.R. 5456-5457))

LOYD E. NICKELSON,
Acting Assistant Area Director, Economic Development.

[F.R. Doc. 68-15554; Filed, Dec. 31, 1968; 8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 9321]

AIRWORTHINESS DIRECTIVE

Certain Schleicher Model ASK-13 Gliders

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive (AD) applicable to Schleicher Model ASK-13 gliders, Serial Nos. 13000 through 13104, 13108, 13109, except Serial Nos. 13071 and 13096. There has been an instance in which the landing gear end buffer plate on a Schleicher ASK-13 glider slipped inside the rubber buffer, causing the landing gear to block the main control rod. Since this condition is likely to exist or develop in other aircraft of the same type design, this airworthiness directive is being proposed to require replacement of the buffer plate on the left and right landing gear with a larger buffer plate.