

matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Navel Orange Administrative Committee (established pursuant to the amended marketing agreement and order, it is hereby found and determined that:

**§ 907.207 Expenses and rate of assessment.**

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Navel Orange Administrative Committee, during the period November 1, 1968, through October 31, 1969, will amount to \$300,000.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 907.41, is fixed at \$0.01 per carton of Navel oranges.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the relevant provisions of said amended marketing agreement and this part require that the rate of assessment fixed for a particular fiscal year shall be applicable to all assessable Navel oranges from the beginning of such year; and (2) the current fiscal year began on November 1, 1968, and the rate of assessment herein fixed will automatically apply to all assessable Navel oranges beginning with such date.

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

Dated: January 29, 1969.

FLOYD F. HEDLUND,  
Director, Fruit and Vegetable  
Division, Consumer and Mar-  
keting Service.

[F.R. Doc. 69-1403; Filed, Feb. 3, 1969;  
8:47 a.m.]

## Title 12—BANKS AND BANKING

### Chapter II—Federal Reserve System

#### SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

#### PART 265—RULES REGARDING DELEGATION OF AUTHORITY

#### Specific Functions Delegated to Board Employees and Federal Reserve Banks

1. Effective immediately, § 265.2(c) is amended by adding subparagraph (12).
2. Effective immediately, the title of § 265.2(d) is amended to read as shown below, and subparagraph (4) is added to paragraph (d).
3. Effective immediately, § 265.2(f) is amended by adding subparagraph (15).

§ 265.2 Specific functions delegated to Board employees and Federal Reserve banks.

(c) The Director of the Division of Supervision and Regulation (or, in his

absence, the Acting Director) is authorized:

(12) To exercise the functions described in subparagraphs (15) (i) and (ii) of paragraph (f) of this section; and to exercise the functions described in subparagraph (15) (iii) of paragraph (f) of this section in those cases in which the appropriate Federal Reserve Bank concludes that, because of unusual considerations, or for other good cause, it should not take action.

(d) The Director of the Division of Federal Reserve Bank Operations (or, in his absence, the Acting Director) is authorized:

(4) Under the provisions of §§ 216.5 (b) and (d) and 216.6 of this chapter (Regulation P), with respect to Federal Reserve Banks and branches: (i) To require reports on security devices; (ii) To require special reports; and (iii) to determine, in view of the provisions of §§ 216.3 and 216.4 of this chapter, whether security devices and procedures are deficient in meeting the requirements of Part 216 of this chapter, to determine whether such requirements should be varied in the circumstances of a particular banking office, and to require corrective action.

(f) Each Federal Reserve Bank is authorized, as to member banks or other indicated organizations headquartered in its district:

(15) Under the provisions of §§ 216.5 (b) and (d) and 216.6 of this chapter (Regulation P), with respect to State member banks only: (i) To require reports on security devices; (ii) To require special reports; and (iii) to determine, in view of the provisions of §§ 216.3 and 216.4 of this chapter, whether security devices and procedures are deficient in meeting the requirements of Part 216 of this chapter, to determine whether such requirements should be varied in the circumstances of a particular banking office, and to require corrective action.

4a. The purpose of these amendments is to delegate certain functions of the Board relating to the administration of its Regulation P, "Minimum Security Devices and Procedures for Federal Reserve Banks and State Member Banks".

b. The provisions of section 553 of title 5, United States Code, relating to notice and public participation and to deferred effective dates, were not followed in connection with the adoption of these amendments, because the rules contained therein are procedural in nature and accordingly do not constitute substantive rules subject to the requirements of such section.

Dated at Washington, D.C., this 27th day of January 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-1385; Filed, Feb. 3, 1969;  
8:45 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 9384; Amdt. 39-719]

#### PART 39—AIRWORTHINESS DIRECTIVES

#### British Aircraft Corp. Model BAC 1-11, 200 and 400 Series Airplanes

There has been an instance where a loose aileron tab filler and modification plate assembly block on a Model BAC 1-11 200 Series airplane resulted in a foul between the tab and wing structure. Subsequent inspection of other Model BAC 1-11, 200 and 400 Series aircraft indicated additional cases of loose modification plates. Since this condition is likely to exist or develop in other airplanes of the same design, an airworthiness directive (AD) is being issued to require inspection of the aileron tabs for proper bonding within the tab structure of the filler and modification plate assembly, and modification of loose assemblies on all Model BAC 1-11, 200 and 400 Series airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT CORPORATION. Applies to Model BAC 1-11, 200 and 400 Series airplanes.

Compliance required as indicated, unless already accomplished.

To prevent possible jamming of aileron controls due to the aileron tab filler and modification plate assembly block, Part Number AB11/A1303 or AK11/A409, coming loose and fouling between the aileron and the wing structure, accomplish the following:

(a) Within 75 hours' time in service after the effective date of this AD and thereafter at intervals not to exceed 150 hours' time in service from the last inspection, inspect the right and left aileron tabs for proper bonding within the tab structure of the filler and modification plate assembly P/N AB11/A1303 or AK11/A409 in accordance with British Aircraft Corp. BAC 1-11 Alert Service Bulletin No. 57-A-PM 3793, Issue 2, or later ARB-approved issue or FAA-approved equivalent.

(b) If the filler and modification plate assembly is found to be loose during the inspection required by paragraph (a), before next flight, remove the assembly completely, and reinstall the modification plate in accordance with BAC Modification No. 3793.

(c) The repetitive inspections required by paragraph (a) of this AD may be discontinued after the existing filler and modification plate assembly is permanently secured by the addition of a 1/8-inch diameter blind rivet or after the incorporation of BAC Modification No. 3793.

This amendment becomes effective February 14, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on January 27, 1969.

EDWARD C. HODSON,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 69-1407; Filed, Feb. 3, 1969;  
8:48 a.m.]

[Docket No. 9385; Amdt. 39-720]

## PART 39—AIRWORTHINESS DIRECTIVES

### Pilatus Model PC-6 Airplanes

There has been a failure of the forward aileron mass balance attachment bolt on a Pilatus Model PC-6 airplane. Investigation established that the failure was due to inherent fatigue of the bolt. Since this condition is likely to exist or develop in other airplanes of the same design, an airworthiness directive (AD) is being issued to require replacement of the forward aileron mass balance attachment bolt on the left and right aileron with new bolts.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PILATUS. Applies to Model PC-6 airplanes, Serial Nos. 342 through 675, 2001 through 2009, 2012 through 2018, 2025 through 2035, 2040, and 2041.

Compliance required within the next 25 hours time in service after the effective date of this AD, unless already accomplished.

To prevent fatigue failure of the forward aileron mass balance attachment bolt P/N N-116 M5X40 (932.11.41.39), replace bolt on left and right aileron with new bolts of the same part number that have been supplied by the Pilatus Aircraft Works, Stans, Switzerland, or Fairchild Hiller Corp., Hagerstown, Md., after April 15, 1968 in accordance with Pilatus Service Bulletins No. 81 and 81A or later Swiss Federal Air Office-approved issue or an FAA-approved equivalent.

This amendment becomes effective February 14, 1969.

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

Issued in Washington, D.C., on January 27, 1969.

EDWARD C. HODSON,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 69-1408; Filed, Feb. 3, 1969;  
8:48 a.m.]

[Docket No. 9386; Amdt. 39-721]

## PART 39—AIRWORTHINESS DIRECTIVES

### Slingsby Model T.53B Glider

There has been a recent report of the jamming of the elevator control system on a Slingsby Model T.53B Glider, caused by interference between the elevator control lever and its support bracket. Since this condition is likely to exist or develop in other aircraft of the same type design, this airworthiness directive (AD) is being issued to require replacement of the existing elevator control support bracket with a new bracket.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SLINGSBY. Applies to Slingsby Model T.53B Gliders.

Compliance required within the next 25 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent interference between the elevator control lever and its support bracket, replace the existing bracket P/N 53B-10-81 with new bracket P/N 53B-10-1117 in accordance with Slingsby Technical Instruction No. 36, dated November 1968, or later ARB-approved issue or an FAA approved equivalent.

This amendment becomes effective February 14, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on January 27, 1969.

EDWARD C. HODSON,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 69-1409; Filed, Feb. 3, 1969;  
8:48 a.m.]

[Docket No. 9381; Amdt. 151-29]

## PART 151—FEDERAL AID TO AIRPORTS

### Runway Grooving To Improve Skid Resistance

The purpose of these amendments to Part 151 of the Federal Aviation Regulations is to clarify that runway grooving to improve skid resistance is eligible for inclusion in a project under the Federal-aid Airport Program under § 151.77 of, and Appendix C to, Part 151.

Section 151.77(b) provides that the kinds of runway paving that are eligible for inclusion in a project include pavement construction and reconstruction. The question has arisen whether runway grooving is an eligible item of runway

paving under § 151.77(b). Runway grooving has been long recognized a means of improving skid resistance, and it is considered to be an eligible item of airport improvement. These amendments are issued to clarify the language of the rule by stating specifically that this item is eligible for inclusion in a project under that provision of Part 151.

Appendix C to Part 151 contains an itemization of typical eligible and ineligible items of runway paving. This appendix is also amended to include runway grooving to improve skid resistance as a typical eligible item.

Since these amendments are clarifying in nature and impose no additional burden on any person, notice and public procedure thereon are not required, and they may be made effective in less than 30 days.

In consideration of the foregoing, Part 151 of the Federal Aviation Regulations is amended as follows, effective February 4, 1969:

a. By amending the first sentence of § 151.77(b) to read as follows:

§ 151.77 Runway paving: General rules.

(b) The kinds of runway paving that are eligible for inclusion in a project include pavement construction and reconstruction, and include runway grooving to improve skid resistance, and resurfacing to increase the load bearing capacity of the runway or to provide a leveling course to correct major irregularities in the pavement. \* \* \*

b. By inserting the following item after item 4 under the heading "Typical Eligible Items" in Appendix C:

#### Typical Eligible Items

5. Runway grooving to improve skid resistance.

(Secs. 1-15, 17-20, Federal Airport Act; 49 U.S.C. 1101-1114, 1116-1120; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c); § 1.4(b)(2) of the regulations of the Office of the Secretary of Transportation)

Issued in Washington, D.C., on January 27, 1969.

D. D. THOMAS,  
Acting Administrator.

[F.R. Doc. 69-1399; Filed, Feb. 3, 1969;  
8:47 a.m.]

[Docket No. 9382; Amdt. 165-3]

## PART 165—WAKE ISLAND CODE

### Elimination of Certain Criminal Offenses on Wake Island

The purpose of these amendments to Part 165 of the Federal Aviation Regulations is to eliminate certain criminal offenses not considered as petty offenses.

The Wake Island Court is vested with judicial authority in criminal matters by Part 165. Section 165.95(a) provides that there is no trial by jury which, in any event, would not be feasible within the

Wake Island community. In addition, it is impractical to attempt to provide counsel, either public or private, on Wake Island.

It has been determined that, in order to preclude any possible denial of constitutional guarantees to any persons accused of crimes on Wake Island, each criminal offense should be deleted from Part 165 that is so serious, in the Administrator's judgment, as to require a jury trial or public defender (where appropriate). Accordingly, 20 of the offenses listed in § 165.41 and perversion (one item named in another listed offense) are eliminated by these amendments, as well as gambling, wagering, operating, or participating in a lottery on the Airport (§ 165.43(g)). Section 165.45 also is eliminated because it only serves to define narcotics and dangerous drugs.

A number of the offenses eliminated will be subject to the jurisdiction of the District Court of Hawaii. Some of them are not offenses under the United States Code, and the District Court of Hawaii does not have jurisdiction. However, the FAA would not, consistently with the determination made herein, prosecute an alleged violator of any of these regulatory provisions at the present time, thus it is not meaningful to prohibit these acts in Part 165.

Finally, § 165.59 (Substitution of penalty) also is eliminated because it would allow punishment of more than 6 months confinement for the petty offenses kept in § 165.41.

Since FAA management is involved, compliance with notice and public procedure under 5 U.S.C. section 553 is not required.

In consideration of the foregoing, effective March 6, 1969, Part 165 is amended as hereinafter set forth:

1. By amending § 165.41 to read as follows:

**§ 165.41 General criminal offenses.**

No person may, while on Wake Island—

(a) Throw away any paper, debris, refuse, garbage, litter, bottle, or can, except into a receptacle or area designated for that purpose;

(b) Commit any act of nuisance;

(c) With intent to provoke a breach of the peace or under such circumstances that a breach of the peace may be occasioned thereby, act in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to any other person;

(d) Possess or display (publicly or privately) any pornographic literature, film, device, or any matter containing obscene language, that tends to corrupt morals;

(e) Make any obscene or indecent exposure of his person;

(f) Commit any disorderly, obscene, or indecent act;

(g) Commit any act of voyeurism (Peeping Tom);

(h) Enter upon any assigned residential quarter or areas immediately adjacent thereto, without permission of the assigned occupant;

(i) Throw away any paper, debris, refuse, garbage, litter, bottle, or can, except into a receptacle or area designated for that purpose;

(j) Commit any act of nuisance;

(k) With intent to provoke a breach of the peace or under such circumstances that a breach of the peace may be occasioned thereby, act in such a manner as to annoy, disturb, interfere with, obstruct, or be offensive to any other person;

(l) Be drunk in any public place;

(m) Use any profane or vulgar language in a public place;

(n) Loiter or roam about Wake Island, without any lawful purpose, at late and unusual hours of the night;

(o) Lodge or sleep in any place without the consent of the person in legal possession of that place;

(p) Grossly waste any potable water; or

(q) Being a male, knowingly enter any area, building, or quarter reserved for women, except in accordance with established visiting procedures.

**§ 165.43 [Amended]**

2. By striking out paragraph (g) of § 165.43.

**§ 165.45 [Deleted]**

3. By striking out § 165.45.

**§ 165.59 [Deleted]**

4. By striking out § 165.59.

(Sec. 10, 62 Stat. 453; 49 U.S.C. 1159; sec. 48, 74 Stat. 424; E.O. 11048; agreement between FAA and the Department of Interior, February 5, 1962; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c); § 1.4(b)(2) of the regulations of the Office of the Secretary of Transportation)

Issued in Washington, D.C., on January 27, 1969.

D. D. THOMAS,  
Acting Administrator.

[F.R. Doc. 69-1398; Filed, Feb. 3, 1969; 8:47 a.m.]

## Title 15—COMMERCE AND FOREIGN TRADE

### Chapter III—Bureau of International Commerce, Department of Commerce

#### SUBCHAPTER B—EXPORT REGULATIONS

[11th Gen. Rev. of Export Regs., Amdt. 18]

### PART 379—EXPORT CLEARANCE AND DESTINATION CONTROL

#### PART 385—TECHNICAL DATA, EXPORTATIONS OF

#### Miscellaneous Amendments

Part 379 and § 385.4(a) of the Code of Federal Regulations are hereby amended to read as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.)

E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

Effective date: January 28, 1969.

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

1. Part 379—Export Clearance and Destination Control is hereby revised to read as follows:

- Sec.
- 379.1 General export clearance requirements.
- 379.2 Presentation and use of validated license.
- 379.3 Presentation of Shipper's Export Declaration.
- 379.4 Authentication of Declaration.
- 379.5 Use of authenticated Declaration.
- 379.6 Use of license symbol or number on Declaration or parcel.
- 379.7 General authority of Customs Offices and Postmasters in clearing shipments.
- 379.8 Types of actions which may be taken by Customs Offices.
- 379.9 Ports of exit.
- 379.10 Destination control.
- 379.11 Return or unloading of cargo at direction of U.S. Department of Commerce.
- 379.12 Air cargo clearance at certain ports of origin.
- 379.13 Other applicable laws and regulations.

**AUTHORITY:** The provisions of this Part 379 issued under sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.

#### § 379.1 General export clearance requirements.

(a) *Exports by water or air carrier.*  
(1) No exporter or his agent, including any carrier, shall load or carry or permit loading or carrying onto an exporting carrier, or present to the Customs Office for inspection and clearance for export, any commodity until:

(i) *For shipments requiring a validated export license.* A validated license therefor has been presented to the Customs Office; and a related duly executed Shipper's Export Declaration,<sup>1</sup> in the requisite number of copies, covering such commodity has been presented to, and authenticated by, the Customs Office, a copy returned to the person presenting it, and this copy delivered to the exporting carrier.

(ii) *For shipments under a general license.* A duly executed Declaration in the requisite number of copies and consistent with the provisions of an applicable general license, has been presented to, and authenticated by, the Customs Office, a copy returned to the person presenting it and this copy delivered to the exporting carrier (except as provided in subparagraph (3) of this paragraph). Where the filing of a Declaration is not required, an oral declaration describing the commodity about to

<sup>1</sup>Shipper's Export Declaration, Form 7525-V, may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, local Customs Offices, and U.S. Department of Commerce Field Offices (see list on page i). Price of the form is \$1 for a pad of 100.