

B. Order terminating certain provisions: This termination order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Middle Atlantic marketing area.

It is hereby found and determined that the following provisions of the order do not tend to effectuate the declared policy of the Act:

1. In § 1004.70(e), the provision which reads: "and by the butterfat differential pursuant to § 1004.81 to reflect variation in butterfat content from 3.5 percent."

2. Section 1004.71(c).

The termination of these provisions will eliminate an unnecessary administrative step in pool computation.

In computing handlers' obligations for other source milk used in Class I, on which a payment of the difference between the Class I price and the weighted average price is applicable, the provisions here being terminated prescribe computations adjusting for differential butterfat which must then be offset in computing handlers' payment obligations to the producer settlement fund pursuant to § 1004.85. These offsetting computations are totally unnecessary and could be confusing to handlers. The identical result will obtain by the termination here effected.

Inasmuch as the actions taken herewith apply to the Middle Atlantic order which will not become effective until August 1, 1970, it is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest.

Therefore, good cause exists for making this order effective upon publication in the FEDERAL REGISTER.

It is therefore ordered, That the aforesaid provisions of the order are hereby terminated.

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 13, 1970.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70-9170; Filed, July 16, 1970; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs. Amdt. 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—General Regulations Governing Price Support for the 1970 and Subsequent Crops

DELEGATION OF AUTHORITY

The regulations issued by the Commodity Credit Corporation published at

35 F.R. 7363 and 7781 containing the General Regulations Governing Price Support for the 1970 and Subsequent Crops of Grain and Similarly Handled Commodities are hereby amended as follows:

Paragraph (b) of § 1421.2 is amended to provide authorization for executing release of chattel mortgages and security agreements on behalf of CCC and to execute indemnity agreements on behalf of CCC when the county recording official deems such an agreement necessary. The amended paragraph reads as follows:

§ 1421.2 Administration.

(b) *Documents.* Any member of the county committee, the county executive director, or other employee of the county ASCS office (hereinafter called county office) designated in writing by the county executive director to act in his behalf (such delegation to be filed in the county office) is authorized to approve documents under this program except where otherwise specified in the regulations in this subpart. He may also execute releases or otherwise obtain the release of record of chattel mortgages and security agreements made to CCC to secure loans on agricultural commodities upon payment in full of the loan involved. He may execute indemnity agreements on behalf of CCC where any county recording officer deems such indemnity agreement necessary to releasing a mortgage or security agreement of record.

(Secs. 4 and 5, 62 Stat. 1070, as amended; secs. 101, 105, 107, 301, 401, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1447, 1421, 1425)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 13, 1970.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 70-9215; Filed, July 16, 1970; 8:52 a.m.]

[CCC Grain Price Support Regs., 1970 and Subsequent Crops Flaxseed Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 and Subsequent Crops Flaxseed Loan and Purchase Program

The General Regulations Governing Price Support for the 1970 and Subsequent Crops (35 F.R. 7363 and 7781) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support loan and purchase operations are supplemented for the 1970 and subsequent crops of flaxseed by adding §§ 1421.150-1421.159 to read as follows. The material previously appearing in §§ 1421.3051-1421.3060 remains in full force and effect as to the crops of flaxseed to which it was applicable.

Sec.	
1421.150	Purpose.
1421.151	Availability.
1421.152	Eligible flaxseed.
1421.153	Determination of quality.
1421.154	Determination of quantity.
1421.155	Warehouse receipts.
1421.156	Fees and charges.
1421.157	Warehouse charges.
1421.158	Maturity of loans.
1421.159	Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1054; 15 U.S.C. 714 b and c, 7 U.S.C. 1447, 1421.

§ 1421.150 Purpose.

This supplement contains program provisions, which together with the General Regulations Governing Price Support for the 1970 and Subsequent Crops and any amendments thereto or revisions thereof (such regulations are referred to in this subpart as "General Regulations"), and the annual crop year supplement issued with respect to the crop of flaxseed for which price support is being requested, apply to price support loans and purchases for the 1970 and subsequent crops of flaxseed.

§ 1421.151 Availability.

Producers desiring price support for flaxseed must request a loan or notify the County ASCS office of intentions to sell to CCC no later than the dates set forth in the applicable annual flaxseed crop supplement to the regulations in this part.

§ 1421.152 Eligible flaxseed.

(a) *General.* To be eligible for a loan or a purchase, the flaxseed (1) must be merchantable for crushing into oil and feed, as determined by CCC, and (2) must not contain mercurial compounds or other substances poisonous to man or animals.

(b) *Warehouse-stored loan grade requirements.* To be eligible for a warehouse-storage loan, the flaxseed must also grade No. 1 or No. 2.

§ 1421.153 Determination of quality.

The grade, grading factors and all other quality factors shall be based on the Official Grain Standards of the United States for Flaxseed, whether or not determinations are made on the basis of an official inspection.

§ 1421.154 Determination of quantity.

When the quantity is determined by weight, a bushel shall be 56 pounds of flaxseed free of dockage.

(a) *In warehouse.* The quantity of flaxseed stored in an approved warehouse and on which a warehouse-storage loan may be made and the quantity of flaxseed delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt, or on the supplemental certificate if applicable.

(b) *On farm.* The quantity of flaxseed eligible to be placed under a farm-storage loan shall be determined in accordance with § 1421.18 of the general regulations. The quantity acquired by CCC from farm storage shall be determined by weight.

§ 1421.155 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase must meet the requirements of this section.

(a) *Separate receipt.* A separate warehouse receipt must be submitted for each grade of flaxseed.

(b) *Entries.* Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show: (1) Gross weight, and net bushels, (2) grade, (3) test weight, (4) moisture, (5) dockage, (6) any other grading factor(s) when such factor(s) and not test weight determine(s) the grade, (7) whether the flaxseed arrived by rail, truck, or barge, and (8) the date the flaxseed was received or deposited in the warehouse.

(c) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 1421.157.

(d) *Freight certificate requirements.* Warehouse receipts representing flaxseed which has been shipped by rail, or by barge utilizing combination barge-rail freight rates which are published and on file with the Interstate Commerce Commission, from a country shipping point to a designated terminal point or to a storage point and stored intransit to a designated terminal point, must be accompanied by supplemental certificates. These certificates must be representative as to origin and date of movement of the flaxseed and must reflect the rate of freight paid into the storage point and the amount of penalty, if any, for out-of-line haul. The form of the certificates will be prescribed by the ASCS commodity office and shall be signed by the warehouseman.

§ 1421.156 Fees and charges.

The producer shall pay a loan service fee and delivery charge as specified in § 1421.11 of the General Regulations.

§ 1421.157 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the flaxseed represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement (hereinafter called UGSA) may be subject to liens for warehouse handling and storage charges at not to exceed the UGSA rates from the date the flaxseed is deposited in the warehouse for storage. In no event shall a warehouseman be entitled to satisfy the lien by sale of the flaxseed when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges—UGSA warehouses.* The table set forth in the annual flaxseed crop supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of flaxseed stored in an approved warehouse operated under the UGSA. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deduction shall be made. If such written

evidence is not submitted, the beginning date to be used for computing the storage deduction on flaxseed stored in warehouses operating under the UGSA shall be the latest of the following: (1) The date the flaxseed was received or deposited in the warehouse, (2) the date storage charges start, or (3) the day following the date through which the storage charges have been paid.

§ 1421.158 Maturity of loans.

Loans will mature on demand but not later than the date specified in the annual flaxseed crop supplement to the regulations in this subpart.

§ 1421.159 Support rates.

Basic county support rates for flaxseed and the schedule of premiums and discounts will be set forth in the annual flaxseed crop supplement to the regulations contained in this subpart. Farm-stored flaxseed loans will be made at the applicable basic county support rate adjusted, where applicable, for the Weed Control discount. The support rate for warehouse-storage loans and for flaxseed acquired by CCC from under a loan or by purchase shall be the applicable basic support rate adjusted in accordance with the provisions of this section, and the premiums and discounts in the annual flaxseed crop supplement on the basis of quality factors on warehouse receipts or supplemental certificates in the case of flaxseed stored in or delivered to an approved warehouse, or on such other form as CCC may prescribe in the case of flaxseed delivered to other than an approved warehouse. Settlement of loans and purchases shall be made in accordance with the provisions of § 1421.23 of the General Regulations.

(a) *Basic support rates for farm-stored flaxseed.* The applicable basic support rate for farm-storage loans shall be the basic county support rate established for the county in which the flaxseed is stored.

(b) *Basic support rates for warehouse-stored flaxseed received by rail or utilizing combination barge-rail rates—*

(1) *When shipped by rail and stored intransit at interior locations.* The applicable basic support rate for warehouse-storage loans on flaxseed which was received by rail and stored in an approved warehouse at other than a port terminal market shall be determined by adding to the basic support rate established for the county from which the flaxseed was shipped, the amount of freight charges per bushel actually paid in and an amount equal to the truck receiving and rail loading-out charges computed in accordance with the applicable rates of the UGSA in effect at the time the loan is made. The freight rate paid into the storage point shall be the lowest rate which will permit the storage intransit privilege and protect the lowest single car rate applying from origin through point of storage to a terminal market designated in subparagraph (c) (2) of this section that would be used in commercial channels of trade. If the flaxseed is stored in an approved warehouse at a transit point which takes a

penalty by reason of backhaul or out-of-line movement when destined to a designated terminal market that would be used in commercial channels of trade, such penalty or cost by reason of such movement shall be deducted from the support rates as determined in this paragraph.

(2) *When shipped by rail and stored at designated port terminal market locations.* The applicable basic support rate for warehouse storage loans on flaxseed which was received by rail and stored in an approved warehouse at a port terminal market designated in paragraph (c) (2) (iii) of this section shall be determined by adding to the basic support rate established for the county from which the flaxseed was shipped, the amount of freight charges per bushel actually paid in and an amount equal to the truck receiving and rail loading-out charges computed in accordance with the applicable rates of the UGSA in effect at the time the loan is made. The freight rate paid into the storage point shall be the lowest applicable freight rate to the port terminal market that would be used in commercial channels of trade.

(3) *When shipped utilizing combination barge-rail rates.* The applicable basic support rate for warehouse storage loans on flaxseed which was shipped utilizing combination barge-rail freight rates which are published and on file with the Interstate Commerce Commission and stored in an approved warehouse shall be determined by adding to the basic support rate established for the county from which the flaxseed was shipped, the amount of freight charges per bushel actually paid in and an amount equal to the truck receiving and rail loading-out charges computed in accordance with the applicable rates of the UGSA in effect at the time the loan is made. The freight rate paid into the storage point shall be a rate which will permit the storage intransit privilege and protect the lowest single car, or barge freight rate applying from origin through point of storage to one of the interior or port terminal markets designated in paragraph (c) (2) of this section that would be used in commercial channels of trade. If the flaxseed is stored in an approved warehouse at a transit point which takes a penalty by reason of backhaul or out-of-line movement when destined to the designated interior or port terminal market that would be used in commercial channels of trade, such penalty or cost by reason of such movement shall be deducted from the support rates as determined in this paragraph.

(c) *Basic support rates for warehouse-stored flaxseed received by truck or non-tariff barge—*(1) *Stored at other than terminal markets.* (i) The applicable basic support rate for warehouse-storage loans on flaxseed which was received by truck, or by barge not utilizing combination barge-rail freight rates, and stored in an approved warehouse located outside the switching limits of terminal markets designated in subparagraph 2 of this paragraph shall be the basic county support rate established for the county in which the flaxseed is stored.

(ii) If two or more approved warehouses are located in the same or adjoining towns, villages, or cities which have the same freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point and the same basic county support rate shall apply even though such warehouses are not all located in the same county. Such support rate shall be the highest support rate of the counties involved.

(2) *Stored within the switching limits of designated terminal markets.* (i) The applicable basic county support rate for warehouse-storage loans on flaxseed which was received by truck, or by barge not utilizing combination barge-rail freight-rates, and stored in an approved warehouse located within the switching limits of a terminal market designated in subdivision (ii) or (iii) of this subparagraph shall be determined by adding 4 cents per bushel to the basic county support rate established for the county (or city) in which the terminal market is located.

(ii) Designated interior terminal markets are as follows:

Interior terminal market	County in which located
Minneapolis, Minn.	Hennepin
St. Paul, Minn.	Ramsey

(iii) Designated port terminal markets are as follows:

Port terminal markets	County or city in which located
Duluth, Minn.	St. Louis
Los Angeles, Calif.	Los Angeles
San Francisco, Calif.	San Francisco City
Superior, Wis.	Douglas

(d) *Storing warehouseman's responsibilities.* The storing warehouseman in the case of flaxseed received by rail or utilizing combination barge-rail freight rates which are published and on file with the Interstate Commerce Commission shall be responsible for determining the in-line routes via the storing warehouse that will protect the lowest freight rate to the designated interior or port terminal market designated in paragraph (c) (2) (ii) or (iii) of this section, whichever the case may be, that would be used in commercial channels of trade, and for protecting such routes. The storing warehouseman shall also execute supplemental certificates showing (i) the rate of freight paid into the storage point, (ii) amount of penalty, if any, for backhaul or out-of-line movement, (iii) the applicable interior or port terminal market that would be used in commercial channels of trade and (iv) any other information which may be prescribed by CCC. The warehouseman is responsible to CCC for the accuracy or omissions of information on the supplemental certificate. His liability, if any, for his failure to comply with the provisions of this paragraph (d) will be determined in accordance with the provisions of the UGSA after acquisition of the warehouse receipt by CCC.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on July 13, 1970.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 70-9214; Filed, July 16, 1970;
8:52 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

In § 76.2, in paragraph (e) (5) relating to the State of Massachusetts, subdivision (iii) relating to Worcester County is deleted.

(Secs. 4-7, 23 Stat. 32, as amended, sec. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, sec. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment excludes a portion of Worcester County, Mass. from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 will apply to the excluded area.

The amendment relieves certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to affected persons. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and good cause is found for making it effective less than 30 days

after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of July 1970.

GEORGE W. IRVING, Jr.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 70-9168; Filed, July 16, 1970;
8:48 a.m.]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, in paragraph (e) (13) relating to the State of Texas, subdivision (xii) relating to Tarrant County is amended to read:

(13) *Texas.* * * *

(xii) That portion of Tarrant County bounded by a line beginning at the junction of State Highway 121 and the Tarrant-Dallas County line; thence, following State Highway 121 in a generally southwesterly direction to Interstate Highway 820; thence, following Interstate Highway 820 in a generally southerly direction to the Fort Worth-Dallas Toll Road; thence, following the Fort Worth-Dallas Toll Road in an easterly direction to the Tarrant-Dallas County line; thence, following the Tarrant-Dallas County line in a northerly direction to its junction with State Highway 121.

2. In § 76.2, in paragraph (e) (14) relating to the State of Virginia, subdivision (iii) relating to King William and Hanover Counties is deleted.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, sec. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of Tarrant County, Tex., because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to such County.

The amendments also exclude a portion of King William and Hanover Counties in Virginia from the areas

quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded area, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement of swine and swine products from non-quarantined areas contained in said Part 76 will apply to the area excluded from quarantine.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera, they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 14th day of July 1970.

GEORGE W. IRVING, Jr.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 70-9207; Filed, July 16, 1970;
8:51 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

MISCELLANEOUS AMENDMENTS TO CHAPTER

The Atomic Energy Commission has adopted the amendments set forth below to the citations of authority in its regulations in 10 CFR Chapter I.

In addition, other amendments of a corrective editorial nature, such as corrections to statutory references, have been adopted.

Since the amendments are of a corrective editorial nature and no substantive changes in the regulations are effected, good cause exists for omitting notice of proposed rule making and public procedure thereon as unnecessary, and for making the amendments effective without the customary 30-day notice.

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments of Chapter I, Title 10 of the Code of Federal Regulations are published as a document subject to codification to be effective upon publication in the FEDERAL REGISTER.

PART 2—RULES OF PRACTICE

1. The citation of authority following the table of sections in 10 CFR Part 2 is amended to read as follows:

AUTHORITY: The provision of this Part 2 issued under sec. 161, 68 Stat. 948, as amended, 81 Stat. 54; 42 U.S.C. 2201, 5 U.S.C. 552, unless otherwise noted. Sections 2.200-2.204 also issued under sec. 186, 68 Stat. 955; 42 U.S.C. 2236 and §§ 2.800-2.807 also issued under 80 Stat. 383; 5 U.S.C. 553.

§ 2.104 [Amended]

2. A citation of authority is added after § 2.104 of 10 CFR Part 2 to read as follows:

(Sec. 189 a., 68 Stat. 955, as amended; 42 U.S.C. 2239(a))

3. The last sentence in § 2.704 (a) of 10 CFR Part 2 is amended to read as follows:

§ 2.704 Designation of presiding officer, disqualification, unavailability.

(a) * * * If the Commission does not so provide, the Chairman of the Atomic safety and licensing board, the Chief issue an order designating an atomic safety and licensing board appointed pursuant to section 191 of the Atomic Energy Act of 1954, as amended, or, if the Commission has not provided for the hearing to be conducted by an atomic safety and licensing board, the Chief Hearing Examiner will issue an order designating a hearing examiner appointed pursuant to section 3105 of title 5 of the United States Code.

§ 2.713 [Amended]

4. A citation of authority is added after § 2.713 of 10 CFR Part 2 to read as follows:

(80 Stat. 385, 81 Stat. 195; 5 U.S.C. 555, 500)

5. Section 2.718(l) of 10 CFR Part 2 is amended to read as follows:

§ 2.718 Power of presiding officer.

A presiding officer has the duty to conduct a fair and impartial hearing according to law, to take appropriate action to avoid delay, and to maintain order. He has all powers necessary to those ends, including the powers to:

(1) Take any other action consistent with the Act, this chapter, and sections 551-558 of title 5 of the United States Code.

6. Section 2.719(a) of 10 CFR Part 2 is amended to read as follows:

§ 2.719 Separation of functions.

(a) A presiding officer shall perform no duties inconsistent with his responsibilities as a presiding officer, and will not be responsible to or subject to the supervision or direction of any officer or employee engaged in the performance of investigative or prosecuting functions.

7. A citation of authority is added after § 2.719 of 10 CFR Part 2 to read as follows:

(80 Stat. 584; 5 U.S.C. 554)

§ 2.721 [Amended]

8. The citation of authority after § 2.721 is amended to read as follows:

(Sec. 191, 76 Stat. 409; 42 U.S.C. 2241)

§§ 2.754, 2.760, 2.762, 2.770 [Amended]

9. Citations of authority are added after §§ 2.754, 2.760, 2.762, and 2.770 to read as follows:

(80 Stat. 387, 5 U.S.C. 557)

10. Section 2.756 of 10 CFR Part 2 is amended, and the citation of authority following the section is deleted, to read as follows:

§ 2.756 Informal procedures.

The Commission encourages the use of informal procedures consistent with the Act, sections 551-558 of title 5 of the United States Code, and the regulations in this chapter, and with the orderly conduct of the proceeding and the necessity for preserving a suitable record for review.

11. Section 2.800 of 10 CFR Part 2 is amended to read as follows:

§ 2.800 Scope of rule making.

This subpart governs the issuance, amendment and repeal of regulations in which participation by interested persons is prescribed under section 553 of title 5 of the United States Code.

PART 4—NONDISCRIMINATION IN FEDERALLY-ASSISTED COMMIS- SION PROGRAMS—EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

12. The citation of authority following the table of sections in 10 CFR Part 4 is amended to read as follows:

AUTHORITY: The provisions of this Part 4 issued under 68 Stat. 919, as amended, secs. 602-605, 78 Stat. 252, 253; 42 U.S.C. 2011, 2000d-1—2000d-4.

13. Section 4.61 of 10 CFR Part 4 is amended to read as follows:

§ 4.61 Presiding officer.

One or more members of the Commission or one or more hearing examiners appointed pursuant to section 3105 of title 5 of the United States Code shall (a) preside at a hearing and (b) make findings of fact and conclusions of law if an applicant or recipient waives a hearing and submits written information or argument for the record in accordance with § 4.51(d).

14. The first sentence of § 4.63(a) of 10 CFR Part 4 is amended to read as follows:

§ 4.63 Procedures, evidence, and record.

(a) The hearing, decision, and any administrative review thereof shall be conducted in conformity with sections 554-557 of title 5 of the United States Code, and in accordance with such procedures as are proper (and not inconsistent with §§ 4.61-4.64) relating to the conduct of the hearing, giving of notices subsequent to those provided for in § 4.51, taking of testimony, exhibits, arguments, and briefs, requests for findings, and other related matters. * * *

PART 7—ADVISORY BOARDS

15. Section 7.1(a) of 10 CFR Part 7 is amended to read as follows:

§ 7.1 Purpose.

(a) The regulations in this part shall govern advisory boards established pursuant to sections 161a., 26, 29, and 157a. of the Atomic Energy Act of 1954, as amended (68 Stat. 919), to the extent not inconsistent with specific law.

PART 10—CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO RESTRICTED DATA OR DEFENSE INFORMATION

16. The citation of authority following the table of sections in 10 CFR Part 10 is amended to read as follows:

AUTHORITY: The provisions of this Part 10 issued under sec. 145, 68 Stat. 942, as amended, 42 U.S.C. 2165; sec. 161, 68 Stat. 948, as amended, 42 U.S.C. 2201, E.O. 10450, 18 F.R. 2489, 3 CFR 1949-1953 comp., p. 936, as amended; E.O. 10865, 25 F.R. 1583, 3 CFR 1959-1963 comp., p. 398, as amended, 3 CFR 1969 revision, p. 312.

§ 10.11 [Amended]

17. The citation of authority after § 10.11 of 10 CFR Part 10 is deleted.

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

18. The citation of authority following the table of sections in 10 CFR Part 20 is amended to read as follows:

AUTHORITY: The provisions of this Part 20 issued under secs. 53, 63, 65, 81, 103, 104, 161, 68 Stat. 930, 933, 935, 936, 937, 948, as amended; 42 U.S.C. 2073, 2093, 2095, 2111, 2133, 2134, 2201. For the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, §§ 20.401-20.408, issued under sec. 161o., 68 Stat. 950, as amended, 42 U.S.C. 2201(o).

PART 30—RULES OF GENERAL APPLICABILITY TO LICENSING OF BYPRODUCT MATERIAL

19. The citation of authority following the table of sections in 10 CFR Part 30 is amended to read as follows:

AUTHORITY: The provisions of this Part 30 issued under secs. 81, 82, 161, 182, 183, 68 Stat. 935, 948, 953, 954, as amended; 42 U.S.C. 2111, 2112, 2201, 2232, 2233. Section 30.34(b) also issued under sec. 184, 68 Stat. 954, as amended; 42 U.S.C. 2234. For the purposes of sec. 223, 68 Stat. 958, as amended, 42 U.S.C. 2273, § 30.34(c) issued under sec. 161 b., 68 Stat. 948; 42 U.S.C. 2201(b) and §§ 30.51 and 30.52 issued under sec. 161 o., 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

§ 30.61 [Amended]

20. A citation of authority is added to § 30.61 to read as follows:

(Secs. 186, 187, 68 Stat. 955; 42 U.S.C. 2236, 2237)

PART 31—GENERAL LICENSES FOR BYPRODUCT MATERIAL

21. The citation of authority following the table of sections in 10 CFR Part 31 is amended to read as follows:

AUTHORITY: The provisions of this Part 31 issued under secs. 81, 161, 183, 68 Stat. 935, 948, 954, as amended; 42 U.S.C. 2111, 2201, 2233. For the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, §§ 31.5(d) (5), 31.5(a) and 31.11(e) issued under sec. 161 o., 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

PART 32—SPECIFIC LICENSES TO MANUFACTURE, DISTRIBUTE, OR IMPORT EXEMPTED AND GENERALLY LICENSED ITEMS CONTAINING BYPRODUCT MATERIAL

22. The citation of authority following the table of sections in 10 CFR Part 32 is amended by adding a sentence to the end thereof to read as follows:

For the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, §§ 32.12, 32.16, 32.20, 32.25(c), 32.29(c), 32.52, 32.56, 32.60, 32.63 issued under sec. 161o., 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

PART 33—SPECIFIC LICENSES OF BROAD SCOPE FOR BYPRODUCT MATERIAL

23. The citation of authority following the table of sections in 10 CFR Part 33 is amended to read as follows:

AUTHORITY: The provisions of this Part 33 issued under secs. 81, 161, 182, 183, 68 Stat. 935, 948, 953, 954, as amended; 42 U.S.C. 2111, 2201, 2232, 2233. For the purposes of sec. 223, 68 Stat. 958 as amended; 42 U.S.C. 2273, § 33.17(a) issued under sec. 161b., 68 Stat. 948; 42 U.S.C. 2201(b).

PART 34—LICENSES FOR RADIOGRAPHY AND RADIATION SAFETY REQUIREMENTS FOR RADIOGRAPHIC OPERATIONS

24. The citation of authority following the table of sections in 10 CFR Part 34 is amended to read as follows:

AUTHORITY: The provisions of this Part 34 issued under secs. 81, 161, 182, 183, 68 Stat. 935, 948, 953, 954 as amended; 42 U.S.C. 2111, 2201, 2232, 2233. For the purposes of sec. 223, 68 Stat. 958 as amended; 42 U.S.C. 2273, §§ 34.25(c), 34.26, 34.27, 34.33(b), and 34.43 (d) issued under sec. 161o., 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

PART 35—HUMAN USES OF BYPRODUCT MATERIAL

25. The citation of authority following the table of sections in 10 CFR Part 35 is amended to read as follows:

AUTHORITY: The provisions of this Part 35 issued under secs. 81, 161, 182, 183, 68 Stat. 935, 948, 953, 954, as amended; 42 U.S.C. 2111, 2201, 2232, 2233. For the purposes of section 223, 68 Stat. 958, as amended; 42 U.S.C. 2273,

§ 3531(c) (4) and (5) issued under 161b, 68 Stat. 948; 42 U.S.C. 2201(b).

PART 36—EXPORT AND IMPORT OF BYPRODUCT MATERIAL

26. The citation of authority following the table of sections in 10 CFR Part 36 is amended to read as follows:

AUTHORITY: The provisions of this Part 36 issued under secs. 81, 82, 161, 182, 183, 68 Stat. 935, 948, 953, 954, as amended; 42 U.S.C. 2111, 2112, 2201, 2232, 2233. For the purposes of sec. 223, 68 Stat. 958 as amended; 42 U.S.C. 2273, §§ 36.22(c) and 36.24(c) issued under sec. 161o., 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

PART 40—LICENSING OF SOURCE MATERIAL

27. The citation of authority following the table of sections in 10 CFR Part 40 is amended to read as follows:

AUTHORITY: The provisions of this Part 40 issued under secs. 62, 63, 64, 65, 161, 182, 183, 68 Stat. 932, 933, 948, 953, 954, as amended; 42 U.S.C. 2092, 2093, 2094, 2095, 2201, 2232, 2233, unless otherwise noted. Section 40.46 also issued under sec. 184, 68 Stat. 954, as amended; 42 U.S.C. 2234. For the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, § 40.41(c) issued under sec. 161b., 68 Stat. 948; 42 U.S.C. 2201(b) and §§ 40.23(e) (3), 40.61 and 40.62 issued under sec. 161q., 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

§§ 40.23, 40.24 [Amended]

28. The citation of authority after §§ 40.23 and 40.24 of 10 CFR Part 40 is deleted.

§ 40.71 [Amended]

29. A citation of authority is added after § 40.71 of 10 CFR Part 40 to read as follows:

(Secs. 186, 187, 68 Stat. 955; 42 U.S.C. 2236, 2237)

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

30. The citation of authority following the table of sections in 10 CFR Part 50 is amended to read as follows:

AUTHORITY: The provisions of this Part 50 issued under secs. 103, 104, 161, 182, 183, 68 Stat. 936, 937, 948, 953, 954, as amended; 42 U.S.C. 2133, 2134, 2201, 2232, 2233, unless otherwise noted. Sections 50.80-50.81 also issued under sec. 184, 68 Stat. 954, as amended; 42 U.S.C. 2234. Sections 50.100-50.102 issued under sec. 186, 68 Stat. 955; 42 U.S.C. 2236. For the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, § 50.54(i) issued under sec. 161i, 68 Stat. 949; 42 U.S.C. 2201(i), and §§ 50.70-50.71 issued under sec. 161o, 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

§ 50.10 [Amended]

31. The citation of authority after § 50.10 of 10 CFR Part 50 is amended to read as follows:

(Secs. 101, 185, 68 Stat. 936, 955, as amended; 42 U.S.C. 2131, 2235)

§§ 50.23, 50.35, 50.55, 50.56 [Amended]

32. A citation of authority is added after §§ 50.23, 50.55 and 50.56 and the citation of authority after § 50.35 of 10 CFR Part 50 is amended to read as follows:

(Sec. 185, 68 Stat. 955; 42 U.S.C. 2235)

§ 50.42 [Amended]

33. A citation of authority is added to § 50.42 of 10 CFR Part 50 to read as follows:

(Sec. 105, 68 Stat. 938, as amended; 42 U.S.C. 2135)

§ 50.58 [Amended]

34. The citation of authority after § 50.58 of 10 CFR Part 50 is amended to read as follows:

(Secs. 182b., 189a., 68 Stat. 953, 955, as amended; 42 U.S.C. 2232(b), 2239(a))

35. The first sentence of § 50.80(b) of 10 CFR Part 50 is amended to read as follows:

§ 50.80 Transfer of licenses.

(b) An application for transfer of a license shall include as much of the information described in §§ 50.33 and 50.34 with respect to the identity and technical and financial qualifications of the proposed transferee as would be required by those sections if the application were for an initial license. * * *

§ 50.103 [Amended]

36. A citation of authority is added to § 50.103 of 10 CFR Part 50 to read as follows:

(Sec. 108, 68 Stat. 939, as amended; 42 U.S.C. 2138)

PART 55—OPERATOR'S LICENSES

37. The last sentence of the citation of authority following the table of sections in 10 CFR Part 55 is amended to read as follows:

AUTHORITY: * * * For the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, § 55.3 issued under sec. 1611, 68 Stat. 949; 42 U.S.C. 2201(1).

§ 55.40 [Amended]

38. A citation of authority is added to § 55.40 of 10 CFR Part 55 to read as follows:

(Secs. 186, 187, 68 Stat. 955; 42 U.S.C. 2236, 2237)

PART 70—SPECIAL NUCLEAR MATERIAL

39. The second sentence of the citation of authority following the table of sections in 10 CFR Part 70 is amended to read as follows:

AUTHORITY: * * * For the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, §§ 70.32(a) (6) and 70.41(a) issued under sec. 161b, 68 Stat. 948; 42 U.S.C. 2201(b) and § 70.51 to 70.55 issued under sec. 1610, 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

§§ 70.36, 70.44 [Amended]

40. A citation of authority is added after §§ 70.36 and 70.44 of 10 CFR Part 70 to read as follows:

(Sec. 184, 68 Stat. 954, as amended; 42 U.S.C. 2234)

§§ 70.53, 70.54 [Amended]

41. The citations of authority after §§ 70.53 and 70.54 of 10 CFR Part 70 are deleted.

42. Section 70.61(c) of 10 CFR Part 70 is amended to read as follows:

§ 70.61 Modification and revocation of licenses.

(c) Upon revocation, suspension or modification of a license, the Commission may immediately retake possession of all special nuclear material held by the licensee. In cases found by the Commission to be of extreme importance to the national defense or security, or to the health and safety of the public, the Commission may recapture any special nuclear material held by the licensee prior to any of the procedures provided under section 551-558 of title 5 of the United States Code.

§ 70.61 [Amended]

43. A citation of authority is added after § 70.61 of 10 CFR Part 70 to read as follows:

(Secs. 186, 187, 68 Stat. 955; 42 U.S.C. 2236, 2237)

§ 70.62 [Amended]

44. A citation of authority is added after § 70.62 to read as follows:

(Sec. 108, 68 Stat. 939, as amended; 42 U.S.C. 2138)

PART 71—PACKAGING OF RADIO-ACTIVE MATERIAL FOR TRANSPORT

45. The citation of authority following the table of sections in 10 CFR Part 71 is amended to read as follows:

AUTHORITY: The provisions of this Part 71 issued under secs. 53, 63, 81, 161, 182, 183, 68 Stat. 930, 933, 935, 948, 953, 954, as amended; 42 U.S.C. 2073, 2093, 2111, 2201, 2232, 2233, unless otherwise noted. For the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, §§ 71.61-71.63 issued under sec. 1610, 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

§§ 71.5, 71.7, 71.14 [Amended]

46. The citation of authority after §§ 71.5, 71.7 and 71.14 of 10 CFR Part 71 is deleted.

PART 80—GENERAL RULES OF PROCEDURE ON APPLICATIONS FOR DETERMINATION OF REASONABLE ROYALTY FEE, JUST COMPENSATION, OR THE GRANT OF AN AWARD FOR PATENTS, INVENTIONS, OR DISCOVERIES

47. The citation of authority following the table of sections in and § 80.1 of

10 CFR Part 80 are revised to read as follows:

AUTHORITY: The provisions of this Part 80 issued under sec. 1, 66 Stat. 806, 808; 35 U.S.C. 183, 188, and secs. 151-161 and 173, 68 Stat. 943-948, 953, as amended; 42 U.S.C. 2181-2201, 2223.

§ 80.1 Scope of the part.

The regulations in this part provide the rules of procedure to be followed by any person making application to the Atomic Energy Commission for the determination of a reasonable royalty fee, compensation or the grant of an award pursuant to sections 157 and 173 of the Atomic Energy Act of 1954, as amended (68 Stat. 947, 953), and section 1 of the Patent Act of July 19, 1952 (66 Stat. 806, 808); 35 U.S.C. 183, 188).

PART 81—STANDARD SPECIFICATIONS FOR THE GRANTING OF PATENT LICENSES

48. Section 81.3 of 10 CFR Part 81 is amended to read as follows:

§ 81.3 Communications.

All communications concerning the regulations in this part, including applications for licenses, should be addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Assistant General Counsel for Patents. Communications and reports may be delivered in person at the Commission's offices at 1717 H Street NW., Washington, D.C., at 7920 Norfolk Avenue, Bethesda, Md., or at Germantown, Md.

PART 110—UNCLASSIFIED ACTIVITIES IN FOREIGN ATOMIC ENERGY PROGRAMS

49. The second sentence of the citation of authority following the table of sections in 10 CFR Part 110 is amended to read as follows:

AUTHORITY: * * * for the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, §§ 110.10 and 110.11 issued under sec. 1610, 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

§ 110.1 [Amended]

50. Section 110.1 of 10 CFR Part 110 is amended by changing the reference to "section 57(a)(3)(B) of the Atomic Energy Act of 1954 (68 Stat. 919)" to "section 57 b.(2) of the Atomic Energy Act of 1954, as amended (78 Stat. 605)."

§ 110.6 [Amended]

51. The reference to "Section 57 a.(3) of the Act" in § 110.6 of 10 CFR Part 110 is changed to "Section 57 b.(2) of the Act."

§ 110.7 [Amended]

52. The reference to "section 57(a)(3)(B) of the Act" in § 110.7 of 10 CFR Part 110 is changed to "section 57 b.(2) of the Act."

PART 115—PROCEDURES FOR REVIEW OF CERTAIN NUCLEAR REACTORS EXEMPTED FROM LICENSING REQUIREMENTS

§§ 155.8, 115.9, 115.46 [Amended]

53. The citations of authority after §§ 115.8, 115.9 and 115.46 of 10 CFR Part 115 are deleted.

PART 140—FINANCIAL PROTECTION REQUIREMENTS AND INDEMNITY AGREEMENTS

54. The citation of authority following the table of sections in 10 CFR Part 140 is amended to read as follows:

AUTHORITY: The provisions of this Part 140 issued under secs. 161 and 170, 68 Stat. 948, 71 Stat. 576, as amended; 42 U.S.C. 2201, 2210.

PART 170—FEES FOR FACILITIES AND MATERIALS LICENSES UNDER THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

55. The citation of authority following the table of sections in 10 CFR Part 170 is amended to read as follows:

AUTHORITY: The provisions of this Part 170 issued under sec. 501, 65 Stat. 290; 31 U.S.C. 483a.

56. Section 170.12 (b) and (c) of 10 CFR Part 170 are amended to read as follows:

§ 170.12 Payment of fees.

(b) *Construction permit fees and operating license fees.* Fees for construction permits and operating licenses are payable when the construction permit or operating license is issued. No construction permit or operating license will be issued by the Commission until the full amount of the fee prescribed in this part has been paid.

(c) *Annual fees.* Annual fees prescribed in this part are payable, in the case of licenses outstanding on the effective date of this part, 1 year after the effective date of this part and annually thereafter. In the case of licenses issued after the effective date of this part, annual fees are payable 1 year after the first of the month following the date of issuance of the license and annually thereafter.

(Sec. 161, 68 Stat. 948, as amended; 42 U.S.C. 2201)

Dated at Washington, D.C., this 13th day of July 1970.

For the Atomic Energy Commission,
W. B. McCool,
Secretary.

[F.R. Doc. 70-9179; Filed, July 16, 1970; 8:49 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 70-21]

PART 523—MEMBERS OF BANKS

Compromise, Remission, or Mitigation of Penalty Assessed for Failure To Meet Liquidity Requirement; Delegation of Authority

JULY 9, 1970.

Resolved that the Federal Home Loan Bank Board, upon the basis of its consideration of the desirability of amending § 523.12 of the regulations for the Federal Home Loan Bank System (12 CFR 523.12) for the purpose of delegating authority to compromise, remit, or mitigate penalties which have been assessed to members of the Federal Home Loan Bank System for failure to meet the liquidity requirements in § 523.11 of said regulations (12 CFR 523.11), hereby amends said § 523.12 by revising paragraph (c) thereof to read as follows, effective July 17, 1970:

§ 523.12 Deficiencies and penalties.

(c) *Assessment of penalty; compromise, remission, or mitigation.* The Board hereby assesses a penalty against each member in the amount calculated pursuant to paragraph (b) of this section. For good cause shown, the Board may, upon application by a member submitted through the Bank of which it is a member, compromise, remit, or mitigate, in whole or in part, any penalty herein assessed before collection thereof. The president of such Bank, or any other officer of such Bank designated by him, may, upon such application and subject to such conditions as he may impose, so compromise, remit, or mitigate such penalty, if he determines that:

(1) The penalty would have a seriously adverse effect upon the member; or
(2) The deficiency in liquid assets or short-term liquid assets resulted from either:

(i) The temporary disruption of normal operations because of negotiation or implementation of a merger or similar transaction; or

(ii) Any situation beyond the control of the institution's management, including but not limited to:

(a) A breakdown or unforeseen delay in mail or other form of communication;

(b) An unexpectedly heavy withdrawal of savings coupled with large disbursements on commitments;

(c) A natural disaster; or

(d) Abnormally heavy withdrawals caused by harmful rumors.

However, no such penalty may be compromised, remitted, or mitigated if the

member has failed to observe any condition imposed in connection with a prior compromise, remission, or mitigation of any such penalty.

(Sec. 5A 47 Stat. 727, as added by 64 Stat. 256, as amended by Public Law 90-505, sec. 4, 82 Stat. 856, sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1425a, 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that since the above amendment relates to Board organization, procedure, or practice, notice and public procedure are not required pursuant to the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and since the above amendment is not a substantive amendment or rule, publication of said amendment for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date of said amendment is likewise not required; and the Board hereby provides that said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

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

[F.R. Doc. 70-9217; Filed, July 16, 1970; 8:52 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 6 (Rev. 4)]

PART 107—SMALL BUSINESS INVESTMENT COMPANIES

Minority Enterprise Small Business Investment Companies

Pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85-699, 72 Stat. 694, as amended, there is amended, as set forth below, Part 107 of Subchapter B, Chapter I of Title 13 of the Code of Federal Regulations, as revised in 33 F.R. 326, and amended in 33 F.R. 11147, 20035, 34 F.R. 1234, 5796, 35 F.R. 4596, by amending §§ 107.3 and 107.702 and adding a new § 107.813.

Information and effective date. On June 4, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 8672) concerning amendment of the SBIC Regulation. After due and careful consideration of the comments received, the Administration has determined to adopt the formal amendments published herewith, incorporating the text of the June 4, 1970, proposals (with a minor textual, clarifying alteration in the § 107.3 definition of a MESBIC), as being in furtherance of the best interests of the SBIC program.