

# Notices

## DEPARTMENT OF COMMERCE Business and Defense Services Administration

### UNIVERSITY OF KENTUCKY ET AL.

#### Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Articles

The following is a consolidated decision on applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C. 20230.

**Decision.** Applications denied. Applicants have failed to establish that instruments or apparatus of equivalent scientific value to the foreign articles, for such purposes as the foreign articles are intended to be used, are not being manufactured in the United States.

**Reasons.** Subsection 602.5(e) of the regulations provides in pertinent part:

The applicant shall on or before the 20th day following the date of such notice [of denial without prejudice to resubmission], inform the Administrator whether it intends to resubmit another application for the same article to which the denied application relates. The applicant shall then resubmit the new application on or before the 90th day following the date of the notice of denial without prejudice to resubmission, unless an extension of time is granted by the Administrator in writing prior to the expiration of the 90-day period. \* \* \* If the applicant fails within the applicable time periods specified above, to either (1) inform the Administrator whether it intends to resubmit another application for the same article to which the denial without prejudice to resubmission relates, or (2) resubmit the new application, the prior denial without prejudice to resubmission shall have the effect of a final decision by the Administrator on the application within the context of the paragraph (d) of this section.

The meaning of the subsection is that should an applicant either fail to notify the Administrator of its intent to resubmit another application for the same article to which the denial without prejudice relates within the 20-day period, or fails to resubmit a new application within the 90-day period, the prior denial without prejudice to resubmission will have the effect of a final denial of the application.

None of the applicants to which this consolidated decision relates has satisfied the requirements set forth above,

therefore, the prior denials without prejudice have the effect of a final decision denying their respective applications.

Subsection 602.5(e) further provides:

\* \* \* the Administrator shall submit a summary of the prior denial without prejudice to resubmission to the FEDERAL REGISTER for publication, to the Commissioner of Customs, and to the applicant.

Each of the prior denials without prejudice to resubmission to which this consolidated decision relates was based on the failure of the respective applicants to submit the required documentation, including a completely executed application form, in sufficient detail to allow the issue of "scientific equivalency" to be determined by the Administrator.

Docket No. 67-00130-01-77040. Applicant: University of Kentucky, Chemistry-Physics Building, Room 120, Lexington, Ky. 40506. Article: Mass spectrometer RMU-6E. Date of denial without prejudice to resubmission: June 26, 1967.

Docket No. 68-00010-33-46500. Applicant: Salisbury St. College, Salisbury, Md. 21801. Article: Reichert ultramicrotome, Model "OmU2". Date of denial without prejudice to resubmission: August 3, 1967.

Docket No. 68-00128-01-77040. Applicant: University of Illinois, Urbana, Ill. 61801. Article: Mass spectrometer, Model RMU-6E. Date of denial without prejudice to resubmission: February 27, 1968.

Docket No. 69-00222-33-46040. Applicant: University of California at Irvine, Irvine, Calif. 92664. Article: Electron microscope, Model EM 300. Date of denial without prejudice to resubmission: March 3, 1969.

Docket No. 68-00256-33-90000. Applicant: Southern Arizona Mental Health Center, 1930 East Sixth Street, Tucson, Ariz. 85719. Article: Faradic stimulator-battery operated. Date of denial without prejudice to resubmission: February 29, 1968.

Docket No. 68-00434-88-80045. Applicant: New York State Department of Transportation, 1220 Washington Avenue, Albany, N.Y. 12226. Article: Telescope, probe camera. Date of denial without prejudice to resubmission: June 21, 1968.

Docket No. 68-00476-75-77095. Applicant: Vanderbilt University, Nashville, Tenn. 37203. Article: Iron free double focusing spectrometer. Date of denial without prejudice to resubmission: June 12, 1968.

Docket No. 68-00558-01-77030. Applicant: University of California, Santa Barbara, Calif. 93106. Article: NMR spectrometer and water conditioner, JNM-C-60H. Date of denial without prejudice to resubmission: September 24, 1968.

Docket No. 68-00651-33-46500. Applicant: Vanderbilt University, Department of Anatomy, Nashville, Tenn. 37203. Article: Ultramicrotome, LKB 8800. Date of denial without prejudice to resubmission: October 21, 1968.

Docket No. 68-00660-00-54800. Applicant: Florida State University, Tallahassee, Fla. 32306. Article: Optical bench components parts. Date of denial without prejudice to resubmission: October 31, 1968.

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9218; Filed, July 17, 1970; 8:45 a.m.]

### CORNELL UNIVERSITY

#### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00530-65-46040. Applicant: Cornell University, Ithaca, N.Y. 14850. Article: Electron microscope, Model JEM-200, and accessories. Manufacturer: Japan Electron Optics Laboratory, Ltd., Japan.

Intended use of article: The article will be used for materials science research involving the study of:

- (1) Void formation in aluminum.
- (2) The interaction of dislocations with grain boundaries in gold.
- (3) The formation of a second phase in titanium and zirconium alloys.
- (4) The interaction of radiation damage with precipitate particles in copper alloys.
- (5) The interaction of dislocations with the second phase in titanium and zirconium alloys.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a maximum accelerating voltage of 200 kilovolts. The most closely comparable



domestic instrument is the Model EMU-4B which was formerly manufactured by the Radio Corp. of America (RCA), and which is presently being supplied by the Forgflo Corp. (Forgflo). The Model EMU-4B has a specified maximum accelerating voltage of 100 kilovolts.

We are advised by the National Bureau of Standards (NBS) in its memorandum dated June 12, 1970, that the higher accelerating voltage provides proportionately greater penetrating power and, consequently, higher resolution for a specimen of a given thickness. NBS further advises that due to the nature of the material on which research will be conducted with the use of the foreign article, relatively thick specimens must be used in the experiments and, therefore, the higher accelerating voltage of the foreign article is a pertinent characteristic.

For these reasons, we find that the Model EMU-4B is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument being manufactured in the United States, which is of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9219; Filed, July 17, 1970; 8:45 a.m.]

## FRESNO STATE COLLEGE

### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00441-99-46040. Applicant: Fresno State College, State of California, Cedar and Shaw Avenues, Fresno, Calif. 93726. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used for teaching and training purposes in the Biology Department at the applicant institution. An undergraduate course, biology 130-electron microscopy, will be offered for the first time in the fall of 1970 and each semester thereafter. Within a period of 15 weeks (one semester), 12 to 15 students will need to be instructed in preparative techniques, microscope operation, and ac-

cessory photographic techniques. Other biology courses in botany, zoology, parasitology, entomology, and microbiology will include laboratory exercises in which preparations will be made and examined by students by light and electron microscopy. Graduate students will receive instruction in the use of the article. Faculty members with a variety of research interest will also use the instrument.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forgflo Corp. (Forgflo). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 18, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9220; Filed, July 17, 1970; 8:45 a.m.]

## UNIVERSITY OF RHODE ISLAND

### Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00465-56-46040. Applicant: University of Rhode Island, Graduate School of Oceanography, Kingston, R.I. 02881. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, West Germany.

Intended use of article: The article will be used for teaching and research purposes in the fields of phytoplankton systematics, morphology, biogeography, and life history. Accurate identification of phytoplankton organisms from different areas of the world will be the main research purpose. The electron microscope will be used as a teaching and demonstration instrument for technicians and graduate students who are involved with phytoplankton biology.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forgflo Corp. (Forgflo). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 18, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9221; Filed, July 17, 1970; 8:45 a.m.]



# UNIVERSITY OF SOUTH ALABAMA

## Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00591-33-46040. Applicant: University of South Alabama, Mobile, Ala. 36608. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, Inc., West Germany.

Intended use of article: The article will serve primarily as an educational instrument in four courses, Biology 355, Laboratory Methods in Biology; Biology 462, Histology; and Biology 429, Undergraduate Research. The electron microscope will also be used for a research project concerning a study of the holotrich ciliate *Dileptus cygnus*, investigating the trichocysts and trichites of the pharyngeal basket.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forglor Corp. (Forglor). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated June 24, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign

article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-9222; Filed, July 17, 1970; 8:45 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration 2,6-DICHLORO-4-NITROANILINE

#### Notice of Reextension of Temporary Tolerance

The Upjohn Co., Kalamazoo, Mich. 49001, was granted a temporary tolerance of 20 parts per million for residues of the fungicide 2,6-dichloro-4-nitroaniline in or on the raw agricultural commodity nectarines on June 27, 1967 (notice was published in the FEDERAL REGISTER of July 6, 1967; 32 F.R. 9853). At the request of the firm it was extended to June 27, 1970 (extension notices were published May 17, 1968; 33 F.R. 7333, and July 9, 1969; 34 F.R. 11386).

The firm has requested a reextension to permit obtaining additional experimental data. The Commissioner of Food and Drugs concludes that such a reextension will protect the public health.

A condition under which this temporary tolerance is reextended is that the fungicide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the Upjohn Co. name.

This temporary tolerance will expire December 31, 1970.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: July 2, 1970.

CHARLES C. EDWARDS,  
Commissioner of Food and Drugs.

[F.R. Doc. 70-9226; Filed, July 17, 1970; 8:45 a.m.]

#### Office for Civil Rights

### IDENTIFICATION OF DISCRIMINATION AND DENIAL OF SERVICES ON THE BASIS OF NATIONAL ORIGIN

The following memorandum has been sent by the Director, Office for Civil Rights, to selected school districts with students of National Origin-Minority Groups:

Title VI of the Civil Rights Act of 1964, and the Departmental Regulation (45 CFR Part 80) promulgated thereunder, require that there be no discrimination on the basis of race, color, or national

origin in the operation of any federally assisted programs.

Title VI compliance review conducted in school districts with large Spanish-surnamed student populations by the Office for Civil Rights have revealed a number of common practices which have the effect of denying equality of educational opportunity to Spanish-surnamed pupils. Similar practices which have the effect of discrimination on the basis of national origin exist in other locations with respect to disadvantaged pupils from other national origin-minority groups, for example, Chinese or Portuguese.

The purpose of this memorandum is to clarify D/HEW policy on issues concerning the responsibility of school districts to provide equal educational opportunity to national origin-minority group children deficient in English language skills. The following are some of the major areas of concern that relate to compliance with Title VI:

(1) Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

(2) School districts must not assign national origin-minority group students to classes for the mentally retarded on the basis of criteria which essentially measure or evaluate English language skills; nor may school districts deny national origin-minority group children access to college preparatory courses on a basis directly related to the failure of the school system to inculcate English language skills.

(3) Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin-minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational dead-end or permanent track.

(4) School districts have the responsibility to adequately notify national origin-minority group parents of school activities which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English.

School districts should examine current practices which exist in their districts in order to assess compliance with the matters set forth in this memorandum. A school district which determines that compliance problems currently exist in that district should immediately communicate in writing with the Office for Civil Rights and indicate what steps are being taken to remedy the situation. Where compliance questions arise as to the sufficiency of programs designed to meet the language skill needs of national origin-minority group children already operating in a particular area, full information regarding such programs should be provided. In the area of special language assistance, the scope of the program and the process for identifying need



and the extent to which the need is fulfilled should be set forth.

School districts which receive this memorandum will be contacted shortly regarding the availability of technical assistance and will be provided with any additional information that may be needed to assist districts in achieving compliance with the law and equal educational opportunity for all children. Effective as of this date the aforementioned areas of concern will be regarded by regional Office for Civil Rights personnel as a part of their compliance responsibilities.

Dated: July 10, 1970.

[SEAL] J. STANLEY POTTINGER,  
Director,  
Office for Civil Rights.

[F.R. Doc. 70-9236; Filed, July 17, 1970;  
8:46 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[CGFR 70-88]

### EQUIPMENT, CONSTRUCTION, AND MATERIALS

#### Termination of Approval Notice

1. Certain laws and regulations (46 CFR, Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been terminated as herein described during the period from August 14, 1969 to May 11, 1970 (List No. 11-70). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of Title 46, United States Code, section 1333 of title 43, United States Code, and section 198 of title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.4(a)(2) and (g)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction and materials are set forth in 46 CFR Parts 160 to 164.

3. Notwithstanding the termination of approval listed in this document, the equipment affected may be used as long as it remains in good and serviceable condition.

### BUOYS, LIFE, RING, CORK OR Balsa WOOD, FOR MERCHANT VESSELS AND MOTORBOATS

The Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, no longer manufactures certain Balsa Wood ring life buoys and Approval No. 160.009/37/1 was therefore terminated, effective March 19, 1970.

### PUMPS, BILGE, LIFEBOAT, FOR MERCHANT VESSELS

The Blackmer Bilge Pump, Grand Rapids, Mich., Approval No. 160.044/11/1, expired and was terminated, effective March 16, 1970.

### BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

The Montgomery Ward & Co., Inc., 619 West Chicago Avenue, Chicago, Ill., Approval Nos. 160.052/229/1 and 160.052/230/1 expired and were terminated, effective May 11, 1970.

### BOILERS (HEATING)

The Way-Wolf Associates, Inc., 45-10 Vernon Boulevard, Long Island City 1, N.Y., Approval No. 162.003/183/0, expired and was terminated, effective August 14, 1969.

### BOILERS, AUXILIARY, AUTOMATICALLY CONTROLLED, PACKAGED, FOR MERCHANT VESSELS

The Clayton Manufacturing Co., Post Office Box 550, El Monte, Calif. 91734, Approval No. 162.026/1/1, expired and was terminated, effective February 24, 1970.

### BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTER; FOR MERCHANT VESSELS AND MOTORBOATS

The Bendix Corp., Fuel Devices Division, 696 Hart Avenue, Detroit, Mich. 48214, Approval Nos. 162.041/109/0, 162.041/110/0, 162.041/111/0, and 162.041/112/0, were terminated, effective May 5, 1970, and replaced by 162.041/118/0, 162.041/119/0, 162.041/120/0, and 162.041/121/0.

Dated: July 10, 1970.

T. R. SARGENT,  
Vice Admiral, U.S. Coast Guard,  
Acting Commandant.

[F.R. Doc. 70-9258; Filed, July 17, 1970;  
8:48 a.m.]

## CIVIL AERONAUTICS BOARD

[Dockets Nos. 22326, 22327]

### COMMUTER AIR SERVICES, LTD.

#### Notice of Prehearing Conference and Hearing

Application for a foreign air carrier permit, issued pursuant to section 402 of the Federal Aviation Act of 1958, as amended, to perform operations of a casual, occasional or infrequent nature, in common carriage, into the United States.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on July 23, 1970, at 11 a.m. e.d.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless at or prior to the conference a person objects or shows reason for further postponement.

Dated at Washington, D.C., July 14, 1970.

[SEAL]

THOMAS L. WRENN,  
Chief Examiner.

[F.R. Doc. 70-9263; Filed, July 17, 1970;  
8:48 a.m.]

[Docket No. 20291; Order 70-7-66]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Regarding Fare Matters

Issued under delegated authority July 14, 1970.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB Agreement number.

The agreement incorporates within the framework of IATA currently effective inclusive tour basing fares for groups of 24, 48, or 96 passengers, traveling between Chicago and Mexico City/Acapulco. These fares, which were earlier implemented by order of the Government of Mexico, are available to tour operators for the development of prepaid travel packages and impose a maximum-stay provision of 30 days.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the subject agreement is adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

Action on Agreement CAB 21872 be and hereby is deferred with a view toward eventual approval.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL]

HARRY J. ZINK,  
Secretary.

[F.R. Doc. 70-9264; Filed, July 17, 1970;  
8:48 a.m.]