MEMORANDUM OF FEBRUARY 9, 1972

Report to the Congress Under Section 620(w) of the Foreign Assistance Act of 1961, as Amended

Memorandum for the Secretary of State

THE WHITE HOUSE,
Washington, February 9, 1972.

In accordance with the recommendation of your memorandum of February 5, 1972, I hereby find that the objectives of paragraph (2) of Section 620(w) of the Foreign Assistance Act, as amended, are being achieved.

As a result of the hostilities between India and Pakistan in November and December 1971, the Government of Pakistan effectively lost control of its East Wing. The Government of Pakistan is, therefore, not in a position to play the role envisaged in paragraph (2) of Section 620(w). It has, however, taken affirmative steps within its power toward the establishment of stability in its former East Wing, i.e., the release of Sheikh Mujibur Rahman and its expressed willingness to negotiate a political settlement of differences. Since the Government of Pakistan no longer exercises physical control over its East Wing, it is in no position to take any part in the repatriation of refugees. However, the refugees are returning to their homes and there is no effort by nor intent of the Government of Pakistan to disrupt this process. It is for these reasons that I have made the above finding.

You are therefore requested on my behalf to make this report to the Congress under Section 620(w) of the Foreign Assistance Act of 1961, as amended. Upon transmittal of this Report to the Congress, the restriction imposed by subsection 620(w)(1) shall cease to apply by operation of the law.

This memorandum shall be published in the FEDERAL REGISTER.

Richard Nixon

[FR Doc.72-2629 Filed 2-17-72; 10:21 am]

Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 729—PEANUTS

Subpart—Regulations for Determination of Acreage Allotments and Marketing Quotas for 1972 and Subsequent Crops of Peanuts

Correction

In F.R. Doc. 72-1661 appearing at page 2645 in the issue for Friday, February 4, 1972, the word "marked" in the 11th line of § 729.8 should read "marketed".

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 6]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas and Quota Deficits for 1972

Basis and purpose and bases and considerations. This amendment is issued pursuant to the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act." The purpose of this amendment to Sugar Regulation 811, as amended, is to determine and prorate or allocate the deficits in quotas established pursuant to the Act.

Section 204(a) of the Act provides that the Secretary shall as often as facts are ascertainable by him but in any event not less frequently than each 60 days after the beginning of each calendar year, determine whether, any area or country will not market the quota for such area or country. On the basis of the quota established for Puerto Rico for the calendar year 1972 a finding was heretofore made (36 F.R. 21871) that Puerto Rico will be unable to market its quota by 550,000 short tons, raw value, and accordingly a quota deficit was determined for Puerto Rico for 550,000 tons. On the basis of the latest information on sugar production from the current Puerto Rican crop it is herein found that Puerto Rico will be unable to fill its sugar quota by an additional 100,000 short tons, raw value. Therefore, a total deficit is herein determined in the 1972 quota for Puerto Rico of 650,000 short tons, raw value. Accordingly, the additional quota deficit of 100,000 short tons, raw value, for Puerto Rico is herein determined and is allocated and prorated to foreign countries pursuant to section 204(a) of the Act. If production exceeds the present estimates for Puerto Rico, the marketing opportunities for that area within the total mainland quota for that area will not be limited as a result of the deficit determination and proration provided herein.

Of the additional deficit declared, an amount equal to 30,080 short tons, raw value, will be allocated to the Republic of the Philippines according to section 204(a) of the Act. The balance of the deficit amounting to 69,920 short tons, raw value, is prorated and allocated to Western Hemisphere countries by prorating 25,748 tons to such countries listed in section 202(c)(3)(A) of the Act, on the basis of quotas determined pursuant to section 202 of the Act and by allocating the remainder of the deficit amounting to 44,172 short tons, raw value, to Costa Rica, Guatemala, and Honduras pursuant to the following determination by the President.

THE WHITE HOUSE

WASHINGTON

JANUARY 31, 1972.

Memorandum for the Secretary of Agriculture.

Subject: Finding pursuant to section 204(a) of the Sugar Act of 1948, as amended by the Sugar Act Amendments of 1971.

In accordance with the recommendation of the Conference Report on the Sugar Act Amendments of 1971, that the President either in 1971 or 1972 use his authority to assign deficits to provide additional quotas for Costa Rica, Guatemala and Honduras to compensate those countries for quotas that would have been assigned to them pursuant to the Department of Agriculture's emergency request of August 12, 1971 had that request not been rescinded on August 18 and pursuant to section 204(a) of the Sugar Act Amendments of 1948, as amended, I hereby determine that it would be in the national interest to give special allocations to Costa Rica, Guatemala and Honduras equal to the quantities applied for an actually delivered to the United States, whether or not all of the quantities would have qualified for increased quotas, had the emergency action not been rescinded.

You are directed to take the necessary steps to allocate deficits in accordance with this finding.

RICHARD NIXON

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is hereby amended by amending §§ 811.11, 811.12, and 811.13 as follows:

1. Section 811.11 is amended by amending paragraph (a)(2) to read as follows:

§ 811.11 Quotas for domestic areas.

(a)(1) * * *

(2) It is hereby determined pursuant to section 204(a) of the Act that for the calendar year 1972 the Domestic Beet Sugar Area and Puerto Rico will be unable by 239,667 and 650,000 short tons, raw value, respectively, to fill the quotas established for such areas in subparagraph (1) of this paragraph. Pursuant to section 204(b) of the Act the determination of such deficits shall not affect the quotas established in subparagraph (1) of this paragraph.

* * * * *

2. Section 811.12 is amended to read as follows:

§ 811.12 Proration and allocation of deficits in quotas.

(a) Of the domestic deficits determined in § 811.11(a)(2), totaling 889,667 short tons, raw value, a quantity of 789,667 tons representing deficits in the quotas of the Domestic Beet Sugar Area and Puerto Rico of 239,667 and 550,000 tons, respectively, were previously determined, allocated and prorated in this Part 811. An additional deficit is herein determined in the quota for Puerto Rico of 100,000 short tons, raw value, and is herein prorated and allocated pursuant to section 204(a) of the Act, by allocating 30.08 percent or 30,08 short tons, raw value, to the Republic of the Philippines, by allocating 21,807, 17,950, and 4,415 short tons, raw value, of the deficit to Costa Rica, Guatemala, and Honduras, respectively, in accordance with a Presidential Memorandum dated January 31, 1972, and by prorating the remainder of the deficit totaling 25,748 short tons, raw value, to Western Hemisphere countries named in section 202(c)(3)(A) of the Act on the basis of quotas determined pursuant to section 202 of the Act.

(b) In establishing deficit prorations herein for Western Hemisphere countries consideration has been given to the purchase of U.S. agricultural commodities by such countries, by determining that the value of U.S. agricultural exports to each such country exceeded the total net receipts f.a.s. port of shipment derived from the sale of sugar from deficit prorations imported from each such country during the most recent 12-month period for which data are available. Each foreign country which is unable to fill its quota including its deficit proration has the responsibility to notify the Secretary the extent of and reasons for such shortfall.

3. Section 811.13 is amended by amending paragraphs (b) and (c) to read as follows:

§ 811.13 **Quotas for foreign countries.**

* * * * *

(b) For the calendar year 1972, the quota for the Republic of the Philippines is 1,393,632 short tons, raw value, representing 1,126,020 short tons, established pursuant to section 202 of the Act and 267,612 short tons established pursuant to section 204 of the Act. Of the quantity of 1,126,020 short tons established pursuant to section 202 of the Act, only 59,920 short tons, raw value, may be filled by direct-consumption sugar pursuant to section 207(d) of the Act.

(c) For the calendar year 1972, the prorations to individual foreign countries after than the Republic of the Philippines pursuant to section 202 of the Act are shown in columns (1) and (2) of the following table. Deficit prorations previously established in this Sugar Regulation 811.13 are shown in column (3). New deficit prorations established herein are shown in column (4). Total quotas and prorations are shown in column (5).

Countries	Basic quotas	Temporary quotas and prorations pursuant to section 202(d)[1]	Previous deficit porations	New deficit prorations	Total quotas and prorations
	(1)	(2)	(3)	(4)	(5)
	Short tons, raw value				
Dominican Republic	426,189	143,832	116,182	5,418	691,621
Mexico	376,911	127,202	102,748	4,791	611,652
Brazil	367,588	124,055	100,207	4,673	596,523
Peru	263,038	88,771	71,706	3,344	426,859
West Indies	137,179	46,296	37,396	1,744	222,615
Ecuador	54,272	18,316	14,795	690	88,073
Argentina	50,943	17,192	13,887	648	82,670
Costa Rica	45,948	15,507	12,526	22,391	96,372
Colombia	45,283	15,282	12,344	576	73,485
Panama	28,302	9,551	7,715	360	45,928
Nicaragua	42,952	14,495	11,709	546	69,702
Venezuela	40,954	13,821	11,164	521	66,460
Guatemala	39,289	13,259	10,710	18,449	81,707
El Salvador	28,635	9,664	7,806	364	46,469
British Honduras	22,641	7,641	6,172	288	36,742
Haiti	20,644	6,967	5,628	262	33,501
Bahamas	17,980	6,068	4,902	228	29,178
Honduras	7,991	2,697	2,178	4,517	17,383
Bolivia	4,328	1,461	1,180	55	7,024
Paraguay	4,328	1,461	1,180	55	7,024
Australia	167,146	42,002			209,148
Republic of China	69,589	17,487			87,076
India	66,925	16,818			83,743
South Africa	47,280	11,881			59,161
Fiji Islands	36,625	9,204			45,829
Mauritius	24,639	6,191			30,830
Swaziland	24,639	6,191			30,830
Thailand	15,316	3,849			19,165
Uganda	12,319	3,096			15,415
Malagasy Republic	9,989	2,510			12,491
Ireland	5,351				5,359
Total	2,505,213	802,767	552,135	69,920	3,930,035

[1] Proration of the quotas withheld from Cuba and Southern Rhodesia.

* * * * *

(Secs. 201, 202, 204, and 403; 61 Stat. 923, as amended, 924, as amended, 925, as amended, 932; and 7 U.S.C. 1111, 1112, 1114, and 1153)

Effective date. This action determines an additional deficit in quotas of 100,000 tons and prorates and allocates such deficit to the Philippines and Western Hemisphere quota countries In order to promote orderly marketing, it is essential that this amendment be effective immediately so that all persons selling and purchasing sugar for consumption in the continental United States can promptly plan and market under the changed marketing opportunities. Therefore, it is hereby determined and found that compliance with the notice, procedure, and effective date requirements of 5 U.S.C. 553 is unnecessary, impracticable, and contrary to the public interest and this amendment shall be effective when filed for public inspection in the Office of the Federal Register.

Signed at Washington, D.C., on February 11, 1972.

E. J. Person,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.72-2450 Filed 2-17-72;8:45 am]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

PART 982—FILBERTS GROWN IN OREGON AND WASHINGTON

Subpart—Administrative Rules and Regulations

TRANSFER OF EXCESS RESTRICTED CREDITS

Notice was published in the February 2, 1972, issue of the FEDERAL REGISTER (37 F.R. 2515) regarding a proposal to amend Subpart—Administrative Rules and Regulations (7 CFR 982.432–982.471) operative pursuant to the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982; 37 F.R. 588), regulating the handling of filberts grown in Oregon and Washington (hereinafter referred to collectively as the "order"). The order is effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

Recent amendment of the order added a new paragraph (d) to § 982.52 which provides, in part, that handlers who dispose of a quantity of merchantable filberts, in restricted outlets, in excess of their restricted obligation, may transfer such excess credits to another handler or handlers. This amendment would include a new § 982.460 in the administrative rules and regulations which would prescribe rules and regulations for such transfer.

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were submitted within the prescribed time.

After consideration of all relevant matter presented, including that in the notice, the information and recommendations submitted by the Control Board, and other available information, it is found that this action is necessary to prescribe rules and regulations applicable to the transfer of excess restricted credits in order to enable handlers to utilize the benefits of this provision, and this amendment, as hereinafter set forth, will tend to effectuate the declared policy of the act.

Therefore, Subpart—Administrative Rules and Regulations is amended as follows:

A new § 982.460 is added to Subpart—Administrative Rules and Regulations (7 CFR 982.432–982.471) to read:

§ 982.460 **Transfer of excess restricted credits.**

(a) *Notification.* Each handler having excess restricted credits who wants to transfer all or a portion thereof to another handler or handlers, may notify the Board accordingly. The Board shall make available to all handlers such information on a weekly basis.

(b) *Application.* Each handler who has excess restricted credits which he desires to transfer to another handler may submit such a request to the Board on FCB Form 10. This form shall include: (1) The name and signature of the handler requesting the transfer; (2) the name and signature of the designated handler to whom the transfer is to be made; (3) the amount of excess restricted credits to be transferred; and (4) such other information as may be needed by the Board to enable the Board to effect the requested transfer of the excess restricted credits.

(c) *Transfer.* The Board shall transfer the requested amount of the excess restricted credits from one handler to a designated handler upon receipt of a completed FCB Form 10 together with such information as may be required by this section.

It is found that good cause exists for not postponing the effective time of the action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) Most of the in-shell filberts have been marketed and handlers must either export or shell filberts to meet their restricted obligations, and handlers should be able to avail themselves promptly of these procedures as some handlers have limited export and shelling facilities and could meet their restricted obligation by transfer of excess restricted credits; (2) handlers are aware of this action and need no additional time to prepare for it; (3) no additional regulations are being imposed since handlers will now have another method of meeting their restricted obligation; and (4) no useful purpose would be served by postponing the effective time of this action later than publication in the FEDERAL REGISTER.

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

Dated February 15, 1972, to become effective upon publication in the FEDERAL REGISTER (2-18-72).

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

[FR Doc.72-2525 Filed 2-17-72;8:51 am]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Docket No. AO-14-A50 etc.]

PART 1062—MILK IN ST. LOUIS-OZARKS MARKETING AREA

Order Amending Orders

Correction

In F.R. Doc. 72-1930 appearing at page 2927 in the issue of Thursday, February 10, 1972, the following amendments to Part 1062 were inadvertently omitted:

1. In § 1062.22, paragraph (i) is revised as follows:

§ 1062.22 Additional duties of the market administrator.

* * * * *

(i) Publicly announce on or before:

(1) The fifth day of each month:

(i) The Class I price for the following month, and for the first month for which this paragraph is effective, the Class I price for the current month;

(ii) The Class I butterfat differential for the current month; and

(iii) The Class II price and Class II butterfat differential, both for the preceding month; and

(2) The 10th day of each month, the uniform price and the producer butterfat differential, both for the preceding month;

* * * * *

2. Section 1062.50 is revised as follows:

§ 1062.50 Basic formula price.

The "basic formula price" shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Minnesota and Wisconsin, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis and rounded to the nearest cent. For such adjustment, the butterfat differential (rounded to the nearest one-tenth cent) per one-tenth percent butterfat shall be 0.12 times the simple average of the wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk butter per pound at Chicago, as reported by the Department for the month. For the purpose of computing the Class I price, the resulting price shall be not less than $4.33.

3. In § 1062.51, paragraph (a) is revised as follows:

§ 1062.51 Class prices.

* * * * *

(a) *Class I price.* The Class I price at plants located in Zone I shall be the basic formula price for the second preceding month plus $1.60.

* * * * *

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Packers and Stockyards Administration, Department of Agriculture

PART 204—ORGANIZATION AND FUNCTIONS

Public Information

Effective upon the date of publication in the FEDERAL REGISTER (2-18-72), paragraph (b) of § 204.9 of Title 9, Code of Federal Regulations, is amended to read as follows:

§ 204.9 Exempt records.

* * * * *

(b) Matters that are specifically exempted from disclosure by statute (15 U.S.C. 50; 7 U.S.C. 222, 218c).

* * * * *

This amendment changes the citation in 9 CFR 204.9(b) in order to cite the correct statutory provision, i.e., 7 U.S.C. 218c instead of 7 U.S.C. 218b. The amendment does not affect the rights or obligations of any person. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice of rule making and other public procedure in connection with this amendment are impracticable and unnecessary, and good cause is found for making the amendment effective less than 30 days after publication thereof in the FEDERAL REGISTER.

Done at Washington, D.C., this 15th day of February 1972.

GLENN G. BIERMAN,
Acting Administrator, Packers and Stockyards Administration.

[FR Doc.72-2528 Filed 2-17-72;8:51 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 72-CE-2-AD, Amdt. 39-1385]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna Models A150, 150, 172, 177, 182, 205, 206, 207, and 210 Airplanes; Correction

In F.R. Doc. 72-1255 appearing on pages 1357 and 1358 in the issue of Friday, January 28, 1972, line 2 of the serial numbers in the applicability statement should be corrected to read "F15000001 thru F15000738."

Issued in Kansas City, Mo., on February 9, 1972.

CHESTER W. WELLS,
Acting Director, Central Region.

[FR Doc.72-2472 Filed 2-17-72;8:46 am]

[Airspace Docket No. 71-SW-61]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway Segments

On December 10, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23577) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter VOR Federal airway No. 114 segment between the Knapp, La., intersection and Baton Rouge, La.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 27, 1972, as hereinafter set forth.

In § 71.123 (37 F.R. 2009) V-114 is amended by deleting "Baton Rouge, La.;" and substituting "INT Baton Rouge, La., 307° and Lafayette, La., 042° radials; 7 miles wide (3 miles north and 4 miles south of centerline) Baton Rouge;" therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on February 14, 1972.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[FR Doc.72-2477 Filed 2-17-72;8:46 am]

[Airspace Docket No. 71-RM-27]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway Segment

On December 11, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23633) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the segment of VOR Federal airway No. 231 between Missoula, Mont., and Kalispell, Mont.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.