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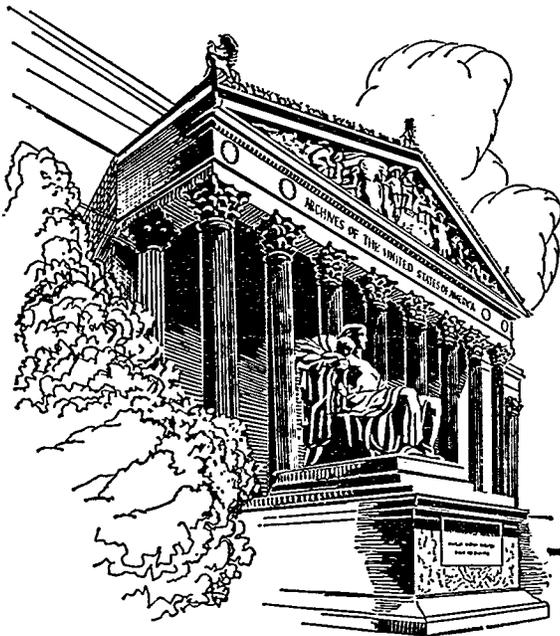
PART I

(Part II begins on page 17001)

**Agencies in this issue—**

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Wage and Hour Division

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limited to, advertising in the neighborhood paper or buying guide, in-store advertising, envelope stuffers, handbills, etc.)

(2) A supplier grants as a service to department stores or other customers a rebate of 50 percent on all Christmas cards purchased from the supplier and left over after Christmas, but does not make the offer to all of its customers competing with those to whom this service is accorded.<sup>2</sup>

(3) A supplier furnishes greeting card cabinets without cost or with a special discount to one or more customers, but does not make the same offer available on proportionally equal terms to all other competing customers, or in the event he does make such offer, he does not offer usable and suitable alternatives of equivalent measurable cost to those competing customers to whom cabinets are not usable and suitable.

(4) A supplier accords to one or more customers the privilege of returning for credit, refund, or exchange, any or all of the greeting cards purchased from the supplier but fails to offer the same privilege to all other customers competing in the distribution of the supplier's greeting cards.

(In the above circumstances, the supplier need not offer alternatives to returns for credit, refund, or exchange because they would appear to be usable by all customers in a practical business sense.)

(5) A supplier furnishes promotional assistance based on increased amounts of purchases, such as 2 percent cooperative advertising allowance on yearly purchases up to \$1,000, and 4 percent cooperative advertising allowance on purchases over \$1,000.

(Generally, using as a basis for promotional assistance a percentage of dollar volume or quantity of goods purchased during a specified period of time will insure that the promotional assistance is furnished on proportionally equal terms; *Provided, however,* That when promotional assistance is furnished on this basis, the percentage remains constant regardless of the amount of purchases.)

**NOTE 1:** As previously indicated, the foregoing are examples of practices involving discriminations in the furnishing of promotional assistance to be avoided in commerce when involving products of like grade and quality and when the seller is unable to establish a defense of "meeting competition in good faith."

**NOTE 2:** While this section concerns violations of the Clayton Act, as amended, pertaining to discriminations in the furnishing of promotional assistance by publishers or distributors, it should not be overlooked that a customer who induces, or receives promotional assistance that he knows, or should know, is not available on proportionally equal terms to his competitors engaged in the resale of the supplier's greeting cards, may be proceeded against by the Commission for violation of section 5 of the Federal Trade

<sup>2</sup> A rebate on leftover greeting cards may, under some circumstances, be cognizable under § 244.1, as a price discrimination.

Commission Act, which prohibits unfair methods of competition.

[Guide 2]

**NOTE:** Nothing contained in this part relieves any party subject to a Commission cease and desist order or other requirement from complying with the specific provisions of such order or requirement. The Guides in this part do not constitute a finding in and will not affect the disposition of any formal or informal matter now pending with the Commission.

Adopted: October 18, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 68-13724; Filed, Nov. 14, 1968;  
8:45 a.m.]

## Title 24—HOUSING AND HOUSING CREDIT

### Chapter II—Federal Housing Administration, Department of Housing and Urban Development

#### SUBCHAPTER A—GENERAL

#### PART 200—INTRODUCTION

##### Subpart D—Delegations of Basic Authority and Functions

##### MULTIFAMILY PARTICIPATION REVIEW COMMITTEE

In part 200 § 200.93 is amended to read as follows:

##### § 200.93 Multifamily Participation Review Committee.

(a) *Members.* The Multifamily Participation Review Committee shall consist of the following officials or their deputies: General Counsel, Chairman; Assistant Commissioner for Field Operations; Assistant Commissioner for Technical Standards; Assistant Commissioner for Multifamily Housing; Director, Audit Division; and Director, Compliance Coordination.

(b) *Functions.* The functions of the Multifamily Participation Review Committee are to review information provided by FHA Form No. 2530, Previous Multifamily Participation Certificate, and to make recommendations to the Commissioner or his designee as to the acceptability of new multifamily proposals, taking into consideration all past FHA and HUD experience with the principals.

(Sec. 2, 48 Stat. 1246, as amended; Sec. 211, 52 Stat. 23, as amended; Sec. 607, 55 Stat. 61, as amended; Sec. 712, 62 Stat. 1281, as amended; Sec. 907, 65 Stat. 301, as amended; Sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

Issued at Washington, D.C., November 8, 1968.

[SEAL] PHILIP N. BROWNSTEIN,  
Federal Housing Commissioner.

[F.R. Doc. 68-13739; Filed, Nov. 14, 1968;  
8:45 a.m.]

## Title 25—INDIANS

### Chapter I—Bureau of Indian Affairs, Department of the Interior

#### SUBCHAPTER J—FISCAL AND FINANCIAL AFFAIRS

#### PART 104—INDIVIDUAL INDIAN MONEY ACCOUNTS

##### Assets of Members of the Agua Caliente Band of Mission Indians

NOVEMBER 8, 1968.

This notice is published in the exercise of rule-making authority (hereinafter referred to) delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2. Pursuant to authority vested in the Secretary of the Interior by section 2, Reorganization Plan of 1950, 64 Stat. 1262, sections 161, 463, and 465 of the Revised Statutes (5 U.S.C. 301; 25 U.S.C. 2 and 9), and the Act of September 21, 1959 (73 Stat. 602; 25 U.S.C. 951-958), as amended by the Act of October 17, 1968 (Public Law 90-597), notice is hereby given that Part 104 of Chapter I of Title 25 of the Code of Federal Regulations is amended by the renumbering of §§ 104.12 to 104.13 and the addition of a new § 104.12, Assets of Members of the Agua Caliente Band of Mission Indians.

The Act approved October 17, 1968, Public Law 90-597, amended section 4 of the Act of September 21, 1959, supra, to authorize the Secretary of the Interior to manage the assets of certain members of the Agua Caliente Band of Mission Indians, and terminated guardian and fiduciary arrangements previously established, effective with the date of approval. Due to the volatile nature of the assets of the members of this band and the necessity for immediate action to conserve these assets, it has been determined under the exception contained in subsection (d) (3) of 5 U.S.C. 553 (Supp. III, 1965-1967) to dispense with notice of proposed rule-making and public procedure thereon, and to cause these regulations to have immediate effect. Accordingly, they will become effective on the date of their publication in the FEDERAL REGISTER.

As amended, § 104.12 is renumbered § 104.13, and a new § 104.12 is added to read as follows:

##### § 104.12 Assets of Members of the Agua Caliente Band of Mission Indians.

(a) The provisions of this section apply to money or other property, except real property, held by the United States in trust for such Indians which may be used, advanced, expended, exchanged, deposited, disposed of, invested, and reinvested by the Director, Palm Springs Office, in accordance with the Act of October 17, 1968 (Public Law 90-597). The management or disposition of real property is covered in other parts of this chapter.

(b) Investments made by the Director, Palm Springs Office, under the Act of October 17, 1968, supra, shall be of such

a nature as will afford reasonable protection of the assets of the individual Indian involved. The Director is authorized to enter into contracts for the management of the assets (except real property) of individual Indians. The consent of the individual Indian concerned

must be obtained prior to the taking of actions affecting his assets, unless the Director determines, under the provisions of section (e) of the Act, that consent is not required.

(c) The Director may, consistent with normal business practices, establish appropriate fees for reports he requires

from guardians, conservators, or other fiduciaries appointed under State law for members of the Band.

T. W. TAYLOR,  
Acting Commissioner.

[F.R. Doc 68-13743; Filed, Nov. 14, 1968; 8:45 a.m.]

## Title 14—AERONAUTICS AND SPACE

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

#### SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9228; Amdt. 623]

#### PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

##### Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending § 97.11 of Subpart B to amend low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

##### STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
AMA VOR.....	AM LOM.....	Direct.....	5000	T-dn.....	300-1	300-1	200-1/2
Claude Int.....	AM LOM.....	Direct.....	5000	C-dn.....	600-1	600-1	600-1 1/2
Palo Duro Int.....	AM LOM.....	Direct.....	4900	S-dn-3.....	600-1	600-1	600-1
Tower Int.....	AM LOM.....	Direct.....	5300	A-dn.....	800-2	800-2	800-2
Sam Int.....	AM LOM.....	Direct.....	5300				
West Side Int.....	AM LOM.....	Direct.....	5000				

**ASR.**

Procedure turn S side of crs, 215° Outbnd, 035° Inbnd, 5000' within 10 miles.

Minimum altitude over facility on final approach crs, 5000'.

Crs and distance, facility to airport, 035°-5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 miles after passing LOM, climb to 5000' on crs 035° within 20 miles.

CAUTION: Towers 3994', 3.4 miles SW; 3886', 2.1 miles SW; 3855', 2.7 miles SSW of airport.

MSA within 25 miles of facility: 000°-360°-6000'.

City, Amarillo; State, Tex.; Airport name, Amarillo Municipal; Elev., 3605'; Fac. Class, H-SAB/LOM; Ident., AM; Procedure No. NDB(ADF) Runway 3, Amdt. 7; Eff. date, 5 Dec. 68; Sup. Amdt. No. ADF 1, Amdt. 6; Dated, 8 May 65