

FEDERAL REGISTER

VOLUME 34

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Tuesday, February 25, 1969

Washington, D.C.

Pages 2531-2596

PART I

(Part II begins on page 2579)

Agencies in this issue—

The President
Advisory Council on Historic
Preservation
Atomic Energy Commission
Business and Defense Services
Administration
Civil Aeronautics Board
Coast Guard
Consumer and Marketing Service
Customs Bureau
Emergency Preparedness Office
Federal Aviation Administration
Federal Highway Administration
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Interstate Commerce Commission
Land Management Bureau
National Park Service
Securities and Exchange Commission
Small Business Administration
Tennessee Valley Authority

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Announcing First 10-Year Cumulation

TABLES OF LAWS AFFECTED

in Volumes 70-79 of the

UNITED STATES STATUTES AT LARGE

Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of

public laws enacted during the years 1956-1965. Includes index of popular name acts affected in Volumes 70-79.

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Title 3—THE PRESIDENT

Proclamation 3894

RED CROSS MONTH, 1969

By the President of the United States of America

A Proclamation

For more than a century, men and women of good will have recognized one symbol as being representative of human compassion.

That symbol, revered throughout the world, is a banner bearing a red cross on a field of white. Under it, citizens of all nations strive to bring aid and comfort to the stricken, to heal the sick, and to serve those in distress.

As a member of that world fraternity, our American Red Cross helps each of us to help our fellow man.

Through its concern and aid for members of our Armed Forces in 30 countries around the globe, the Red Cross last year gave help to great numbers of servicemen and their families.

Each year, the Red Cross brings emergency aid and long-range assistance to victims of major catastrophies, and help to sufferers of thousands of local disasters. For the past several years it has been intensifying its efforts to involve all segments of society in the great work of volunteering to help others.

Every day thousands of hospitals and physicians look to the Red Cross to provide life-saving blood and blood products for their patients. Nearly fifty percent of all the blood used in this country comes from this source.

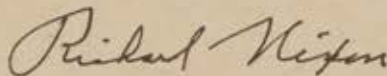
Each year millions of Americans of all ages participate in Red Cross classes, learning the skills of first aid, home care of the sick and injured, swimming and lifesaving.

More than two million trained volunteers devote their time and abilities to working with patients in military and civilian hospitals, clinics, and homes for the aged, with youth, and in community programs seeking to meet the needs of disadvantaged people.

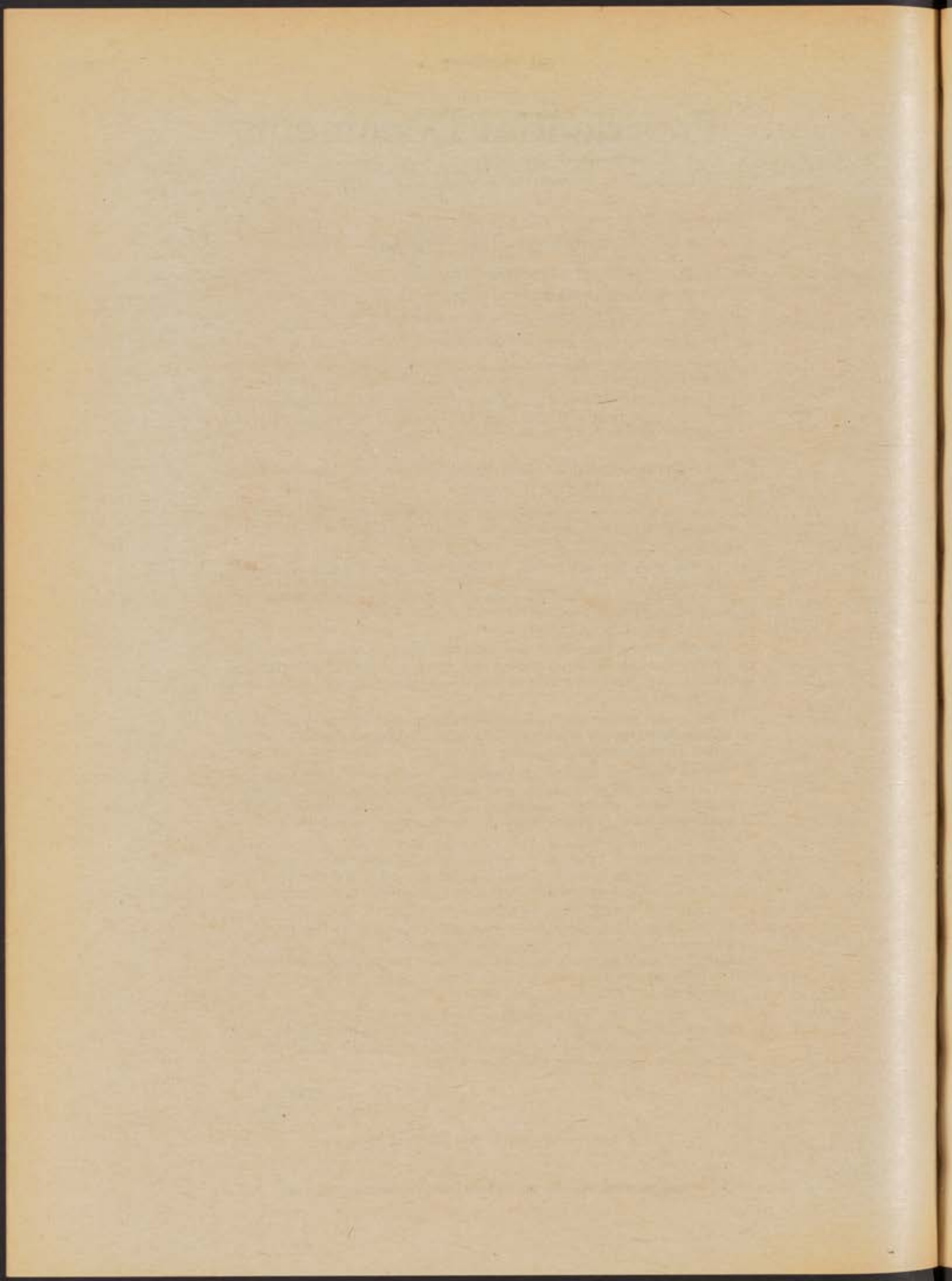
To continue its mission, the American Red Cross must rely upon us, the people of America, from whom it receives its sole support. In March 1969, the Red Cross will ask for our help. We owe it to our communities and our country to respond generously to that appeal.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, and Honorary Chairman of the American National Red Cross, do hereby designate March 1969 as Red Cross Month. I urge all Americans to maintain the strength of the Red Cross by volunteering their time when they can, and by contributing as generously as they can.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of February, in the year of our Lord nineteen hundred and sixty-nine, and of the Independence of the United States of America the one hundred and ninety-third.



[F.R. Doc. 69-2347; Filed, Feb. 24, 1969; 10:05 a.m.]



Proclamation 3895

SAVE YOUR VISION WEEK, 1969

By the President of the United States of America

A Proclamation

Eyes are too precious to neglect, and every individual or family should take every precaution to protect the gift of sight.

If detected and treated early, most disorders that might reduce vision or cause blindness can be stopped before the eyes are seriously damaged.

Periodic examinations will reveal such disorders, and I urge every adult who has not had an eye examination in the past two years to arrange for such an examination promptly. A re-examination should be had at the first indication of visual defect or impairment.

Other preventive measures can be taken to protect sight. Proper illumination in the home and at work is essential. And, with a little forethought and caution, accidents to the eyes can be avoided—for example, by wearing protective glasses or safety goggles when engaged in hazardous sport or work, and by shielding the eyes from strong sunlight or harmful radiation in any form.

Where there are children, special precautions must be taken: making eye examinations a routine part of health care; immunizing against diseases, such as measles, which affect sight; teaching children to care for their eyes as they are taught to care for their teeth; and eliminating hazardous substances, tools, or toys which may cause eye injuries.

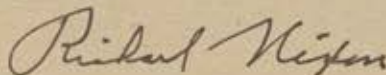
Effective preservation of vision requires not only individual and family responsibility but also an active interest by all citizens in the community's efforts to bring better eye care to all who need it—to the children in the schools, and to the men and women laboring on the farms and in the factories. We must encourage and support medical research to find the causes and cures of visual disorders; support those groups which help the visually handicapped to obtain medical care, education, and rehabilitation so that they may live independent and significant lives; and support such organizations as Eye Banks which encourage the pledging of one's eyes for the future good.

To make our people more fully aware of the importance of sight-saving, the Congress by a joint resolution approved December 30, 1963 (77 Stat. 629), requested the President to proclaim the first week in March of each year as Save Your Vision Week.

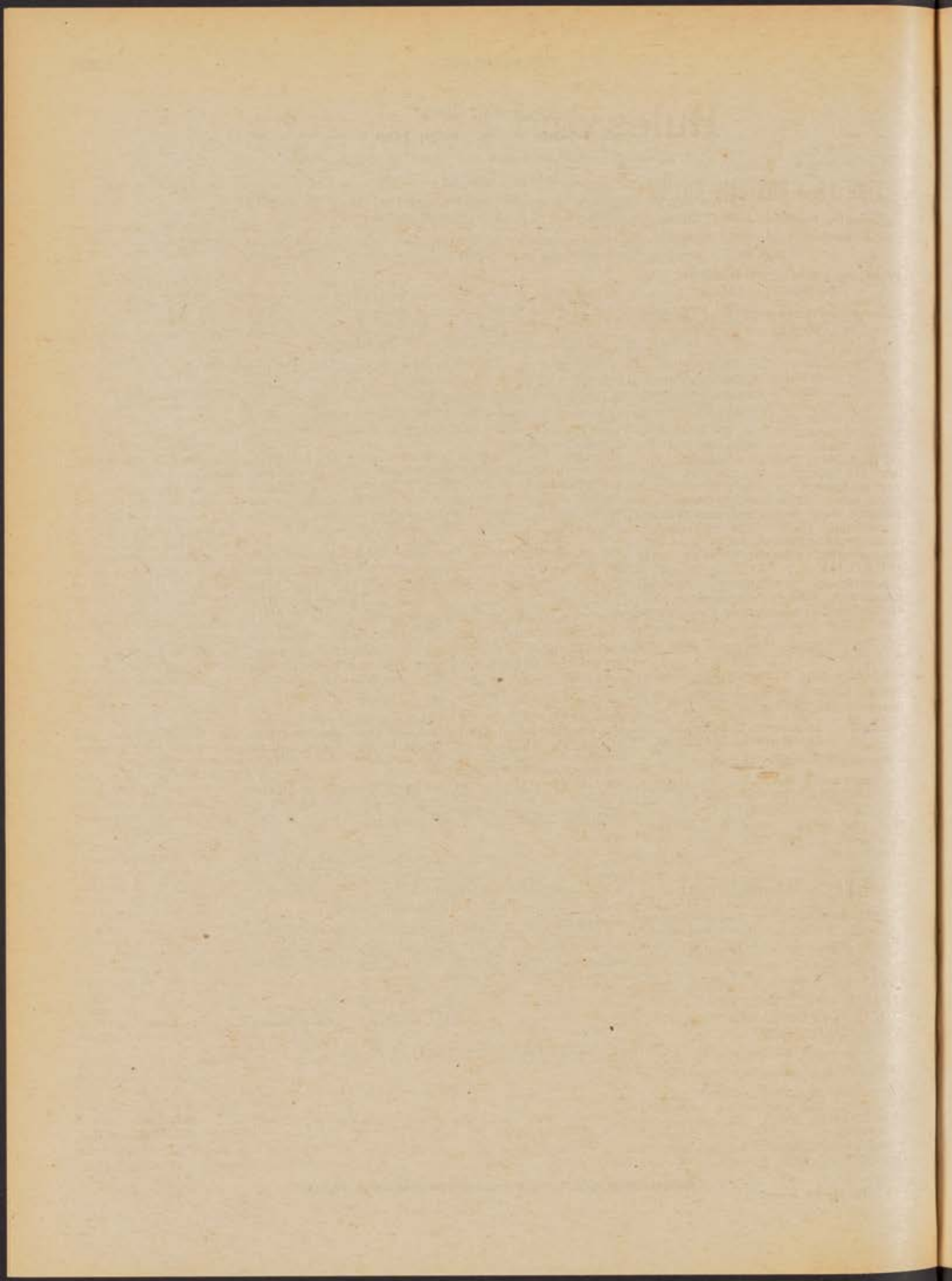
NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the week of March 2, 1969, as Save Your Vision Week; and I call upon all our citizens to join in this observance.

During this week every American should make certain that he is not only taking positive action to protect his own precious gift of sight, but also is giving thought to his responsibility for the conservation of sight among his family and his fellow countrymen.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of February, in the year of our Lord nineteen hundred and sixty-nine, and of the Independence of the United States of America the one hundred and ninety-third.



[F.R. Doc. 69-2348; Filed, Feb. 24, 1969; 10:05 a.m.]



Rules and Regulations

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 69-59]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Coastwise Transportation of Containers, etc., by Certain Irish Vessels

On the basis of information obtained and furnished by the Department of State, it is found that the Government of Ireland extends to vessels of the United States in ports of Ireland privileges reciprocal to those provided for in section 27 of the Merchant Marine Act of 1920, as further amended by Public Law 90-474 (82 Stat. 700). Therefore, vessels of Ireland are permitted to transport coastwise equipment for use with vans and tanks, empty barges designed for carriage aboard a vessel, empty instruments of international traffic, and stevedoring equipment and material under the conditions specified in the applicable proviso to 46 U.S.C. 883.

Accordingly, § 4.93(b)(2), Customs Regulations, is amended by the insertion of "Ireland" in appropriate alphabetical order in the list of nations in that section.

(80 Stat. 379, sec. 27, 41 Stat. 990, as amended; 5 U.S.C. 301, 46 U.S.C. 883)

Effective date. This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: February 13, 1969.

MATTHEW J. MARKS,
Acting Assistant Secretary
of the Treasury.

[F.R. Doc. 69-2258; Filed, Feb. 24, 1969;
8:47 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 53—LIVESTOCK, MEATS, PRE- PARED MEATS, AND MEAT PROD- UCTS (GRADING, CERTIFICATION, AND STANDARDS)

Subpart B—Standards

STANDARDS FOR GRADES OF FEEDER PIGS

Pursuant to authority conferred by the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624), and in accordance with the administrative procedure provisions of 5 U.S.C. 553, on November 27, 1968, a notice was pub-

lished in the FEDERAL REGISTER (33 F.R. 17690) regarding a proposed change in the Official U.S. Standards for Grades of Feeder Pigs (7 CFR 53.158, 53.159). The notice provided that written data, views, or arguments concerning the proposal could be submitted within 30 days after publication of the notice. The comments submitted on this proposal, as well as all other information available to the Department, have been considered in arriving at a decision to promulgate the proposed standards.

Statement of considerations. The Agricultural Marketing Act of 1946 provides for the issuance of official U.S. grade standards to designate different levels of quality and quantity for the voluntary use of producers, buyers, and consumers.

On April 1, and July 1, 1968, revised standards for grades of pork carcasses and revised standards for grades of slaughter barrows and gilts, respectively, became effective. To be of maximum benefit to the swine industry, standards for grades of feeder pigs should be closely coordinated with the standards for grades of pork carcasses and slaughter swine. The proposed revision of the standards published in the FEDERAL REGISTER on November 27, 1968, was designed to coordinate them with the revised pork carcass and slaughter swine standards.

On the basis of the comments received on this proposal and all other information available to the Department at this time, minor editorial changes were made in the "Application of Standards" section. Also, slight changes were made in the descriptions of the Utility and Cull grades. These changes were made in the interest of more uniform and accurate interpretation of the standards. It is not the intent that any of the changes should make any material change in the application of the standards from that intended under the proposal. Therefore, in accordance with the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that further rulemaking procedure is unnecessary and impractical.

With the changes noted above, the adoption of the feeder pig grade standards proposed November 27, 1968, is in the best interest of the swine industry. Therefore, under the authority conferred by the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624), and in accordance with the administrative procedure provisions of 5 U.S.C. 553, the Official U.S. Standards for Feeder Pigs appearing in 7 CFR 53.158 et seq., are revised as hereinafter set forth.

1. Section 53.158 is revised to read as follows:

§ 53.158 Application of standards for grades of feeder pigs.

(a) The grade of a feeder pig is determined by evaluating two general

value-determining characteristics—its logical slaughter potential and its thriftiness.

(b) The logical slaughter potential of a thrifty feeder pig is its expected slaughter grade at a market weight of 220 pounds after a normal feeding period. In these feeder pig standards, logical slaughter potential is determined by a composite appraisal of the development of the muscular system and the skeletal system. Both of these factors have an important effect on the development of lean and fat as the animal grows and fattens, and therefore, on the expected slaughter and carcass grade.

(c) Thriftiness in a feeder pig is its apparent ability to gain weight rapidly and efficiently. Size for age, health, and other general indications of thriftiness are considered in appraising the thriftiness of feeder pigs.

(d) The standards provide for six grades of feeder pigs—U.S. No. 1, U.S. No. 2, U.S. No. 3, U.S. No. 4, U.S. Utility, and U.S. Cull. Except for the U.S. Cull grade, these names correspond to the five grade names for slaughter swine and pork carcasses. The U.S. No. 1, U.S. No. 2, U.S. No. 3, and U.S. No. 4 grades include all pigs which are thrifty. Differentiation between the U.S. No. 1, U.S. No. 2, U.S. No. 3, and U.S. No. 4 grades is based entirely on differences in logical slaughter potential. Feeder pigs in the U.S. No. 1 grade have sufficient muscling and frame to reach a market weight of 220 pounds with a minimum degree of finish. Feeder pigs in the U.S. No. 2, U.S. No. 3, and U.S. No. 4 grades usually have progressively less muscling and less frame and are expected to have progressively more finish when marketed at 220 pounds. The U.S. Utility and U.S. Cull grades include only pigs which lack thriftiness. Differentiation between the U.S. Utility and U.S. Cull grades is based entirely on differences in thriftiness.

(e) Most feeder pigs are marketed when relatively young and before reaching a weight of 125 pounds. At this age, sex condition exerts little influence on the basic factors determining the feeder grade. Therefore, these standards are equally applicable for grading barrow, gilt, and boar pigs, although it is recognized that sex condition may influence the market price in some instances. It is assumed that boar pigs will be castrated prior to developing the secondary physical characteristics of a boar. Sows, stags, and mature boars are seldom used as feeder animals, and these standards do not apply to those classes.

(f) Only one combination of muscling and skeletal characteristics is described in the standards for the U.S. No. 1, U.S. No. 2, U.S. No. 3, and U.S. No. 4 grades. However, feeder pigs qualifying for the U.S. No. 1, U.S. No. 2, U.S. No. 3, or U.S. No. 4 grades may vary with respect to the relative development of the individual

grade factors. In fact, some will qualify for a particular grade although they have some characteristics more nearly typical of another grade, except that feeder pigs in the U.S. No. 1 grade must have at least moderately thick muscling. Feeder pigs with other characteristics of the U.S. No. 1 grade, but with less than moderately thick muscling would be in the U.S. No. 2 grade. Since no attempt is made to describe the numerous combinations of characteristics that may qualify a feeder pig for a specific grade, making appropriate compensations for varying combinations of characteristics requires the use of sound judgment.

2. Section 53.159 is revised to read as follows:

§ 53.159 Specifications for official United States standards for grades of feeder pigs.

(a) *U.S. No. 1.* Feeder pigs in this grade near the borderline of the U.S. No. 2 grade are long and have thick muscling throughout. Thickness of muscling is particularly evident in thick and full hams and shoulders. The hams and shoulders are thicker than the back, which is well rounded. They usually present a well-balanced appearance. In no case may a feeder pig be graded U.S. No. 1 with less than moderately thick muscling. Feeder pigs in this grade are expected to produce U.S. No. 1 grade carcasses when slaughtered at 220 pounds.

(b) *U.S. No. 2.* Feeder pigs in this grade near the borderline of the U.S. No. 3 grade are moderately long and have moderately thick muscling throughout. Thickness of muscling is particularly evident in moderately thick and full hams and shoulders. The back usually appears slightly full and well-rounded. They usually present a well-balanced appearance. This grade also includes feeder pigs which otherwise qualify for the U.S. No. 1 grade but have less than moderately thick muscling. Feeder pigs in this grade are expected to produce U.S. No. 2 grade carcasses when slaughtered at 220 pounds.

(c) *U.S. No. 3.* Feeder pigs in this grade near the borderline of the U.S. No. 4 grade are slightly short and have slightly thin muscling throughout. The hams and shoulders are slightly thin and flat and the back usually appears moderately full and thick. Feeder pigs in this grade are expected to produce U.S. No. 3 grade carcasses when slaughtered at 220 pounds.

(d) *U.S. No. 4.* Feeder pigs typical of the U.S. No. 4 grade are short and have thin muscling throughout. The hams are thin and rather flat, particularly in the lower parts toward the shanks. The back usually appears slightly flat and the width at the topline usually is greater than at the underline. Feeder pigs in this grade are expected to produce U.S. No. 4 grade carcasses when slaughtered at 220 pounds.

(e) *U.S. Utility.* Feeder pigs typical of this grade are small for their age and

appear unthrifty. They often have a rough, unkempt appearance indicating the effects of disease or poor care. The hams and shoulders usually are thin and flat and taper toward the shanks. The back is thin and lacks fullness. Pigs in this grade near the borderline of the U.S. No. 1, U.S. No. 2, U.S. No. 3, and U.S. No. 4 grades are slightly small for their age and appear slightly unthrifty. It is recognized that U.S. Utility grade feeder pigs will produce U.S. No. 1, U.S. No. 2, U.S. No. 3, or U.S. No. 4 grade carcasses when slaughtered at 220 pounds provided their unthrifty condition is corrected. U.S. Utility grade feeder pigs whose unthrifty condition is not corrected will produce U.S. Utility grade carcasses.

(f) *U.S. Cull.* Feeder pigs typical of this grade are very deficient in thriftiness because of poor care or disease. They can be expected to reach a normal market weight only after an extremely long and costly feeding period, if at all.

The foregoing provisions shall become effective April 1, 1969.

Done at Washington, D.C., this 18th day of February 1969.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 69-2250; Filed, Feb. 24, 1969;
8:46 a.m.]

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

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Free and Reserve Percentages for 1968-69 Crop Year

Pursuant to §§ 989.54(b) and 989.55 of the marketing agreement, as amended and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California, the preliminary free tonnage percentage and reserve tonnage percentage applicable to standard natural Thompson Seedless raisins acquired by handlers during the 1968-69 crop year are 55 percent and 45 percent respectively (§ 989.226, 33 F.R. 15331). Such percentages were recommended by the Raisin Administrative Committee pursuant to the amended marketing agreement and order. This marketing agreement and order program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "act".

The Committee is required by § 989.54 (b) to recommend, no later than February 15, a free tonnage percentage which will tend to release the full desirable free tonnage of 138,000 tons (§ 989.222, 33 F.R. 14777) of standard

natural Thompson Seedless raisins. The 1968-69 production of standard raisins of such varietal type is now estimated to be approximately 240,000 tons and the Committee, on that basis, has recommended a free tonnage percentage of 57.5 percent and a reserve tonnage percentage of 42.5 percent as the percentages for such purpose. The designation, pursuant to § 989.55, of 57.5 percent as the free tonnage percentage would tend to release the full desirable free tonnage of 138,000 tons. As provided in § 989.54 (b), the difference between the free tonnage percentage and 100 percent is the reserve percentage.

After consideration of all relevant matter presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that designation of the respective free tonnage and reserve tonnage percentages, as hereinafter set forth, will tend to effectuate the declared policy of the act.

Therefore, § 989.226 is revised to read as follows:

§ 989.226 Free and reserve percentages for the 1968-69 crop year.

The percentages of standard natural Thompson Seedless raisins acquired by handlers during the crop year beginning September 1, 1968, which shall be free tonnage and reserve tonnage, respectively, are designated as follows: Free tonnage percentage, 57.5 percent; and reserve tonnage percentage, 42.5 percent.

It is further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice of this action and engage in public rule making procedure, and that good cause exists for not postponing the effective time until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) This action relieves restrictions as to the amount of standard raisins available immediately to handlers for use in free tonnage outlets; (2) under this part, the respective free tonnage and reserve tonnage percentages designated for a particular varietal type and crop year, apply to all standard raisins of such varietal type acquired by handlers from the beginning of the crop year; (3) the current crop year began September 1, 1968, and the percentages designated herein will automatically apply to such raisins acquired by handlers on or after that date; and (4) handlers are aware of this action as recommended by the Committee and require no additional time to comply therewith.

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

Dated: February 18, 1969.

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

[F.R. Doc. 69-2287; Filed, Feb. 24, 1969;
8:48 a.m.]

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

[Milk Order 71]

PART 1007—MILK IN GEORGIA MARKETING AREA

Order Regulating Handling of Milk

FINDINGS AND DETERMINATIONS

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and a proposed order regulating the handling of milk in the Georgia marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest;

(3) The said order regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in a marketing agreement upon which a hearing has been held;

(4) All milk and milk products handled by handlers, as defined in this order, are in the current of interstate commerce or directly burdened, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning

of such agency will require the payment by each handler, as his pro rata share of such expense, 4 cents per hundredweight or such amount not to exceed 4 cents per hundredweight as the Secretary may prescribe, with respect to:

(i) Producer milk (including such handler's own production);

(ii) Other source milk allocated to Class I pursuant to § 1007.45(a) (5) and (9) and the corresponding steps of § 1007.45(b); and

(iii) Class I milk disposed of in the marketing area from a partially regulated distributing plant that exceeds the hundredweight of Class I milk received during the month at such plant from pool plants and other order plants.

(b) Additional findings. It is necessary in the public interest to make this order partially effective not later than March 1, 1969, and fully effective not later than April 1, 1969. Any delay beyond these dates would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued November 19, 1968, and the decision of the Assistant Secretary containing all the provisions of this order was issued January 15, 1969. The provisions other than those relating to prices and payments must become effective prior to the fully effective date of the order to provide handlers the opportunity to adjust their operational and accounting procedures to the order provisions.

In view of the foregoing, it is hereby found and determined that good cause exists for making this order partially effective March 1, 1969, and fully effective April 1, 1969, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 553(d), Administrative Procedure Act, 5 U.S.C. 551-559.)

(c) Determinations. It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order;

(3) The issuance of this order, exclusive of the base and excess plan of payment to producers, is approved or favored by at least two-thirds of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area; and

(4) The issuance of the base and excess plan of payment to producers, which is included in this order, is approved or favored by at least two-thirds of the producers who participated in a separate referendum in which each individual producer had one vote and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Georgia marketing area shall be in conformity to, and in compliance with, the following terms and conditions:

DEFINITIONS

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1007.2	Department.
1007.3	Person.
1007.4	Cooperative association.
1007.5	Georgia marketing area.
1007.6	Fluid milk product.
1007.7	Distributing plant.
1007.8	Supply plant.
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1007.10	Nonpool plant.
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1007.13	Producer-handler.
1007.14	Producer.
1007.15	Producer milk.
1007.16	Other source milk.
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1007.18	Chicago butter price.
1007.19	Northern Zone.
1007.20	Southern Zone.
1007.21	Base milk.
1007.22	Excess milk.
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1007.25	Designation.
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Sec.	REPORTS, RECORDS, AND FACILITIES
1007.30	Reports of receipts and utilization.
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CLASSIFICATION OF MILK

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1007.60	Computation of the net pool obligation of each handler.
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EFFECTIVE TIME, SUSPENSION, OR TERMINATION

1007.90	Effective time.
1007.91	Suspension or termination.
1007.92	Continuing power and duty of the market administrator.
1007.93	Liquidation after suspension or termination.

MISCELLANEOUS PROVISIONS

1007.100	Separability of provisions.
1007.101	Agents.

DETERMINATION OF BASE

- Sec.
1007.110 Base.
1007.111 Base rules.
1007.112 Announcement of established bases.

AUTHORITY: The provisions of this Part 1007 issued under sec. 1-19, 43 Stat. 31, as amended; 7 U.S.C. 601-674.

DEFINITIONS

§ 1007.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

§ 1007.2 Secretary.

"Secretary" means the Secretary of Agriculture or any officer or employee of the United States authorized to exercise the powers and perform the duties of the Secretary of Agriculture.

§ 1007.3 Department.

"Department" means the U.S. Department of Agriculture.

§ 1007.4 Person.

"Person" means any individual, partnership, corporation, association, or other business unit.

§ 1007.5 Cooperative association.

"Cooperative association" means any cooperative marketing association of producers which the Secretary determines after application by the association:

- (a) To be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; and
- (b) To have full authority in the sale of milk of its members and be engaged in making collective sales of, or marketing milk or milk products for, its members.

§ 1007.6 Georgia marketing area.

The "Georgia marketing area", hereinafter called the "marketing area" means all the territory, including all waterfront facilities connected therewith, geographically within the boundaries of the State of Georgia except the counties of Catosa, Chattooga, Dade, Fannin, Floyd, Gilmer, Gordon, Murray, Pickens, Rabun, Union, Walker, and

Whitfield. The marketing area shall include all territory that is occupied by government (municipal, State, or Federal) reservations, installations, institutions, or other similar establishments if any part of such territory is within the designated geographical limits of the marketing area.

§ 1007.7 Fluid milk product.
"Fluid milk product" means milk, skim milk, buttermilk, flavored milk, cream milk drinks, concentrated milk, cream and mixtures of cream and milk or skim milk.

§ 1007.8 Distributing plant.
"Distributing plant" means a plant in which milk approved by a duly constituted health authority for fluid consumption is processed or packaged and which has route disposition in the marketing area during the month.

§ 1007.9 Supply plant.
"Supply plant" means a plant from which a fluid milk product acceptable to a duly constituted health authority for fluid consumption is shipped during the month to a pool plant.

§ 1007.10 Pool plant.
"Pool plant" means a plant specified in paragraph (a) or (b) of this section that is neither an other order plant, a producer-handler plant, nor an exempt distributing plant.

(a) A distributing plant that has route disposition during the month of not less than 50 percent of the fluid milk products approved by a duly constituted health authority for fluid consumption that are physically received at such plant or diverted as producer milk to a nonpool plant pursuant to § 1007.16 and that has route disposition in the marketing area during the month of not less than 15 percent of its total Class I disposition during the month.

(b) A supply plant from which not less than 50 percent of the total quantity of milk approved by a duly constituted health authority for fluid consumption that is physically received from dairy farmers at such plant or diverted as producer milk to a nonpool plant pursuant to § 1007.16 during the month is shipped as fluid milk products to pool plants pur-

§ 1007.11 Nonpool plant.

"Nonpool plant" means a plant (except a pool plant) which receives milk from dairy farmers or is a milk manufacturing, processing or bottling plant. The following categories of nonpool plants are further defined as follows:

- (a) "Other order plant" means a plant that is fully subject to the pricing and pooling provisions of another order issued pursuant to the Act, unless such plant is qualified as a pool plant pursuant to § 1007.10 and a greater volume of fluid milk products is disposed of from such plant in this marketing area as route disposition and to pool plants qualified on the basis of route disposition in this marketing area than is disposed of from such plant in the marketing area regulated pursuant to the other order as route disposition and to plants qualified as fully regulated plants under such other order on the basis of route disposition in its marketing area.

(b) "Producer-handler plant" means a plant operated by a producer-handler as defined in any order (including this part) issued pursuant to the Act.

(c) "Partially regulated distributing plant" means a nonpool plant that is a distributing plant and is not an other order plant, a producer-handler plant or an exempt distributing plant.

(d) "Unregulated supply plant" means a nonpool plant that is a supply plant and is not an other order plant, a producer-handler plant or an exempt distributing plant.

suant to paragraph (a) of this section. A plant that was a pool plant pursuant to this paragraph in each of the immediately preceding months of August through February shall be a pool plant for the months of March through July unless the milk received at the plant does not continue to meet the requirements of a duly constituted health authority or a written application is filed by the plant operator with the market administrator on or before the first day of any such month requesting that the plant be designated as a nonpool plant for such month and each subsequent month through July during which it would not otherwise qualify as a pool plant.

(e) "Exempt distributing plant" means a distributing plant operated by a governmental agency.

§ 1007.12 Route disposition.

"Route disposition" means a delivery to a retail or wholesale outlet (except to a plant) either direct or through any distribution facility (including distribution from a plant store, vendor or vending machine) of a fluid milk product classified as Class I pursuant to § 1007.41 (a) (1).

§ 1007.13 Handler.

"Handler" means:

- (a) Any person in his capacity as the operator of one or more pool plants;
- (b) Any person in his capacity as the operator of a partially regulated distributing plant;
- (c) Any cooperative association with respect to producer milk which it causes to be diverted from a pool plant to a nonpool plant for the account of such cooperative association;

(d) A cooperative association with respect to milk of its producer-members which is delivered from the farm to the pool plant of another handler in a tank truck owned and operated by or under contract to such cooperative association. The milk for which a cooperative association is the handler pursuant to this paragraph shall be deemed to have been received at the location of the pool plant to which it was delivered;

(e) Any person in his capacity as the operator of an other order plant that is either a distributing plant or a supply plant; and

(f) A producer-handler.

§ 1007.14 Producer-handler.

"Producer-handler" means any person who:

- (a) Operates a dairy farm and a distributing plant;
- (b) Receives no Class I milk from sources other than his own farm production and pool plants;
- (c) Disposes of no other source milk as Class I milk; and
- (d) Provides proof satisfactory to the market administrator that the care and management of the dairy animals and other resources necessary to produce all Class I milk handled (excluding receipts

from pool plants) and the operation of the processing and packaging business are his personal enterprise and risk.

§ 1007.15 Producer.

"Producer" means any person, except a producer-handler as defined in any order (including this part) issued pursuant to the Act or the operator of an exempt distributing plant, who produces milk in compliance with the inspection requirements of a duly constituted health authority, which milk is physically received at a pool plant or diverted pursuant to § 1007.16 from a pool plant to a nonpool plant. "Producer" shall not include a person with respect to milk that is physically received at a pool plant as diverted milk from an other order plant if a Class II classification under this order is designated for such milk and it is subject to the pricing and pooling provisions of another order issued pursuant to the Act.

§ 1007.16 Producer milk.

"Producer milk" means the skim milk and butterfat contained in milk:

(a) Received at a pool plant directly from a producer or a handler pursuant to § 1007.13(d); *Provided*, That if the milk received at a pool plant from a handler pursuant to § 1007.13(d) is purchased on a basis other than farm weights, the amount by which the total farm weights of such milk exceed the weights on which the pool plant's purchases are based shall be producer milk received by the handler pursuant to § 1007.13(d) at the location of the pool plant;

(b) Diverted from a pool plant to a nonpool plant that is neither an other order plant nor a producer-handler plant subject to the following conditions:

- (1) Such milk shall be deemed to have been received by the diverting handler at the plant to which diverted;
- (2) Not less than 10 days' production of the producer whose milk is diverted is physically received at a pool plant;
- (3) To the extent that it would result in nonpool plant status for the pool plant from which diverted, milk diverted for the account of a cooperative association from the pool plant of another handler shall not be producer milk;

(4) A cooperative association may divert for its account only the milk of member producers: *Provided*, That the total quantity of milk so diverted that exceeds 25 percent of the milk physically received from member producers at all pool plants during the month shall not be producer milk;

(5) The operator of a pool plant other than a cooperative association may divert for his account only the milk of producers who are not members of a cooperative association: *Provided*, That the total quantity of milk so diverted that exceeds 25 percent of the milk physically received at such plant during the month from producers who are not members of a cooperative association shall not be producer milk; and

(6) The diverting handler shall designate the dairy farmers whose milk is not producer milk pursuant to subparagraphs (4) and (5) of this paragraph. If the handler fails to make such designation, no milk diverted by him shall be producer milk; or

(c) Diverted from a pool plant to an other order plant if a Class II classification (or its equivalent) is designated for such milk pursuant to the provisions of another order issued pursuant to the Act and such milk is not subject to the pricing and pooling provisions of such order. The conditions described in subparagraphs (1) through (6) of paragraph (b) of this section shall apply to this paragraph as if set forth fully herein.

§ 1007.17 Other source milk.

"Other source milk" means the skim milk and butterfat contained in or represented by:

(a) Fluid milk products from any source except:

- (1) Producer milk; and
- (2) Fluid milk products from pool plants;

(b) Products other than fluid milk products from any source (including those produced at the plant) which are reprocessed, converted into or combined with another product in the plant during the month; and

(c) Any disappearance of nonfluid products in a form in which they may be converted into a Class I product and which are not otherwise accounted for pursuant to § 1007.33.

§ 1007.18 Reload point.

"Reload point" means a location at which milk moved from a farm in a tank truck is transferred to another tank truck and commingled with other milk before entering a plant. A reload point shall not be considered a plant except that a reload operation on the premises of a plant shall be considered a part of the plant operation.

§ 1007.19 Chicago butter price.

"Chicago butter price" means the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of 92-score bulk creamery butter at Chicago as reported for the month by the Department.

§ 1007.20 Northern Zone.

"Northern Zone" means all the territory in the Georgia counties of Banks, Bartow, Catocosa, Chattahoochee, Cherokee, Dade, Dawson, Elbert, Fannin, Floyd, Forsyth, Franklin, Gilmer, Gordon, Habersham, Hall, Hart, Jackson, Lumpkin, Madison, Murray, Pickens, Rabun, Stephens, Towns, Union, Walker, White, and Whitfield.

§ 1007.21 Southern Zone.

"Southern Zone" means all the territory in the State of Georgia that is not within the Northern Zone.

§ 1007.22 Base milk.

"Base milk" means producer milk received during the month which is not in excess of the producer's base multiplied by the number of days of production that such milk was received at pool plants in such month: *Provided*, That from the effective date of this order through February 1970 all producer milk received at pool plants shall be base milk.

§ 1007.23 Excess milk.

"Excess milk" means producer milk received during the month which is in excess of the base milk received from the producer during such month.

MARKET ADMINISTRATOR

§ 1007.25 Designation.

The agency for the administration of this order shall be a market administrator, selected by the Secretary, who shall

be entitled to such compensation as may be determined by and shall be subject to removal at the discretion of the Secretary.

§ 1007.26 Powers.

The market administrator shall have the following powers with respect to this order:

- (a) To administer its terms and provisions;
- (b) To make rules and regulations to effectuate its terms and provisions;
- (c) To receive, investigate, and report to the Secretary complaints of violations; and
- (d) To recommend amendments to the Secretary.

§ 1007.27 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this order, including but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount, and with reasonable surety thereon, covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds received pursuant to § 1007.77 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses, except those incurred under § 1007.76, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this order, and upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

market administrator may require and allow verification of such reports by the market administrator.

(c) Each handler pursuant to § 1007.13(d) shall report to the market administrator, in detail and on forms prescribed by the market administrator on or before the seventh day after the end of the month the quantities of skim milk and butterfat in producer milk delivered to each pool plant in such month.

§ 1007.33 Records and facilities.

Each handler shall maintain and make available to the market administrator during the usual hours of business such accounts and records of his operations together with such facilities as are necessary for the market administrator to verify or establish the correct data for each month, with respect to:

(a) The receipt and utilization of all skim milk and butterfat handled in any form during the month;

(b) The weights and butterfat and other content of all milk and milk products handled during the month;

(c) The pounds of skim milk and butterfat contained in or represented by all milk products in inventory at the beginning and end of the month; and

(d) Payments to dairy farmers and cooperative associations, including the amount and nature of any deductions and the disbursement of moneys so deducted.

§ 1007.34 Retention of records.

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of 3 years to begin at the end of the month to which such books and records pertain: *Provided*, That if, within such 3-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c(15) (A) of the Act or a court action specified in such notice, the handler shall retain such books and records or specified books and records until further notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the

(b) The utilization of all skim milk and butterfat required to be reported pursuant to this section, including a separate statement showing the respective amounts of skim milk and butterfat in route disposition in the marketing area; and

(c) Such other information with respect to the receipts and utilization of skim milk and butterfat as the market administrator may prescribe.

§ 1007.31 Producer payroll reports.

(a) Each handler pursuant to § 1007.13 (a), (c), and (d) shall report to the market administrator in detail and on forms prescribed by the market administrator on or before the 20th day after the end of the month his producer payroll for such month which shall show for each producer:

(1) His identity;

(2) The total pounds of milk received from such producer indicating the pounds of base milk and the pounds of excess milk;

(3) The days for which milk was received from such producer;

(4) The average butterfat content of such milk; and

(5) The net amount of such handler's payment, together with the prices paid and the amount and nature of any deductions.

(b) Each handler operating a partially regulated distributing plant who does not elect to make payment pursuant to § 1007.62(b) shall report to the market administrator on or before the 20th day after the end of the month the same information required of handlers pursuant to paragraph (a) of this section. In such report, payments to dairy farmers delivering milk that is approved by a duly constituted health authority for fluid consumption shall be reported in lieu of payments to producers.

§ 1007.32 Other reports.

(a) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

(b) Each handler who operates an other order plant shall report total receipts and utilization or disposition of skim milk and butterfat at the plant at such time and in such manner as the

and publicly announce the utilization (to the nearest whole percentage) in each class during the month of skim milk and butterfat, respectively, in producer milk of all handlers. Such estimate shall be based upon the most current available data and shall be final for such purpose;

(m) Report to the market administrator of the other order, as soon as possible after the report of receipts and utilization for the month is received from a handler who has received skim milk and butterfat in the form of fluid milk products from an other order plant, the classification to which such receipts are allocated pursuant to § 1007.45 pursuant to such report, and thereafter any change in such allocation required to correct errors disclosed in verification of such reports; and

(n) Furnish to each handler operating a pool plant who has shipped fluid milk products to an other order plant the classification to which such fluid milk products were allocated by the market administrator of the other order on the basis of the report of the receiving handler; and, as necessary, any changes in such classification arising in the verification of such report.

REPORTS, RECORDS, AND FACILITIES

§ 1007.30 Reports of receipts and utilization.

On or before the seventh day after the end of each month, each handler (except a handler pursuant to § 1007.13 (e) or (f)) shall report to the market administrator for such month with respect to each plant at which milk is received, reporting in detail and on forms prescribed by the market administrator:

(a) The quantities of skim milk and butterfat contained in or represented by:

- (1) Producer milk (or, in the case of handlers pursuant to § 1007.13(b), milk received from qualified dairy farmers), including the total quantities of base milk and excess milk;
- (2) Fluid milk products received from other pool plants;
- (3) Other source milk;
- (4) Milk diverted pursuant to § 1007.16; and

(b) Inventories of packaged and bulk fluid milk products at the beginning and end of the month;

(f) Publicly announce at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate the name of any person who, after the date upon which he is required to perform such acts, has not made either reports pursuant to §§ 1007.30 through 1007.32 or payments pursuant to §§ 1007.70, 1007.74, 1007.76, 1007.77, and 1007.78;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(h) Verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends, and by such investigation as the market administrator deems necessary;

(i) Prepare and disseminate to the public such statistics and such information as he deems advisable and as do not reveal confidential information;

(j) Publicly announce on or before:

(1) The fifth day of each month, the Class I price and Class I butterfat differential, both for the current month;

(2) The fifth day of each month, the Class II price and the Class II butterfat differential, both for the preceding month; and

(3) The 11th day of each month the uniform prices pursuant to §§ 1007.61 and 1007.61a and the producer butterfat differential, all for the preceding month.

(k) On or before the 12th day after the end of each month, report to each cooperative association, upon request by such association, the percentage of the milk caused to be delivered by the cooperative association for its members which was utilized in each class at each pool plant receiving such milk. For the purpose of this report, the milk so received shall be allocated to each class at each pool plant in the same ratio as all producer milk received at such plant during the month;

(l) Whenever required for purposes of allocating receipts from other order plants pursuant to § 1007.45(a)(10) and the corresponding step of § 1007.45(b), the market administrator shall estimate

termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION OF MILK

§ 1007.40 Skim milk and butterfat to be classified.

The skim milk and butterfat required to be reported pursuant to § 1007.30 shall be classified each month pursuant to the provisions of §§ 1007.41 through 1007.45: *Provided*, That such skim milk and butterfat shall be Class I milk unless the handler who first receives such skim milk or butterfat in producer milk or in other source milk proves to the market administrator that such skim milk or butterfat should be classified otherwise.

§ 1007.41 Classes of utilization.

Subject to the conditions set forth in § 1007.43, the classes of utilization shall be as follows:

- (a) *Class I* milk. Class I milk shall be all skim milk and butterfat:
 - (1) Disposed of in the form of a fluid milk product except as provided in paragraph (b) of this section;
 - (2) In packaged fluid milk products in inventory at the end of the month;
 - (3) Not accounted for as Class II milk.
- (b) *Class II* milk. Class II milk shall be:

- (1) Skim milk and butterfat used to produce frozen desserts (e.g., ice cream, ice cream mix), sour cream, sour cream products (e.g., dips), eggnog, yogurt, aerated cream products, butter, cheese (including cottage cheese), evaporated and condensed milk (plain or sweetened), nonfat dry milk, dry whole milk, dry whey, condensed or dry buttermilk, custards and puddings, and sterilized products in hermetically sealed glass or metal containers.

- (2) Skim milk and butterfat in fluid milk products delivered in bulk form to and used at a commercial food processing establishment (other than a milk plant) in the manufacture of bakery products, candy, or packaged food products (other than milk products) for consumption off the premises;

- (3) Skim milk and butterfat in fluid milk products disposed of by a handler for livestock feed;

- (4) Skim milk and butterfat in fluid milk products dumped by a handler after notification to, and opportunity for verification by, the market administrator;
- (5) Skim milk and butterfat in inventory of bulk fluid milk products at the end of the month;
- (6) Skim milk represented by the nonfat solids used to produce reconstituted buttermilk;
- (7) Skim milk represented by the nonfat solids added to a fluid milk product which is in excess of an equivalent volume of such product prior to the addition;
- (8) Skim milk and butterfat, respectively, in shrinkage at each pool plant but not in excess of:

- (i) Two percent of producer milk (except that received from a handler pursuant to § 1007.13(d));
- (ii) Plus 1.5 percent of producer milk received from a handler pursuant to § 1007.13(d): *Provided*, That if the handler receiving such milk files notice with the market administrator that he is purchasing such milk on the basis of farm weights, the applicable percentage pursuant to this subdivision shall be 2 percent;
- (iii) Plus 1.5 percent of bulk fluid milk products (except cream) received from other pool plants;
- (iv) Plus 1.5 percent of bulk fluid milk products received from other order plants exclusive of the quantity for which Class II utilization was requested by the operators of both plants;
- (v) Plus 1.5 percent of bulk fluid milk products received from unregulated supply plants exclusive of the quantity for which Class II utilization is requested by the handler; and
- (vi) Less 1.5 percent of bulk fluid milk products (except cream) transferred or diverted to other plants; and

- (9) Skim milk and butterfat in shrinkage of other source milk assigned pursuant to § 1007.42(b) (2).

§ 1007.42 Shrinkage.

The market administrator shall allocate shrinkage over each pool plant's receipts as follows:

- (a) Compute the total shrinkage of skim milk and butterfat, respectively, for each pool plant; and

- (b) Prorate the resulting amounts between the receipts of skim milk and butterfat, respectively, in:

- (1) The net quantity of producer milk and other fluid milk products specified in § 1007.41(b) (8); and
- (2) Other source milk exclusive of that specified in § 1007.41(b) (8).

§ 1007.43 Transfers.

Skim milk or butterfat in the form of a fluid milk product shall be classified:

- (a) At the utilization indicated by the operators of both plants, otherwise as Class I milk, if transferred in the form of a fluid milk product from a pool plant to the pool plant of another handler, subject to the following conditions:

- (1) The skim milk or butterfat so assigned to each class shall be limited to the amount thereof remaining in such class in the transferee plant after computations pursuant to § 1007.45(a) (10) and the corresponding step of § 1007.45 (b);
- (2) If the transferor plant received during the month other source milk to be allocated pursuant to § 1007.45(a) (5), the skim milk and butterfat so transferred shall be classified so as to allocate the least possible Class I utilization to such other source milk; and

- (3) If the transferor handler received during the month other source milk to be allocated pursuant to § 1007.45(a) (9) or (10) and the corresponding steps of § 1007.45(b), the skim milk and butterfat so transferred up to the total of such receipts shall not be classified as Class I milk to a greater extent than would be applicable to a like quantity of such other source milk received at the transferee plant.

- (b) As Class I milk, if transferred or diverted in the form of a fluid milk product to a nonpool plant that is not an other order plant, a producer-handler plant, or an exempt distributing plant, unless the requirements of subparagraphs (1) and (2) of this paragraph are met, in which case the skim milk and butterfat so transferred or diverted shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph:

- (1) The transferring or diverting handler claims classification in Class II in

- his report submitted pursuant to § 1007.30;

- (2) The operator of such nonpool plant maintains books and records showing the utilization of all skim milk and butterfat received at such plant which are made available if requested by the market administrator for the purpose of verification; and

- (3) The skim milk and butterfat so transferred shall be classified on the basis of the following assignment of utilization at such nonpool plant in excess of receipts of packaged fluid milk products from all pool plants and other order plants:

- (i) Any route disposition in the marketing area shall be first assigned to the skim milk and butterfat in the fluid milk products so transferred or diverted from pool plants, next pro rata to receipts from other order plants and thereafter to receipts from dairy farmers who the market administrator determines constitute regular sources of supply for such nonpool plant;

- (ii) Any route disposition in the marketing area of another order issued pursuant to the Act shall be first assigned to receipts from plants fully regulated by such order, next pro rata to receipts from pool plants and other order plants not regulated by such order, and thereafter to receipts from dairy farmers who the market administrator determines constitute regular sources of supply for such nonpool plant;

- (iii) Class I utilization in excess of that assigned pursuant to subdivisions (i) and (ii) of this subparagraph shall be assigned first to remaining receipts from dairy farmers who the market administrator determines constitute the regular source of supply for such nonpool plant and Class I utilization in excess of such receipts shall be assigned pro rata to unassigned receipts at such nonpool plant from all pool plants and other order plants; and

- (iv) To the extent that Class I utilization is not so assigned to it, the skim milk and butterfat so transferred shall be classified as Class II milk.

- (c) As follows, if transferred in the form of a fluid milk product to an other order plant in excess of receipts from

lowing order, the pounds of skim milk in receipts of fluid milk products in bulk from other order plants, in excess in each case of similar transfers to the same plant, that were not subtracted pursuant to subparagraph (6) (ii) of this paragraph:

(i) In series beginning with Class II milk the pounds determined by multiplying the pounds of such receipts by the larger of the percentage of estimated Class II utilization of skim milk announced for the month by the market administrator pursuant to § 1007.27 (1) or the percentage that the Class II utilization remaining is of the total remaining utilization of skim milk of the handler; and

(ii) From Class I, the remaining pounds of such receipts;

(11) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk in fluid milk products received from pool plants of other handlers according to the classification of such products pursuant to § 1007.43 (a); and

(12) If the pounds of skim milk remaining exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class in series beginning with Class II. Any amount so subtracted shall be known as "overage".

(b) Butterfat shall be allocated in accordance with the procedure outlined for skim milk in paragraph (a) of this section.

(c) Determine the weighted average butterfat content of producer milk in each class as computed pursuant to paragraphs (a) and (b) of this section.

MINIMUM PRICES

§ 1007.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the Department for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a differential (rounded to the nearest one-tenth cent) at the rate of the Chicago butter price times 0.12 and rounded to the nearest cent. For the purpose of computing Class I prices, the basic formula price shall not be less than \$4.33.

remaining in each class, in series beginning with Class II, the pounds of skim milk in each of the following:

(i) Other source milk in a form other than that of a fluid milk product;

(ii) Receipts of fluid milk products for which appropriate health approval is not established, or which are from unidentified sources;

(iii) Receipts of fluid milk products from a producer-handler, as defined under this or any other Federal order; and

(iv) Receipts of fluid milk products from an exempt distributing plant;

(6) Subtract, in the order specified below, from the pounds of skim milk remaining in Class II but not in excess of such quantity:

(i) Receipts of fluid milk products from unregulated supply plants, excluding a quantity equal to the pounds of skim milk subtracted pursuant to subparagraph (2) of this paragraph;

(a) For which the handler requests Class II utilization; or

(b) Which are in excess of the pounds of skim milk determined by subtracting from 125 percent of the pounds of skim milk remaining in Class I milk, the sum of the pounds of skim milk in producer milk, in receipts of fluid milk products from pool plants of other handlers, and in receipts of fluid milk products in bulk from other order plants; and

(ii) Receipts of fluid milk products in bulk from an other order plant in excess of similar transfers to such plant, if Class II utilization was requested by the operator of such plant and the handler;

(7) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II milk, the pounds of skim milk in inventory of fluid milk products at the beginning of the month that were not subtracted pursuant to subparagraph (4) of this paragraph;

(8) Add to the remaining pounds of skim milk in Class II milk the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph;

(9) Subtract from the pounds of skim milk remaining in each class, pro rata to such quantities, the pounds of skim milk in receipts of fluid milk products from unregulated supply plants that were not subtracted pursuant to subparagraphs (2) and (6) (1) of this paragraph;

(10) Subtract from the pounds of skim milk remaining in each class, in the fol-

and other obvious errors all reports submitted pursuant to § 1007.30 and compute for each handler the total pounds of skim milk and butterfat in each class: *Provided*, That the skim milk contained in any product utilized, produced or disposed of by the handler during the month shall be considered to be an amount equivalent to the nonfat milk solids contained in such product plus all the water originally associated with such solids.

§ 1007.45 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1007.44, the market administrator shall determine the classification of producer milk for each handler for each month as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II the pounds of skim milk classified as Class II pursuant to § 1007.41 (b) (8);

(2) Subtract from the total pounds of skim milk in Class I the pounds of skim milk in packaged fluid milk products received from an unregulated supply plant or the pounds of skim milk classified as Class I milk and transferred or diverted during the month to such plant, whichever is less;

(3) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk in fluid milk products received in packaged form from other order plants as follows:

(i) From Class II milk, the lesser of the pounds remaining or the quantity associated with such receipts and classified as Class II pursuant to § 1007.41 (b) (7) plus 2 percent of the remainder of such receipts; and

(ii) From Class I milk, the remainder of such receipts;

(4) Subtract from the remaining pounds of skim milk in Class I the pounds of skim milk in inventory of packaged fluid milk products at the beginning of the month; *Provided*, That this subparagraph shall not be applicable to a pool plant in any month immediately following a month in which such plant was not fully subject to the pooling and pricing provisions of this order;

(5) Subtract in the order specified below from the pounds of skim milk re-

such plant in the same category as described in subparagraph (1) (2), or (3) of this paragraph:

(1) If transferred in packaged form, classification shall be in the classes to which allocated under the other order;

(2) If transferred in bulk form, classification shall be in the classes to which allocated under the other order (including allocation under the conditions set forth in subparagraph (3) of this paragraph);

(3) If the operators of both the transferor and transferee plants so request in the reports of receipts and utilization filed with their respective market administrators, transfers in bulk form shall be classified as Class II milk to the extent of the Class II utilization (or comparable utilization under such other order) available for such assignment pursuant to the allocation provisions of the transferee order;

(4) If information concerning the classification to which allocated under the other order is not available to the market administrator for purposes of establishing classification pursuant to this paragraph, classification shall be as Class I subject to adjustment when such information is available;

(5) For purposes of this paragraph, if the transferee order provides for more than two classes of utilization, skim milk and butterfat allocated to a class consisting primarily of fluid milk products shall be classified as Class I milk and allocations to other classes shall be classified as Class II milk; and

(6) If the form in which any fluid milk product is transferred to an other order plant is not defined as a fluid milk product under such other order, classification shall be in accordance with the provisions of § 1007.41.

(d) As Class II milk, if diverted as producer milk to an other order plant.

(e) As Class I milk, if transferred or diverted in the form of a fluid milk product from a pool plant to an exempt distributing plant.

(f) As Class I milk, if transferred in the form of a fluid milk product from a pool plant to a producer-handler.

§ 1007.44 Computation of skim milk and butterfat in each class.

For each month, the market administrator shall correct for mathematical

(f) Subtract not less than 4 cents nor more than 5 cents per hundredweight.

§ 1007.61a Computation of uniform price for base milk and excess milk.

The market administrator shall compute uniform prices for base milk and excess milk each month as follows:

(a) Determine the aggregate amount of producer milk in each class included in the computation pursuant to § 1007.61 and the hundredweight of such milk that is base milk and that is excess milk;

(b) Determine the total value of excess milk by assigning such milk in series, beginning with Class II, to the hundredweight of milk in each class as determined pursuant to paragraph (a) of this section, multiplying the quantities so assigned by the respective class prices for milk containing 3.5 percent butterfat, and adding together the resulting amounts;

(c) Divide the total value of excess milk in paragraph (b) of this section by the total hundredweight of such milk. The quotient, rounded to the nearest cent, shall be the uniform price for excess milk;

(d) Multiply the total hundredweight of excess milk by the uniform price for paragraph (c) of this section;

(e) Multiply the hundredweight of milk specified in § 1007.61(f) (2) by the uniform price for the month;

(f) Subtract the total values arrived at in paragraphs (d) and (e) of this section from the amount resulting from the computations pursuant to paragraphs (a) through (c) in § 1007.61; and

(g) Divide the amount obtained in paragraph (f) of this section by the total hundredweight of base milk determined in paragraph (a) of this section and subtract not less than 4 cents nor more than 5 cents from the price thus computed. The resulting figure, rounded to the nearest cent, shall be the uniform price for base milk.

§ 1007.62 Obligation of handler operating a partially regulated distributing plant.

Each handler who operates a partially regulated distributing plant shall pay to the market administrator for the producer-settlement fund on or before the

milk and butterfat subtracted from Class I pursuant to § 1007.45(a) (4) and the corresponding step of § 1007.45(b). If the Class I price for the current month is less than the Class I price for the preceding month the result would be a minus amount;

(e) Add an amount equal to the difference between the Class I and Class II price values at the pool plant of the skim milk and butterfat subtracted from Class I pursuant to § 1007.45(a) (5) and the corresponding step of § 1007.45(b); and

(f) Add the value at the Class I price adjusted for location of the nearest non-pool plant(s), from which an equivalent volume was received, of the skim milk and butterfat subtracted from Class I pursuant to § 1007.45(a) (9) and the corresponding step of § 1007.45(b).

§ 1007.61 Computation of uniform price.

For each month, the market administrator shall compute a uniform price as follows:

(a) Combine into one total the values computed pursuant to § 1007.60 for all handlers who filed the reports pursuant to § 1007.30 for the month, except those in default of payments required pursuant to § 1007.74 for the preceding month;

(b) Add or subtract for each one-tenth percent that the average butterfat content of milk represented by the values specified in paragraph (a) of this section is less or more, respectively, than 3.5 percent, the amount obtained by multiplying such difference by the butterfat differential pursuant to § 1007.71 and multiply the result by the total hundredweight of such milk;

(c) Add an amount equal to the total value of the minus location differentials computed pursuant to § 1007.72(a);

(d) Add an amount equal to one-half the unobligated balance in the producer-settlement fund;

(e) Divide the resulting amount by the sum of the following for all handlers included in these computations:

- (1) The total hundredweight of producer milk; and
- (2) The total hundredweight for which a value is computed pursuant to § 1007.60(f); and

bama or South Carolina shall not be more than 15 cents.

(b) For the purpose of calculating location differentials, receipts of fluid milk products from pool plants shall be assigned any remainder of Class I milk at the transferee plant that is in excess of the sum of producer milk receipts at such plant and that assigned as Class I to receipts from other order plants and unregulated supply plants. Such assignment shall be made first to receipts from plants at which no location adjustment is applicable pursuant to this section and then in sequence beginning with receipts from the plant with the lowest applicable location adjustment.

§ 1007.54 Use of equivalent price.

If for any reason a price quotation required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price that is required.

APPLICATION OF PRICES

§ 1007.60 Computation of the net pool obligation of each handler.

The net pool obligation of each handler pursuant to § 1007.13 (a), (c), and (d) during each month shall be a sum of money computed by the market administrator as follows:

(a) Multiply the quantity of producer milk in each class as computed pursuant to § 1007.45(c) by the applicable class price;

(b) Add the amount obtained from multiplying the overage deducted from each class pursuant to § 1007.45(a) (12) and the corresponding step of § 1007.45 (b) by the applicable class price;

(c) Add the amount obtained from multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the hundredweight of skim milk and butterfat subtracted from Class I pursuant to § 1007.45(a) (7) and the corresponding step of § 1007.45(b);

(d) Add an amount determined by multiplying the difference between the Class I price for the preceding month and the Class I price for the current month by the hundredweight of skim

§ 1007.51 Class prices.

Subject to the provisions of §§ 1007.52 and 1007.53, the class prices per hundredweight for the month shall be as follows:

(a) **Class I price.** For the first 12 months from the effective date of this section, the Class I price shall be the basic formula price for the preceding month plus \$2.10 and plus 20 cents: *Provided*, That the Class I price shall be not less than the Class I price for the same month pursuant to Part 1090 (Chattanooga) of this chapter plus 15 cents.

(b) **Class II price.** The Class II price shall be the basic formula price for the month.

§ 1007.52 Butterfat differentials to handlers.

For milk containing more or less than 3.5 percent butterfat, the class prices pursuant to § 1007.51 shall be increased or decreased, respectively, for each one-tenth percent butterfat at the rate, rounded to the nearest one-tenth cent, determined as follows:

(a) **Class I price.** Multiply the Chicago butter price for the preceding month by 0.12; and

(b) **Class II price.** Multiply the Chicago butter price for the month by 0.115.

§ 1007.53 Location differentials to handlers.

(a) The Class I price for producer milk and other source milk (for which a location adjustment is applicable) at a plant in the Northern Zone shall be reduced 15 cents and at a plant that is outside Georgia, north of an east-west line extending from the city hall in Atlanta and more than 100 miles (by the shortest hard-surfaced highway distance as determined by the market administrator) from the nearer of the city halls in Atlanta and Augusta, Ga., shall be reduced 15 cents and an additional 1.5 cents for each 10 miles or fraction thereof in excess of 110 miles (by the shortest hard-surfaced highway distance as determined by the market administrator) that such plant is from the nearer of the city halls in Atlanta and Augusta: *Provided*, That the location differential pursuant to this paragraph applicable at a plant in Ala-

through audit of the records of the cooperative association. Exceptions, if any, to the accuracy of such certification shall be made by written notice to the market administrator and shall be subject to his determination.

§ 1007.71 Butterfat differential to producers.

The uniform prices pursuant to §§ 1007.61 and 1007.61a shall be increased or decreased for each one-tenth percent that the butterfat content of such milk is above or below 3.5 percent, respectively, at the rate (rounded to the nearest one-tenth cent) determined by multiplying the pounds of butterfat in producer milk allocated to each class pursuant to § 1007.45 by the respective butterfat differential for each class and dividing the sum of the resulting amounts by the total pounds of butterfat in producer milk.

§ 1007.72 Location differentials to producers and on nonpool milk.

(a) The uniform price and the uniform price for base milk shall be reduced according to the location of the pool plant at the rates set forth in § 1007.53; and

(b) For the purpose of computations pursuant to § 1007.74(b), adjustments pursuant to this section shall be computed according to the location of the nonpool plant from which other source milk was received.

§ 1007.73 Producer-settlement fund.

The market administrator shall maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments into such fund pursuant to §§ 1007.62 and 1007.74 and out of which he shall make all payments from such fund pursuant to § 1007.75: Provided, That the market administrator shall offset the payment due to a handler against payments due from such handler.

§ 1007.74 Payments to the producer-settlement fund.

On or before the 12th day after the end of the month, each handler shall pay to the market administrator the amount, if any, by which the total amounts specified in paragraph (a) of

(i) Minus payments made pursuant to subparagraph (1) of this paragraph;

(ii) Less proper deductions authorized in writing by such producer; and

(iii) If by such date such handler has not received full payment from the market administrator pursuant to § 1007.75 for such month, he may reduce pro rata his payments to producers by not more than the amount of such underpayment. Payment to producers shall be completed thereafter not later than the date for making payments pursuant to this paragraph next following after receipt of the balance due from the market administrator.

(b) In the case of a cooperative association which the market administrator determines is authorized by its members to collect payment for their milk and which has so requested any handler in writing, together with a written promise of such association to reimburse the handler the amount of any actual loss incurred by him because of any improper claim on the part of the association, such handler on or before the day prior to the date on which payments are due individual producers shall pay the cooperative association for milk received during the month from the producer-members of such association as determined by the market administrator an amount not less than the total due such producer-members pursuant to paragraph (a) of this section, subject to the following:

(1) Payment pursuant to this paragraph shall be made for milk received from any producer beginning on the first day of the month following receipt from the cooperative association of its certification that such producer is a member, and continuing through the last day of the month next preceding receipt of notice from the cooperative association of a termination of membership or until the original request is rescinded in writing by the cooperative association; and

(2) Copies of the written request of the cooperative association to receive payments on behalf of its members, together with its promise to reimburse and its certified list of members, shall be submitted simultaneously both to the handler and to the market administrator and shall be subject to verification by the market administrator at his discretion.

(i) The gross payments made by such handler for milk received during the month from dairy farmers at such plant and like payments made by the operator of a supply plant(s) included in the computations pursuant to subparagraph (1) of this paragraph; and

(ii) Payments to the producer-settlement fund of another order under which such plant is also a partially regulated distributing plant.

(b) An amount computed as follows:

(1) Determine the respective amounts of skim milk and butterfat disposed of as Class I milk in the marketing area on routes;

(2) Deduct (except that deducted under a similar provision of another order issued pursuant to the Act) the respective amounts of skim milk and butterfat received as Class I milk at the partially regulated distributing plant from pool plants and other order plants;

(3) Combine the amounts of skim milk and butterfat remaining into one total and determine the weighted average butterfat content; and

(4) From the value of such milk at the Class I price applicable at the location of the nonpool plant, subtract its value at the uniform price applicable at such location or at the Class II price, whichever is higher.

PAYMENTS

§ 1007.70 Time and method of payment.

(a) Except as provided in paragraph (b) of this section, each handler shall make payment for producer milk as follows:

(1) On or before the last day of the month to each producer who had not discontinued shipping milk to such handler before the 15th day of the month, not less than the Class II price for the preceding month per hundredweight of milk received during the first 15 days of the month less proper deductions authorized in writing by such producer; and

(2) On or before the 15th day of each month to each producer for milk received during the preceding month not less than the applicable uniform prices per hundredweight pursuant to § 1007.61a, adjusted pursuant to §§ 1007.71, 1007.72, and 1007.76, subject to the following:

20th day after the end of the month either of the amounts (at the handler's election) calculated pursuant to paragraph (a) or (b) of this section. If the handler fails to report pursuant to §§ 1007.30 and 1007.31(b) the information necessary to compute the amount specified in paragraph (a) of this section, he shall pay the amount computed pursuant to paragraph (b) of this section.

(a) An amount computed as follows:

(1) The obligation that would have been computed pursuant to § 1007.60 at such plant shall be determined as though such plant were a pool plant. For purposes of such computation, receipts at such nonpool plant from a pool plant or an other order plant shall be assigned to the utilization at which classified at the pool plant or other order plant and transfers from such nonpool plant to a pool plant or an other order plant shall be classified as Class II milk if allocated to such class at the pool plant or other order plant and be valued at the uniform price of the respective order if so allocated to Class I milk. There shall be included in the obligation so computed a charge in the amount specified in § 1007.60(f) and a credit in the amount specified in § 1007.74(b)(2) with respect to receipts from an unregulated supply plant, unless an obligation with respect to such plant is computed as specified below in this subparagraph. If the operator of the partially regulated distributing plant so requests, and provides with his report pursuant to § 1007.30 a similar report for each nonpool plant which serves as a supply plant for such partially regulated distributing plant by shipments to such plant during the month equivalent to the requirements of § 1007.10(b), with agreement of the operator of such plant that the market administrator may examine the books and records of such plant for purposes of verification of such reports, there will be added the amount of the obligation computed at such nonpool supply plant in the same manner and subject to the same conditions as for the partially regulated distributing plant.

(2) From this obligation, deduct the sum of:

made by the handler, if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c(15) (A) of the Act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

§ 1007.90 Effective time.

The provisions of this part or any amendment thereto shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 1007.91 Suspension or termination.

The Secretary shall suspend or terminate any or all provisions of this part whenever he finds that they obstruct or do not tend to effectuate the declared policy of the Act. This part shall, in any event, terminate whenever the provisions of the Act authorizing it cease to be in effect.

§ 1007.92 Continuing power and duty of the market administrator.

(a) If, upon the suspension or termination of any or all of the provisions of this part, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons or agency as the Secretary may designate.

(b) The market administrator or such other person as the Secretary may designate shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all funds or property on hand together with the books and records of the market administrator, or such other person, to such person as the Secretary shall direct; and (3) if so directed by the Secretary, execute such assignment or other instruments necessary or appropriate to vest in such person full title to all funds, property and claims vested in the market administrator or such person pursuant thereto.

utilization report on the milk involved in such obligation, unless within such 2-year period, the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

- (1) The amount of the obligation;
- (2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and
- (3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid;

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representative all books and records required by this part to be made available, the market administrator may, within the 2-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said 2-year period with respect to such obligation shall not begin to run until the first day of the month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representative:

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed; and

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate 2 years after the end of the month during which the milk involved in the claims was received if an underpayment is claimed, or 2 years after the end of the month during which the payment (including deduction or set-off by the market administrator) was

15th day after the end of each month, pay over such deductions to the association rendering such services.

§ 1007.77 Expense of administration.

As his pro rata share of the expense of administration of this part, each handler shall pay to the market administrator on or before the 15th day after the end of the month 4 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to:

- (a) Producer milk (including such handler's own production);
- (b) Other source milk allocated to Class I pursuant to § 1007.45(a) (5) and (9) and the corresponding steps of § 1007.45(b); and
- (c) Class I milk disposed of in the marketing area from a partially regulated distributing plant that exceeds the hundredweight of Class I milk received during the month at such plant from pool plants and other order plants.

§ 1007.78 Adjustment of accounts.

When verification by the market administrator of reports or payments of a handler discloses errors resulting in monies due the market administrator from such handler, such handler from the market administrator, or a producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made not later than the date for making payment next following such disclosure.

§ 1007.79 Interest payments.

The unpaid obligation of a handler pursuant to §§ 1007.74, 1007.76, 1007.77, and 1007.78 shall be increased one-half of one percent for each month or portion thereof that such obligation is overdue.

§ 1007.80 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate 2 years after the last day of the month during which the market administrator receives the handler's

this section exceed the amounts specified in paragraph (b) of this section:

- (a) The net pool obligation pursuant to § 1007.60 for such handler; and
- (b) The sum of:

- (1) The value of such handler's producer milk at the applicable uniform price; and
- (2) The value at the uniform price applicable at the location of the plant(s) from which received (not to be less than the value at the Class II price) of other source milk for which a value is computed pursuant to § 1007.60(f).

§ 1007.75 Payments from the producer-settlement fund.

On or before the 13th day after the end of each month, the market administrator shall pay to each handler the amount, if any, by which the amount computed pursuant to § 1007.74(b) exceeds the amount computed pursuant to § 1007.74(a). If, at such time, the balance in the producer-settlement fund is insufficient to make all payments pursuant to this section, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the funds are available.

§ 1007.76 Marketing services.

(a) Except as provided in paragraph (b) of this section, each handler in making payments for producer milk received during the month shall deduct 6 cents per hundredweight or such lesser amount as the Secretary may prescribe (except on such handler's own farm production) and shall pay such deductions to the market administrator not later than the 15th day after the end of the month. Such money shall be used by the market administrator to verify or establish weights, samples and tests of producer milk and to provide producers with market information. Such services shall be performed by the market administrator or by an agent engaged by and responsible to him.

(b) If the Secretary determines that a cooperative association is performing for its members the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions as are authorized by such members and, on or before the

Evansville marketing area (7 CFR Part 1046), it is hereby found and determined that:

(a) The following provision of § 1046.61 of the Louisville-Lexington-Evansville order no longer effectuates the declared policy of the Act: "... and each of the 3 months immediately preceding ..."

(b) Thirty days notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This termination order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This termination order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) The termination of the subject provision will result in any milk plant being regulated under the Louisville-Lexington-Evansville order in any month when the volume of its sales in the Louisville-Lexington-Evansville market exceeds that made in another order market where the plant also meets pooling requirements. The termination thus will assure Louisville-Lexington-Evansville market producers supplying a milk plant currently regulated by the Nashville, Tennessee order but having greater sales in the Louisville-Lexington-Evansville market since February 1, 1969, that such plant will be regulated by the Louisville-Lexington-Evansville order if greater sales continue to be made in the latter market.

The termination order will remove the threat of lower prices for the next 3 months to the producers supplying such plant as would occur if regulation were continued under the Nashville order. Likewise, it will assure such producers that they will receive for their milk the uniform price of their primary market.

(4) Interested parties were afforded opportunity to file written data, views, or arguments concerning this termination (34 F.R. 1602). The cooperative association representing the majority of producers in the Louisville-Lexington-Evansville market supported termination of the provision as of February 1, 1969.

person to whom such base is to be transferred: *Provided*, That if such a base is held jointly, the entire base shall be transferable only upon the receipt of such application signed by all joint holders or their heirs, and by the person to whom such base is to be transferred; and

(c) A base which has been established by two or more persons operating a dairy farm as a partnership may be divided between the partners on any basis agreed to by the partners if written notification of the agreed division of base signed by each partner is received by the market administrator prior to the first day of the month on which such division is to be effective.

§ 1007.112 Announcement of established bases.

On or before March 5 of each year the market administrator shall notify each producer, the handler receiving his milk, and the cooperative association of which he is a member of the producer's base computed pursuant to § 1007.110. Such base shall be effective from March 1 of such year through February of the following year.

Effective date. Sections 1007.1 through 1007.45 and 1007.90 through 1007.101 shall be effective on and after March 1, 1969, and all of the remaining provisions shall be effective on and after April 1, 1969.

Signed at Washington, D.C., on February 19, 1969.

J. PHIL CAMPBELL,

Under Secretary.

[P.R. Doc. 69-2266; Filed, Feb. 24, 1969; 8:48 a.m.]

[Milk Order 46]

PART 1046—MILK IN LOUISVILLE-LEXINGTON-EVANSVILLE MARKETING AREA

Order Terminating Certain Provision

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 Louisville-Lexington-

(b) Any producer who, during the preceding months of September through January, delivered his milk to a nonpool plant which became a pool plant after the beginning of such period shall be assigned a base in the same manner as if he had been a producer during such period, calculated from his deliveries during such September-January period to such plant;

(c) If no milk is received from a producer at a pool plant in September through January or if milk is received on less than 100 days during such months, the base of such producer shall be 50 percent of his average daily deliveries of producer milk for each month until a base is computed for him on the basis of deliveries on not less than 100 days in a subsequent September-January period; and

(d) A producer for whom a base has been established pursuant to this section based on deliveries on not less than 100 days during the preceding months of September through January may, in lieu thereof, by notifying the market administrator in writing prior to March 15, be accorded a base computed pursuant to paragraph (c) of this section.

§ 1007.111 Base rules.

The following rules shall apply in the establishment and assignment of bases:

(a) Subject to the provisions of paragraph (b) of this section, the market administrator shall assign a base calculated pursuant to § 1007.110 to each producer for whose account producer milk was delivered to pool plants during the months of September through January.

(b) Except for the bases assigned pursuant to § 1007.110 (b), (c), and (d), a base may be transferred in its entirety or in an amount not less than 100 pounds by a person holding such base to any other person who is currently, or will become by the last day of the month of transfer, a producer pursuant to § 1007.15. Such transfer shall be effective as of the end of the month during which an application for such transfer is received by the market administrator, such application to be on forms approved by the market administrator and signed by the baseholder, or his heirs, and by the

§ 1007.93 Liquidation after suspension or termination.

Upon the suspension or termination of any or all provisions of this part, the market administrator, or such person as the Secretary may designate shall, if so directed by the Secretary liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions of this part, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such other person in liquidating such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 1007.100 Separability of provisions.

If any provision of this part, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this part to other persons or circumstances shall not be affected thereby.

§ 1007.101 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

DETERMINATION OF BASE

§ 1007.110 Base.

The market administrator shall determine a base for each producer whose milk in the immediately preceding months of September through January was delivered to pool plants on not less than 100 days by dividing the total pounds of such producer's deliveries by 153, subject to the following conditions:

(a) For the purpose of computing the base of a producer pursuant to this section, the number of days included in his producer milk deliveries shall be the number of days of production of producer milk:

The proposed termination was not opposed.

Therefore, good cause exists for making this order effective February 1, 1969.

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

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

Effective date: February 1, 1969.

Signed at Washington, D.C., on February 19, 1969.

J. PHIL CAMPBELL,
Under Secretary.

[F.R. Doc. 69-2265; Filed, Feb. 24, 1969;
8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 22,504]

PART 545—OPERATIONS

Savings Deposits

Correction

In F.R. Doc. 69-491 appearing at page 547 in the issue of Wednesday, January 15, 1969, the word "any" should be deleted from the penultimate line of § 545.1-2(b)(1).

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 9278; Amdt. 91-64]

PART 91—GENERAL OPERATING AND FLIGHT RULES

Flight Restrictions in Proximity of Presidential and Other Parties

The purpose of this amendment to Part 91 of the Federal Aviation Regulations is to establish a provision for restricting flight operations in the vicinity of the Vice President and certain other persons, when necessary to safeguard the public and these persons.

On November 30, 1968, notice of proposed rule making 68-33 was published in the FEDERAL REGISTER (33 F.R. 17854) stating that the Federal Aviation Administration was considering amending § 91.104 of the Federal Aviation Regulations to broaden its coverage to include the Vice President and other public figures. As stated in the notice, interest in public figures other than the President may also cause the assembly on the ground of a large number of persons, and numerous aircraft to maneuver in flight along the route and in the vicinity of the places visited by these persons. Since

such conditions may derogate the safety of persons and property on the ground and create a hazard to aircraft engaged in air commerce, the FAA proposed under the provisions of NPRM 68-33 to establish an expeditious method of immediately prescribing any air traffic limitations necessary to provide safeguards for the protection of aircraft and persons and property on the ground.

Interested persons were afforded an opportunity to participate in the making of this amendment and due consideration was given to all matters presented.

Six comments were received in response to the notice. Two supported the proposal, while four comments expressed concern over the possibility that freedom of operation would be unduly restricted by a casual application of the rule. In response to this concern the FAA wishes to assure aircraft operators that the rule will be applied only after due consideration of all factors involved and any restrictions imposed upon air traffic will be those found necessary for the protection of aircraft as well as persons and property on the ground.

Inasmuch as the Special Federal Aviation Regulation No. 20 (33 F.R. 11977) currently protecting the Vice President expired February 1, 1969, good cause exists for making this regulation effective in less than 30 days.

In consideration of the foregoing, § 91.104 of Part 91 of the Federal Aviation Regulations is amended, effective February 25, 1969, to read as follows:

§ 91.104 Flight restrictions in the proximity of the Presidential and other parties.

No person may operate an aircraft over or in the vicinity of any area to be visited or traveled by the President, the Vice President, or other public figures contrary to the restrictions established by the Administrator and published in a Notice to Airmen (NOTAM).

(Secs. 307, 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c))

Issued in Washington, D.C., on February 18, 1969.

D. D. THOMAS,
Acting Administrator.

[F.R. Doc. 69-2244; Filed, Feb. 24, 1969;
8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Free Hosiery for Life Offer To Obtain Sales Representatives

§ 15.324 "Free hosiery for life" offer to obtain sales representatives.

(a) The Commission rendered an advisory opinion in regard to the propriety

of advertising which offers information for "free hosiery for life" in connection with the sale of hosiery.

(b) According to the proposed plan, one who responds to the advertisement will receive information offering the recipient a job selling hosiery, and for every certain number of hosiery which is sold the recipient will receive a free pair of hosiery.

(c) In the advisory opinion which was rendered, the Commission said that the use of the word "free" under the above circumstances would be deceptive and therefore in violation of section 5 of the Federal Trade Commission Act, unless the initial advertisement and any subsequent promotional material contains a clear and conspicuous disclosure of all of the conditions or prerequisites to the receipt and retention of the free merchandise.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: February 24, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-2271; Filed, Feb. 24, 1969;
8:48 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Marketing 10-Year-Old Unused Equipment as New Is Deceptive

§ 15.325 Marketing 10-year-old unused equipment as new is deceptive.

(a) The Commission issued an advisory opinion concerning the marketing now as "new" of 10-year-old equipment which has never been used and is still in the original shipping cartons.

(b) The Commission wrote the applicant for the advisory opinion: "According to the information you submitted, your company is not the original manufacturer of the equipment you are interested in marketing as 'new'. Further, it is understood you have recently obtained a license to manufacture similar equipment. Also, you state there have been no model changes since the 10-year-old equipment was produced. Having considered the matter, the Commission hereby advises you that you would risk violating section 5 of the Federal Trade Commission Act if you marketed the 10-year-old equipment as 'new'; such an act would clearly be deceptive. Of course, you are free to describe the equipment accurately and disclose that it is 10 years old and has never been used."

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: February 24, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-2272; Filed, Feb. 24, 1969;
8:48 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Country of Origin Marking Requirements for Product Assembled in Puerto Rico of Domestic and Foreign Components

§ 15.326 Country of origin marking requirements for product assembled in Puerto Rico of domestic and foreign components.

(a) The Commission's opinion was requested as to the legality of marking as "Made in the U.S.A." a Puerto Rican produced product composed for the most part of domestic components but containing some components originating in the United Kingdom.

(b) In the Commission's view, the unmodified marking "Made in U.S.A.", or equivalent, would be an affirmative representation that the product in question is in its entirety of domestic origin.

(c) Since in the situation described, the product in question is not wholly of domestic origin the Commission is of the opinion that the marking "Made in U.S.A.", or equivalent, would be improper, unless additional and accurate disclosure is made of the presence of the imported components.

(d) The requesting party was further advised that the Commission would not object if the product in question were to be marketed with no accompanying identification of, or claim as to, country of origin.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: February 24, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[P.R. Doc. 69-2273; Filed, Feb. 24, 1969; 8:48 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter II—Tennessee Valley Authority

PART 303—EQUAL EMPLOYMENT OPPORTUNITY—TVA CONTRACTS

This addition to the regulations of the Tennessee Valley Authority reflects the Secretary of Labor's May 21, 1968, revision of 41 CFR Part 60-1 (33 F.R. 7804, May 28, 1968) pertaining to the obligations of contractors and subcontractors regarding equal opportunity in employment.

Part 303 is added to Chapter II, Title 18 of the Code of Federal Regulations, as follows:

Sec.	Scope.
303.1	General.
303.2	Definitions.
303.3	Basic requirements.
303.4	Government contracts.
303.4-1	Equal opportunity clause.
303.4-2	Federally assisted construction contracts.
303.4-3	

Sec.	
303.4-4	Equal opportunity (applicant) clause.
303.4-5	Subcontracts.
303.4-6	Adaptation of language.
303.4-7	Incorporation by reference.
303.4-8	Incorporation by operation of the order and agency regulations.
303.4-9	Notice to bidders regarding preaward equal opportunity compliance reviews.
303.4-10	Elimination of segregated facilities.
303.5	Exemptions.
303.5-1	General.
303.5-2	Specific contracts.
303.5-3	Facilities not connected with contract.
303.5-4	Effect of exemption.
303.5-5	Withdrawal of exemption.
303.6	Administration.
303.6-1	Duties.
303.6-2	Educational responsibility.
303.6-3	Notices to be posted.
303.6-4	Reports and other required information.
303.6-5	Compliance reviews.
303.6-6	Complaints.
303.6-7	Processing of matters.
303.6-8	Assumption of jurisdiction by or referrals to the Director.
303.6-9	Sanctions and penalties.
303.6-10	Disputed matters related to the equal opportunity program.
303.6-11	Preaward notices.
303.7	[Reserved]
303.8	Hearings.
303.8-1	General.
303.8-2	Informal hearings.
303.8-3	Formal hearings.
303.9	Reinstatement of ineligible contractors or subcontractors.
303.10	Intimidation and interference.
303.11	Affirmative action compliance programs.
303.12	Access to records of employment.
303.13	Rulings and interpretations.
303.14	Solicitations or advertisements for employees.
303.15	Existing contracts and subcontracts.

AUTHORITY: The provisions of this Part 303 issued under the Tennessee Valley Authority Act of 1933, 48 Stat. 58, as amended, 16 U.S.C. secs. 831-831dd (1964; Supp. III, 1965-67) and 41 CFR 60-1.6(c).

§ 303.1 Scope.

The regulations in this part set forth policies and procedures for carrying out the requirements of Executive Order No. 11246 of September 24, 1965 (30 F.R. 12319), Executive Order No. 11375 of October 13, 1967 (32 F.R. 14303), and the rules and regulations of the Secretary of Labor (33 F.R. 7804).

§ 303.2 General.

On May 21, 1968, the Secretary of Labor issued regulations to achieve the aims of Parts II, III, and IV of Executive Order 11246 for the promotion and insuring of equal opportunity for all persons, without regard to race, creed, color, or national origin, employed or seeking employment with Government contractors or with contractors performing under federally assisted construction contracts. Effective October 14, 1968, the term "race, color, religion, sex, or national origin" was substituted for the term "race, creed, color, or national origin," as provided by Executive Order No. 11375. TVA applies the above regulations with respect to all contracts administered by it which are within the scope of the

Secretary's regulations. This Part 303 is issued by TVA to implement and supplement the Secretary's regulations.

§ 303.3 Definitions.

As used in this part, the following terms have the meanings stated.

(a) "Administering agency" means any department, agency, and establishment in the executive branch of the Government, including any wholly owned Government corporation, which administers a program involving federally assisted construction contracts.

(b) "Agency" means any contracting or any administering agency of the Government.

(c) "Applicant" means an applicant for Federal assistance involving a construction contract or other participant in a program involving a construction contract as determined by regulation of an administering agency. The term also includes such persons after they become recipients of such Federal assistance.

(d) "Compliance agency" means the agency designated by the Director on a geographical, industry, or other basis to conduct compliance reviews and to undertake such other responsibilities in connection with the administration of the order as the Director may determine to be appropriate. In the absence of such a designation, the compliance agency will be determined as follows:

(1) In the case of a prime contractor not involved in construction work, the compliance agency will be the agency whose contracts with the prime contractor have the largest aggregate dollar value;

(2) In the case of a subcontractor not involved in construction work, the compliance agency will be the compliance agency of the prime contractor with which the subcontractor has the largest aggregate value of the subcontracts or purchase orders for the performance of work under contracts;

(3) In the case of a prime contractor or subcontractor involved in construction work, the compliance agency for each construction project will be the agency providing the largest dollar value for the construction project; and

(4) In the case of a contractor who is both a prime contractor and subcontractor, the compliance agency will be determined as if such contractor is a prime contractor only.

(e) "Construction work" means the construction, rehabilitation, alteration, conversion, extension, demolition, or repair of buildings, highways, or other changes or improvements to real property, including facilities providing utility services. The term also includes the supervision, inspection, and other onsite functions incidental to the actual construction.

(f) "Contract" means any Government contract or any federally assisted construction contract.

(g) "Contracting agency" means any department, agency, establishment, or instrumentality in the executive branch of the Government, including any wholly owned Government corporation, which enters into contracts.

(h) "Contractor" means, unless otherwise indicated, a prime contractor or subcontractor.

(i) "Director" means the Director, Office of Federal Contract Compliance, U.S. Department of Labor, or any person to whom he delegates authority under the regulations in this part.

(j) "Equal opportunity clause" means the contract provisions set forth in § 303.4-2 or § 303.4-4 as appropriate.

(k) "Federally assisted construction contract" means any agreement, or modification thereof, between any applicant and a person for construction work which is paid for, in whole or in part, with funds obtained from the Government or borrowed on the credit of the Government pursuant to any Federal program involving a grant, contract, loan, insurance, or guarantee or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, or any application or modification thereof approved by the Government for a grant, contract, loan, insurance, or guarantee under which the applicant itself participates in the construction work.

(l) "Government" means the Government of the United States of America.

(m) "Government contract" means any agreement, or modification thereof, between any contracting agency and any person for the furnishing of supplies or services or for the use of real or personal property, including lease arrangements. The term "services," as used in this paragraph (m) includes, but is not limited to, the following services: Utility, construction, transportation, research, insurance, and fund depository. The term "Government contract" does not include (1) agreements in which the parties stand in the relationship of employer and employee, (2) federally assisted construction contracts, and (3) contracts for the sale or real and personal property by the Government.

(n) "Hearing officer" means the individual or board of individuals designated to conduct hearings.

(o) "Modification" means any alteration in the terms and conditions of a contract, including supplemental agreements, amendments, and extensions.

(p) "Order" means Parts II, III, and IV of Executive Order No. 11246 of September 24, 1965 (30 F.R. 12319), any Executive order amending such order, and any other Executive order superseding such order.

(q) "Person" means any natural person, corporation, partnership, unincorporated association, State or local government, and any agency, instrumentality, or subdivision of such a government.

(r) "Prime contractor" means any person holding a contract and, for the purposes of §§ 303.6-5 through 303.6-11 and § 303.8, any person who has held a contract subject to the order.

(s) "Recruiting and training agency" means any person who refers workers to any contractor, or subcontractor, or who provides or supervises apprenticeship or training for employment by any contractor or subcontractor.

(t) "Rules, regulations, and relevant orders of the Secretary of Labor," as used in the Equal Opportunity clause means rules, regulations, and relevant orders of the Secretary of Labor, or his designee, issued pursuant to the order.

(u) "Secretary" means the Secretary of Labor, U.S. Department of Labor.

(v) "Site of construction" means the general physical location of any building, highway, or other change or improvement to real property which is undergoing construction, rehabilitation, alteration, conversion, extension, demolition, or repair, and any temporary location or facility at which a contractor, subcontractor, or other participating party meets a demand or performs a function relating to the contract or subcontract.

(w) "Subcontract" means any agreement or arrangement between a contractor and any person (in which the parties do not stand in the relationship of an employer and an employee):

(1) For the furnishing of supplies or services or for the use of real or personal property, including lease arrangements, which, in whole or in part, is necessary to the performance of any one or more contracts; or

(2) Under which any portion of the contractor's obligation under any one or more contracts is performed, undertaken, or assumed.

(x) "Subcontractor" means any person holding a subcontract and, for the purposes of §§ 303.6-5 through 303.6-11 and § 303.8 any person who has held a subcontract subject to the order. The term "first-tier subcontractor" refers to a subcontractor holding a subcontract with a prime contractor.

(y) "United States" as used herein shall include the States, the District of Columbia, the Commonwealth of Puerto Rico, the Panama Canal Zone, and the possessions of the United States.

§ 303.4 Basic requirements.

§ 303.4-1 Government contracts.

Except as otherwise provided, TVA includes the equal opportunity clause prescribed in § 303.4-2 in each of its Government contracts (including modifications thereof).

§ 303.4-2 Equal opportunity clause.

Equal opportunity. (The following clause is applicable unless this contract is exempt under the rules, regulations, and relevant orders of the Secretary of Labor (41 CFR 60).)

During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, avail-

able to employees and applicants for employment, notices to be provided by the Contracting Officer setting forth the provisions of this equal opportunity clause.

(b) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(c) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency Contracting Officer, advising the labor union or workers' representative of the Contractor's commitments under this equal opportunity clause, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(e) The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the Contractor's non-compliance with the equal opportunity clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(g) The Contractor will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance. *Provided, however,* That in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

§ 303.4-3 Federally assisted construction contracts.

Except as otherwise provided, TVA requires the inclusion of the equal opportunity (applicant) clause prescribed in § 303.4-4 as a condition of any grant, contract, loan, insurance, or guarantee involving federally assisted construction which is not exempt from the requirements of the equal opportunity (federally assisted construction) clause contained therein.

§ 303.4-4 Equal opportunity (applicant) clause.

Equal opportunity (applicant). (a) The applicant hereby agrees to incorporate, or cause to be incorporated, into any contract for construction work, or modification thereof, as defined in the rules and regulations of the Secretary of Labor at 41 CFR, Chapter 60, which is paid for, in whole or in part, with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal opportunity (federally assisted construction) clause:

Equal opportunity (federally assisted construction). During the performance of this contract, the Contractor agrees as follows:

(a) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this equal opportunity (federally assisted construction) clause.

(b) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(c) The Contractor will send to each labor union or representative of workers, with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representative of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(e) The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the Contractor's non-compliance with the equal opportunity (federally assisted construction) clause of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as provided by Law.

(g) The Contractor will include this equal opportunity (federally assisted construction) clause in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for non-compliance: *Provided, however*, That in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

(b) The applicant further agrees that it will be bound by the above equal opportunity (federally assisted construction) clause with respect to its own employment practices when it participates in federally assisted construction work: *Provided, however*, That if the applicant so participating is a State or local government, the above equal opportunity (federally assisted construction) clause is not applicable to any agency, instrumentality, or subdivision of such government which does not participate in work on or under the contract.

(c) The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of Contractors and subcontractors with the equal opportunity (federally assisted construction) clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

(d) The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order No. 11246 of September 24, 1965, with a Contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive order and will carry out such sanctions and penalties for violation of the equal opportunity (federally assisted construction) clause as may be imposed upon Contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D, of the Executive order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings the administering agency may take any or all of the following actions: Cancel, terminate, or suspend, in whole or in part, this grant [contract, loan, insurance, guarantee]; refrain from extending any further assistance to the applicant under the program with respect to which its failure or refusal occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

§ 303.4-5 Subcontracts.

(a) Each nonexempt prime contractor and subcontractor under a Government contract shall include the equal opportunity clause prescribed in § 303.4-2 in each of their nonexempt subcontracts.

(b) Each nonexempt prime contractor and subcontractor under a federally assisted construction contract shall include

in each of their nonexempt subcontracts the equal opportunity (federally assisted construction) clause contained in the equal opportunity (applicant) clause prescribed in § 303.4-4.

§ 303.4-6 Adaptation of language.

Such necessary changes in language may be made in the equal opportunity clause (see §§ 303.4-2 and 303.4-4) as shall be appropriate to identify properly the parties and their undertakings.

§ 303.4-7 Incorporation by reference.

The equal opportunity clause may be incorporated by reference in Government bills of lading, transportation requests, contracts for deposit of Government funds, contracts for issuing and paying U.S. savings bonds and notes, contracts and subcontracts less than \$50,000, and such other contracts as the Director may designate.

§ 303.4-8 Incorporation by operation of the order and agency regulations.

By operation of the order, the equal opportunity clause shall be considered to be a part of every contract and subcontract required by the order and the regulations in this part to include such a clause whether or not it is physically incorporated in such contracts. The clause may also be applied to every non-exempt contract where there is no written contract between TVA and the contractor.

§ 303.4-9 Notice to bidders regarding preaward equal opportunity compliance reviews.

The following notice (see § 303.6-5(d)) shall be included in the invitation for bids for each formally advertised supply contract which may result in an award of \$1 million or more:

Preaward equal opportunity compliance reviews. Before award of a contract of \$1 million or more under this invitation to bid, the prospective contractor and each of his known first-tier subcontractors who will receive a subcontract of \$1 million or more will be subject to a review to determine compliance with the equal opportunity clause and the regulations issued pursuant to Executive Order 11246. In order to qualify in this respect for award, the contractor and such subcontractors must be found, on the basis of such review, to be able to comply with these requirements.

Where a previous compliance review has been made within 6 months of the expected date of award, an additional full review will ordinarily not be needed to determine compliance.

If your bid is \$1 million or more, supply the following data for each of your establishments (and subcontractor establishments if subcontract is \$1 million or more) where work on the contract will be performed: Name and location of establishment; latest compliance review, date and agency which made the review.

The following notice shall be included in the invitation for bids for each formally advertised construction or installation contract which may result in an award of \$1 million or more:

Equal opportunity preaward conference. Where the bid of the apparent low responsible bidder is in the amount of \$1 million or

more, the bidder will be subject to a pre-award conference with TVA for the purpose of determining whether the bidder and his subcontractors are able to comply with the provisions of the equal opportunity clause and carry out an affirmative action program of equal opportunity.

§ 303.4-10 Elimination of segregated facilities.

(a) Prime contractors, subcontractors, and applicants subject to the Equal Opportunity clause must ensure that the facilities provided for employees are provided in a manner that segregation on the basis of race, color, religion, or national origin cannot result. They may neither require such segregated use by explicit directives nor tolerate such use by employee custom. The obligation extends further to ensuring that employees are not assigned to perform their services at any location under the prime contractor's, subcontractor's, or applicant's (where he is himself performing federally assisted construction) control where the facilities are segregated. Such segregation at any facility provided by a prime contractor, subcontractor, or applicant is an unacceptable failure to comply with the contractor's equal opportunity obligations. Discharge of this obligation in no way whatsoever diminishes or relieves a prime contractor, subcontractor, or applicant of his responsibility to carry out fully the other nondiscrimination and affirmative action requirements of his contract.

(b) TVA provides for the giving of the notice prescribed by this paragraph (b) to, and for its inclusion in agreements with applicants which may involve federally assisted construction contracts and related subcontracts exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause. The notice to be included in agreements with applicants is as follows:

NOTICE TO APPLICANTS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

(a) A certification of nonsegregated facilities must be submitted by the applicant prior to any agreement for Federal financial assistance where the applicant will himself perform a federally assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the equal opportunity clause.

(b) Applicants for Federal assistance shall notify prospective federally assisted construction contractors of the certification of nonsegregated facilities required, as follows:

NOTICE TO PROSPECTIVE FEDERALLY ASSISTED CONSTRUCTION CONTRACTORS

(a) A certification of nonsegregated facilities must be submitted prior to the award of a federally assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the equal opportunity clause.

(b) Contractors receiving federally assisted construction contract awards exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause will be required to provide for the forwarding of the following notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000

and are not exempt from the provisions of the equal opportunity clause.

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

(a) A certification of nonsegregated facilities must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the equal opportunity clause.

(b) Contractors receiving subcontract awards exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause will be required to provide for the forwarding of this notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the equal opportunity clause.

(c) TVA includes a requirement for a certification of nonsegregated facilities in its (1) invitation for bids, (2) requests for proposals, (3) modifications of contracts (in the absence of a certification), (4) contracts resulting from unsolicited proposals, (5) federally assisted construction contracts of applicants, and (6) agreements with applicants. Pursuant to this requirement, bidders, offerors, recipients of contract awards and contract modifications, applicants performing federally assisted construction contracts, federally assisted construction contractors, and their respective subcontractors, shall submit the certification prescribed by this paragraph (c) in connection with their bids, proposals, contracts, contract modifications, and agreements where awards and agreements may result in contracts and subcontracts exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause. Certifications shall be individually signed except where the certification is executed by reason of the signature on the bid or offer. The certifications submitted by subcontractors shall be retained in the files of the prime contractor or subcontractor receiving the certification. Where a prime contractor or subcontractor does business with a concern on a continuing basis, a single certification may be submitted periodically (quarterly, semiannually, or annually) rather than with each transaction.

(1) Certification to be submitted by (i) bidders, (ii) offerors, (iii) contractors, (iv) subcontractors, and (v) applicants who are themselves performing federally assisted construction contracts:

Certification of nonsegregated facilities. By the submission of his bid, the bidder, offeror, applicant, or subcontractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. He certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The bidder, offeror, applicant, or subcontractor agrees that a breach of this certification is a violation of the equal opportunity clause in this contract.

As used in this certification, the term "segregated facilities" means any waiting

rooms, work areas, rest rooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise.

He further agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause; that he will retain such certifications in his files, and that he will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

A certification of nonsegregated facilities must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the equal opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

(2) Certification to be submitted by federally assisted construction contractors or applicants and their subcontractors:

Certification of nonsegregated facilities. (Applicable to federally assisted construction contracts and related subcontracts exceeding \$10,000 which are not exempt from the equal opportunity clause.)

The federally assisted construction contractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally assisted construction contractor certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally assisted construction contractor agrees that a breach of this certification is a violation of the equal opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms, and washrooms, restaurants, and other eating areas, timeclocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. The federally assisted construction contractor agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the equal opportunity clause, and that

he will retain such certifications in his files.
 NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. § 1001.

(d) The failure of a prime contractor or subcontractor to comply with the terms of his certification of nonsegregated facilities or with the terms of the equal opportunity clause as construed by paragraph (a) of this section shall be a ground for termination or cancellation of contracts or subcontracts as provided in § 303.6-9.

§ 303.5 Exemptions.

§ 303.5-1 General.

Contracts and subcontracts are exempt from the requirements of the equal opportunity clause as provided in this section.

(a) *Transactions of \$10,000 or under.* Contracts and subcontracts not exceeding \$10,000, other than Government bills of lading, are exempt. In determining the applicability of this exemption to any federally assisted construction contract, or subcontract thereunder, the amount of such contract or subcontract rather than the amount of the Federal financial assistance shall govern. No contractor, or subcontractor shall procure supplies or services in less than usual quantities to avoid applicability of the equal opportunity clause.

(b) *Contracts and subcontracts for indefinite quantities.* Contracts and subcontracts for indefinite quantities (including, but not limited to, open-end contract, requirement-type contracts, Federal Supply Schedule contracts, call-type contracts, and purchase notice agreements) shall include the equal opportunity clause unless the purchaser has reason to believe that the amount to be ordered in any year under such contract will not exceed \$10,000. The applicability of the equal opportunity clause shall be determined by the purchaser at the time of award for the first year, and annually thereafter for succeeding years, if any. Notwithstanding the above, the equal opportunity clause shall be applied to such contract whenever the amount of a single order exceeds \$10,000. Once the equal opportunity clause is determined to be applicable, the contract shall continue to be subject to such clause for its duration, regardless of the amounts ordered, or reasonably expected to be ordered in any year.

(c) *Work outside the United States.* Contracts and subcontracts are exempt from the requirements of the equal opportunity clause with regard to work performed outside the United States by employees who were not recruited within the United States.

(d) *Contracts with State or local governments.* The requirements of the equal opportunity clause in any contract or subcontract with a State or local government (or any agency, instrumentality, or subdivision thereof) shall not be applicable to any agency, instrumentality, or subdivision of such government which does not participate in work on or under the contract or subcontract. In addition, State and local governments are exempt from the requirements of filing the an-

nual compliance report provided for by § 303.6-4 and maintaining a written affirmative action compliance program prescribed by § 303.11.

(e) *National security.* Any requirement set forth in the regulations in this part shall not apply to any contract or subcontract whenever the TVA Board determines that such contract or subcontract is essential to the national security and that its award without complying with such requirement is necessary to the national security. Upon making such a determination, the TVA Board notifies the Director in writing within 30 days.

(f) *Sales contracts.* Contracts providing for the sale of Government real and personal property are exempt from the requirements of the equal opportunity clause by reason of the definition of the term "Government contract" (see § 303.3(m)).

§ 303.5-2 Specific contracts.

The Director may exempt any agency or any person from requiring the inclusion of any or all of the equal opportunity clause in any specific contract, or subcontract, when he deems that special circumstances in the national interest so require. The Director may also exempt groups or categories of contracts or subcontracts of the same type where he finds it impracticable to act upon each request individually or where group exemptions will contribute to convenience in the administration of the order.

§ 303.5-3 Facilities not connected with contract.

The Director may exempt from the requirements of the equal opportunity clause any of a prime contractor's or subcontractor's facilities which he finds to be in all respects separate and distinct from the activities of the prime contractor, or subcontractor, related to the performance of the contract, or subcontract, provided that he also finds that such an exemption will not interfere with or impede the effectuation of the order.

§ 303.5-4 Effect of exemption.

Notwithstanding the inclusion in any contract or subcontract of the equal opportunity clause, the contractor or subcontractor shall be exempt from compliance therewith if the contract or subcontract containing such a clause is exempt.

§ 303.5-5 Withdrawal of exemption.

When any contract or subcontract is of a class exempted under § 303.5, the Director may withdraw the exemption for a specific contract, or subcontract, or group of contracts or subcontracts when in his judgment such action is necessary or appropriate to achieve the purposes of the order. Such withdrawal shall not apply to contracts or subcontracts awarded prior to the withdrawal except that in procurements entered into by formal advertising, or the various forms of restricted formal advertising, such withdrawal shall not apply unless the withdrawal is made more than 10 calendar

days before the date set for the opening of bids.

§ 303.6 Administration.

§ 303.6-1 Duties.

(a) *General responsibility.* TVA is primarily responsible for obtaining compliance with the equal opportunity clause, the order, the regulations of the Secretary of Labor, and orders issued pursuant thereto. TVA cooperates with the Director and furnishes him such information and assistance as he may require in the performance of his functions under the order. Such information shall include compliance review reports, schedules of compliance reviews, and any other information relevant to the administration of the order.

(b) *TVA programs.* The Director of the Division of Purchasing is designated as TVA's Contract Compliance Officer. He administers the equal opportunity clause in TVA contracts and is TVA's liaison with Department of Labor's Office of Federal Contract Compliance and with other agencies in equal opportunity compliance matters. He may designate such Deputy Contract Compliance Officers as he deems necessary to assist him in the performance of his duties. The names, addresses, and telephone numbers of TVA's Contract Compliance Officer and Deputy Contract Compliance Officers are furnished to the Director.

(c) *TVA regulations.* TVA's regulations are submitted to the Director for review and approval prior to issuance and may be enforced upon approval of the Director, or 60 days after submission if not disapproved by the Director.

(d) *Award of contracts.* Sixty days after the effective date (July 1, 1968) of the rules, regulations, and relevant orders of the Secretary of Labor, TVA shall follow the procedures described in this paragraph (d) before the award of any nonexempt contract exceeding \$100,000.

(1) All contracting officers and officers approving applications for Federal financial assistance involving a construction contract shall notify the Contract Compliance Officer or appropriate Deputy or Assistant as soon as practicable of the impending award of each nonexempt contract exceeding \$100,000, the name and address of the prime contractor, anticipated time of performance, name and address of each known nonexempt subcontractor, whether the prime contractor and known nonexempt subcontractors have previously held any Government contracts or federally assisted construction contracts subject to Executive Orders Nos. 10925, 11114, or 11246, and whether the prime contractor has previously filed compliance reports required by Executive Orders Nos. 10925, 11114, or 11246, or by regulations of the Equal Employment Opportunity Commission issued pursuant to Title VII of the Civil Rights Act of 1964.

(2) The Contract Compliance Officer or appropriate Deputy or Assistant shall review the available information relative to the prospective prime contractor's equal opportunity compliance status and

notify the contracting officer or approving officer of equal opportunity clearance or of any deficiencies found to exist. A copy of any written report shall be forwarded to the Director.

(3) Contracting officers or approving officers shall: (i) Notify the bidder, offeror, or applicant or any deficiencies found to exist by the Contract Compliance Officer (or appropriate Deputy or Assistant), and (ii) direct any bidder, offeror, or applicant so notified to negotiate with the Contract Compliance Officer (or appropriate Deputy or Assistant), and to take such actions as he may require.

(4) The award of any such contract shall be conditioned upon the Contract Compliance Officer's (or appropriate Deputy's or Assistant's) notification to the contracting officer or approving officer that the bidder, offeror, or applicant has taken action or has agreed to take action satisfactory to the Contract Compliance Officer (or appropriate Deputy or Assistant), or the TVA Board as provided in the regulations in this part. Any such agreement to take action shall be stated in the contract, if the Contract Compliance Officer (or appropriate Deputy or Assistant) so requires.

§ 303.6-2 Educational responsibility.

(a) Contracting officers and other personnel concerned with procurement are apprised of their responsibilities for obtaining compliance with the equal opportunity clause.

(b) TVA publicizes the equal opportunity policy to prospective bidders and contractors, and makes available to contractors information concerning their responsibilities under the clause.

§ 303.6-3 Notices to be posted.

Unless alternative notices are prescribed by the Director, or by TVA with the approval of the Director, prime contractors and subcontractors shall post the notice entitled "Equal Employment Opportunity Is The Law," as provided by the notice posting requirements of the equal opportunity clause.

§ 303.6-4 Reports and other required information.

(a) *Requirements for prime contractors and subcontractors.* (1) TVA requires each prime contractor and each prime contractor and subcontractor shall cause its subcontractors to file annually, on or before March 31, complete and accurate reports on Standard Form 100 (EEO-1) promulgated jointly by the Office of Federal Contract Compliance, the Equal Employment Opportunity Commission, and Plans for Progress, or on such form as may hereafter be promulgated in its place, if such prime contractor or subcontractor (i) is not exempt from the provisions of this section in accordance with § 303.5; (ii) has 50 or more employees; (iii) is a prime contractor or first-tier subcontractor; and (iv) has a contract, subcontract, or purchase order amounting to \$50,000, or more, or serves as a depository of Government funds in any amount, or is a financial institution

which is an issuing and paying agent for U.S. savings bonds and savings notes: *Provided*, That any subcontractor below the first tier which performs construction work at the site of construction shall be required to file such a report if it meets the requirements in subdivisions (i), (ii), and (iv) of this paragraph (a) (1).

(2) Each person required by subparagraph (1) of this paragraph to submit reports shall file such a report with TVA within 30 days after the award to him of a contract or subcontract, unless such person has submitted such a report within 12 months preceding the date of the award. Subsequent reports shall be submitted annually in accordance with subparagraph (1) of this paragraph, or at such other intervals as TVA or the Director may require. TVA with the approval of the Director, may extend the time for filing any report.

(3) The Director, TVA, or the applicant, on their own motions, may require a prime contractor to keep employment or other records and to furnish, in the form requested, within reasonable limits, such information as the Director, TVA, or the applicant deems necessary for the administration of the order.

(4) The failure to file timely, complete, and accurate reports, as required, constitutes noncompliance with the prime contractor's or subcontractor's obligations under the equal opportunity clause and is a ground for the imposition by TVA, the Director, an applicant, prime contractor or subcontractor, of any sanctions authorized by the order and the regulations in this part. Any such failure which TVA is unable to correct shall be reported in writing to the Director by TVA as soon as practicable after it occurs.

(b) *Requirements for bidders or prospective contractors.* (1) TVA requires each bidder or prospective prime contractor and proposed subcontractor, where appropriate, to state in the bid or at the outset of negotiations for the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and, if so, whether it has filed with the Joint Reporting Committee, the Director, an agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements. The statement shall be in the form of a representation by the bidder or offeror substantially as follows:

The bidder represents that he:

1. Has participated in a previous contract or subcontract subject to the equal opportunity clause in form TVA 9923 or the almost identical equal opportunity clauses previously required under Executive Orders 10925 and 11114: Yes ----- No -----
2. Has filed Employer Information Report EEO-1 (Standard Form 100) with the Joint Reporting Committee within the past 12 months: Yes ----- No -----
3. Has filed other equal opportunity compliance reports with Government contracting agencies as required by such agencies: Yes ----- No -----
4. Will obtain representations indicating submission of required compliance reports, signed by each proposed subcontractor, before awarding each subcontract of \$10,000 or more: Yes ----- No -----

Where a bidder or offeror fails to execute the representation, the omission shall be considered a minor informality and the bidder or offeror shall be permitted to satisfy the requirement prior to award.

(2) In any case in which a bidder or prospective prime contractor or proposed subcontractor, which participated in a previous contract or subcontract subject to Executive Orders Nos. 10925, 11114, or 11246, has not filed a report due under the applicable filing requirements, no contract or subcontract shall be awarded, unless such contractor submits a report covering the delinquent period or such other period specified by TVA or the Director.

(3) A bidder or prospective prime contractor or proposed subcontractor shall be required to submit such information as TVA or the Director requests prior to the award of the contract or subcontract. When a determination has been made to award the contract or subcontract to a specific contractor, such contractor shall be required, prior to award, or after the award, or both, to furnish such other information as TVA, the applicant, or the Director requests.

(c) *Use of reports.* Reports filed pursuant to § 303.6-4 shall be used only in connection with the administration of the order, the Civil Rights Act of 1964, or in furtherance of the purposes of the order and said Act.

§ 303.6-5 Compliance reviews.

(a) The purpose of a compliance review is to determine if the prime contractor or subcontractor maintains nondiscriminatory hiring and employment practices and is taking affirmative action to ensure that applicants are employed and that employees are placed, trained, upgraded, promoted, and otherwise treated during employment without regard to race, color, religion, sex, or national origin. It consists of a comprehensive analysis and evaluation of each aspect of the aforementioned practices, policies, and conditions resulting therefrom. Where necessary, recommendations for appropriate sanctions shall be made.

(b) Where deficiencies are found to exist, reasonable efforts shall be made to secure compliance through conciliation and persuasion. Before the contractor can be found to be in compliance with the order, he must make a specific commitment, in writing, to correct any such deficiencies. The commitment must include the precise action to be taken and dates for completion. The time period allotted shall be no longer than the minimum period necessary to effect such changes. Upon approval of such commitment by the Contract Compliance Officer, appropriate Deputy or Assistant, or the TVA Board, the contractor may be considered in compliance, on condition that the commitments are faithfully kept. The contractor shall be notified that making such commitments does not preclude future determinations of noncompliance based on a finding that the commitments are not sufficient to achieve compliance.

(c) When TVA is the compliance agency it has the primary responsibility for the conduct of compliance reviews. TVA regularly conducts compliance reviews in accordance with the Director's guidelines, and also conducts compliance reviews in accordance with any special requests or instructions of the Director. Compliance reviews may also be conducted by the Director. Whenever possible compliance reviews are conducted by qualified specialists regularly involved in equal opportunity programs.

(d) Before the award of any formally advertised supply contract which may result in an award of \$1 million or more, a preaward compliance review of the prospective contractor and his known first-tier subcontractors which will be awarded subcontracts of \$1 million or more must be conducted by the compliance agency within 6 months prior to the award of the contract. Where a previous compliance review has been made within 6 months of the expected date of award or where the contractor has been submitting adequate special compliance reports to TVA following a compliance review made more than 6 months before the expected date of award, an additional full compliance review usually will not be needed to determine eligibility. If an agency other than the awarding agency is the compliance agency, the awarding agency shall notify the compliance agency and request appropriate action and finding in accordance with this paragraph (d). Whenever possible compliance agencies provide awarding agencies with written reports of compliance reviews within 30 days following the requests. In order to qualify for the award of a contract, a contractor and such first-tier subcontractors must be found on the basis of such review to be able to comply with the equal opportunity clause or carry out an acceptable program for compliance as provided in paragraph (b) of § 303.6-5 (see § 303.4-9 regarding the notice required to be included in formally advertised supply contracts which may result in awards of \$1 million or more).

(e) Before award of any formally advertised construction or installation contract which will amount to \$1 million or more, a preaward conference is held with the prospective contractor to determine whether he and his known subcontractors are able to comply with the provisions of the equal opportunity clause and carry out an affirmative action program. OFCC's area coordinator is included in the conference if he is available. The contractor must submit an acceptable written affirmative action compliance program in order to be eligible for award.

§ 303.6-6 Complaints.

(a) Any employee of any contractor or applicant for employment with such contractor may, by himself or by an authorized representative, file in writing a complaint of alleged discrimination in violation of the equal opportunity clause. Such complaint is to be filed not later than 180 days from the date of the alleged discrimination, unless the time for filing is extended by TVA or the Director upon good cause shown.

(b) Complaints may be filed with TVA or with the Director. Those filed with the Director may be referred to TVA for processing, or they may be processed in accordance with § 303.6-8.

(c) Complaints will be required to be signed by the complainants or their authorized representatives and to contain the following information:

- (1) Name and address (including telephone number) of the complainant;
 - (2) Name and address of the contractor or subcontractor who committed the alleged act of discrimination;
 - (3) A description of the act or acts considered to be discriminatory; and
 - (4) Other pertinent information which will assist in the investigation and resolution of the complaint.
- (d) Where a complaint contains incomplete information, TVA or the Director shall seek promptly the needed information from the complainant. In the event such information is not furnished to TVA or the Director within 60 days of the date of such request, the case may be closed.

§ 303.6-7 Processing of matters.

(a) *Complaints.* Where complaints are filed with TVA, the Contract Compliance Officer shall transmit a copy of the complaint to the Director within 10 days after receipt.

(b) *Investigations.* When TVA is the compliance agency it institutes a prompt investigation of each complaint filed with it or referred to it, and is responsible for developing a complete case record. A complete case record consists of the following:

- (1) Name and address of each person interviewed;
- (2) A summary of his statement;
- (3) Copies or summaries of pertinent documents; and
- (4) A narrative summary of the evidence disclosed in the investigation as it relates to each violation revealed.

When a complaint is filed against a prime contractor or subcontractor who has contracts involving more than one agency, unless otherwise provided, the compliance agency shall conduct the investigation and make such findings and determinations as shall be appropriate for the administration of the order.

(c) *Resolution of matters.* (1) If the investigation of a complaint by TVA pursuant to paragraph (b) of § 303.6-7 shows no violation of the equal opportunity clause, TVA so informs the Director. The Director may review TVA's findings, and he may request further investigation by TVA or may undertake such investigation as he may deem appropriate.

(2) If any complaint investigation or compliance review indicates a violation of the equal opportunity clause, the matter should be resolved by informal means whenever possible. Such informal means may include the holding of a compliance conference by TVA. Each prime contractor and subcontractor shall be advised that the resolution is subject to review by the Director and may be disapproved

if he determines that such resolution is not sufficient to achieve compliance.

(3) Hearings shall be conducted in connection with the processing of matters in accordance with the provisions of § 303.8.

(4) For reasonable cause shown, the Director or the TVA Board may reconsider or cause to be reconsidered any matter on his or its own motion or pursuant to a request.

(d) *Reports to the Director.* (1) Within 60 days from receipt of a complaint by TVA, or within such additional time as may be allowed by the Director for good cause shown, TVA processes the complaint and submits to the Director the case record and a summary report containing the following information:

- (i) Name and address of the complainant;
- (ii) Brief summary of findings, including a statement as to TVA's conclusions regarding the contractor's compliance or noncompliance with the requirements of the equal opportunity clause; and

(iii) A statement of the disposition of the case, including any corrective action taken and any sanctions or penalties imposed or, whenever appropriate, the recommended corrective action and sanctions or penalties.

(2) A written report of every preaward compliance review made by TVA required by the regulations in this part or otherwise required by the Director, including findings, shall be forwarded to the Director within 10 days after the award for a postaward review.

(3) A written report of every other compliance review or any other matter processed by TVA involving an apparent violation of the equal opportunity clause shall be submitted to the Director if TVA is unable to obtain correction of the matter. Such report shall contain a brief summary of the findings, including a statement of conclusions regarding the contractor's noncompliance with the requirements of the order, and a statement of the disposition of the case, including any corrective action taken or recommended, and any sanctions or penalties imposed or recommended.

§ 303.6-8 Assumption of jurisdiction by or referrals to the Director.

The Director may inquire into the status of any matter pending before TVA, including complaints and matters arising out of reports, reviews, and other investigations. Where he considers it necessary or appropriate to the achievement of the purposes of the order, he may assume jurisdiction over the matter and proceed as provided herein. Whenever the Director assumes jurisdiction over any matter, or TVA refers any matter, he may conduct, or have conducted, such investigations, hold such hearings, make such findings, issue such recommendations and directives, order such sanctions and penalties, and take such other action as may be necessary or appropriate to achieve the purposes of the order. The Director notifies TVA of any corrective action to be taken or any sanctions to be taken or any sanction to

be imposed by TVA. TVA takes such action, and reports the results thereof to the Director within the time specified.

§ 303.6-9 Sanctions and penalties.

(a) *General.* (1) In every case where any complaint investigation or compliance review indicates the existence of a violation of the equal opportunity clause, the matter should be resolved by informal means, including conference, conciliation, mediation, and persuasion, whenever possible. This will also include, where appropriate, establishing a program for future compliance approved by the TVA Board or its designee. Where the apparent violation is not resolved by informal means, TVA affords the contractor or subcontractor an opportunity for a hearing (see § 303.8). If a prime contractor or subcontractor, without a hearing, has complied with the recommendations or orders of TVA or the Director and believes such orders or recommendations to be erroneous, he shall, upon filing a request therefor within 10 days of such compliance, be accorded an opportunity for a hearing and review as provided in § 303.8.

(2) The sanctions described in paragraphs (1), (5), and (6) of section 209(a) of the order regarding the (i) publication of the names of contractors or unions, (ii) cancellations, termination, and suspension of contracts, and (iii) entering into contracts or extensions or modifications of contracts with noncomplying contractors may be exercised only by or with the approval of the Director.

(b) *Termination.* (1) A contract or subcontract may be canceled or terminated, in whole or in part, for failure to comply with the provisions of the equal opportunity clause. Whenever the Director or the TVA Board, or his or its designee, upon prior notification to the Director proposes to cancel or terminate, or cause to be canceled or terminated, in whole or in part, a contract or contracts, a notice of the proposed action, signed by the Director or the TVA Board, or his or its designee, shall be sent to the last known address of the prime contractor or subcontractor, return receipt requested. A copy of such notice shall be sent to all agencies. The prime contractor or subcontractor shall be given at least 10 days from the receipt of the notice either to comply with the provisions of the contract or to mail a request for a hearing to the Director or TVA, as appropriate, under § 303.8. During the 10-day notice period, reasonable efforts shall continue to be made to secure compliance by conference, mediation, and persuasion.

(2) If at the end of the 10-day period no request for a hearing has been received, the Director or the TVA Board may cancel, suspend, or terminate, or cause to be canceled, suspended, or terminated, such contracts or subcontracts.

(c) *Debarment.* (1) A prime contractor or subcontractor may be debarred from receiving contracts for failure to comply with the provisions of the equal opportunity clause. Whenever the Director, or the TVA Board or his or its designee, upon prior notification to the

Director, proposes to debar a prime contractor or subcontractor from further contracts or subcontracts under section 209 of the order, a notice of the proposed action, in writing and signed by the Director or the TVA Board or his or its designee, shall be sent to the last known address of the prime contractor or subcontractor, return receipt requested. A copy of such notice shall be sent to all agencies. The prime contractor or subcontractor shall be given at least 10 days from the receipt of such notice in which to mail a request for a hearing to the Director or TVA. During the 10-day notice period, reasonable efforts shall continue to be made to secure compliance by conference, mediation, and persuasion.

(2) If at the end of the 10-day period no request has been received, the Director or the TVA Board may enter an order debarring the contractor or subcontractor from further contracts, subcontracts, or extensions or other modifications of existing contracts, until such contractor or subcontractor shall have satisfied the Director that he has established and will carry out personnel and employment policies and practices in compliance with the provisions of the equal opportunity clause.

(d) *Referrals.* Referral of any matter arising under the order to the Department of Justice or to the Equal Employment Opportunity Commission shall be made by the Director.

(e) *Show cause notices.* When the Director has reasonable cause to believe that a contractor has violated the equal opportunity clause he may issue a notice requiring the contractor to show cause, within 30 days, why monitoring, enforcement proceedings, or other appropriate action to insure compliance should not be instituted.

§ 303.6-10 Disputed matters related to the equal opportunity program.

Disputes related to matters pertaining to the equal opportunity program shall be handled pursuant to the provisions of the equal opportunity clause in Government contracts, agreements, and subcontracts, rather than the Disputes clause contained therein.

§ 303.6-11 Preaward notices.

(a) *Preaward compliance reviews.* Upon the request of the Director, TVA does not enter into contracts or approve the entry into contracts or subcontracts with any bidder, prospective prime contractor, or proposed subcontractor named by the Director, until a preaward compliance review has been conducted and the Director or the TVA Board or his or its designee has approved a determination that the bidder, prospective prime contractor, or proposed subcontractor will be apply to comply with the provision of the equal opportunity clause.

(b) *Other special preaward procedures.* Upon the request of the Director, TVA does not enter into contracts or approve the entry into subcontracts with any bidder, prospective prime contractor, or proposed subcontractor, specified by

the Director until TVA has complied with the directions contained in the request.

§ 303.7 [Reserved]

§ 303.8 Hearings.

§ 303.8-1 General.

An opportunity for a formal hearing shall be afforded to a prime contractor or a subcontractor by the Director or TVA where:

(a) An apparent violation of the equal opportunity clause by a contractor, as shown by any complaint investigation or compliance review, is not resolved by informal means and a hearing is requested pursuant to § 303.6-9(a).

(b) The prime contractor or subcontractor, without a hearing, shall have complied with the recommendations or orders of TVA, believes such recommendations or orders to be erroneous and requests a hearing and review pursuant to § 303.6-9(a).

(c) The Director or TVA proposes to cancel or terminate a contract or subcontract, in whole or in part, and a hearing is requested pursuant to § 303.6-9(b).

(b). The contract or subcontract may be suspended, in the discretion of the Director, during the pendency of the hearing.

(d) The Director or TVA proposes to debar the prime contractor or subcontractor and a hearing is requested pursuant to § 303.6-9(c). The contract or subcontract may be suspended, in the discretion of the Director, during the pendency of the hearing.

§ 303.8-2 Informal hearings.

(a) *Purpose.* The Director or the TVA Board with the approval of the Director, may convene such informal hearings as may be deemed appropriate for the purpose of inquiring into the status of compliance by any prime contractor or subcontractor with the terms of the equal opportunity clause.

(b) *Notice.* Contractors and subcontractors shall be advised in writing as to the time and place of the informal hearing and may be directed to bring specific documents and records, or furnish other relevant information concerning their compliance status. When so requested, the prime contractor or subcontractor shall attend and bring requested documents and records, or other requested information.

(c) *Conduct of hearings.* The hearing shall be conducted by hearing officers appointed by the Director or the TVA Board. Parties to informal hearings may be represented by counsel and shall have a fair opportunity to present any relevant material. Formal rules of evidence will not apply to such proceedings.

§ 303.8-3 Formal hearings.

(a) *General procedure.* The Director or the TVA Board, with the approval of the Director, may convene formal hearings pursuant to the regulations in this part. Such hearings shall be conducted in accordance with procedures prescribed by the Director or the TVA Board. Reasonable notice of a hearing shall be sent

by registered mail, return receipt requested, to the last known address of the prime contractor or subcontractor complained against. Such notice shall contain the following:

- (1) The time and place of hearing;
- (2) A statement of the provisions of the order and regulations pursuant to which the hearing is to be held; and
- (3) A concise statement of the matters pursuant to which the action furnishing the basis of the hearing has been taken or is proposed to be taken. Copies of such notice shall be sent to all agencies. Hearings shall be held before a hearing officer designated by the Director or the TVA Board. Each party shall have the right to counsel, a fair opportunity to present evidence and argument, and to cross-examine. Whenever a formal hearing is based in whole or in part on matters subject to a collective bargaining agreement and compliance may necessitate a revision of such agreement, any labor organization which is a signatory to the agreement shall have the right to participate as a party. Any other person or organization shall be permitted to participate upon a showing that such person or organization has an interest in the proceedings and may contribute materially to its proper disposition. The hearing officer shall make his proposed findings and conclusions upon the basis of the record before him.

(b) *Suspension during pendency of hearing.* Whenever the prime contractor or subcontractor requests a hearing in accordance with § 303.6-9 (b) and (c), his contracts or subcontracts may be suspended, in the discretion of the Director, during the pendency of the hearing.

(c) *Decision following hearing.* When the hearing is conducted by TVA, the hearing officer shall make recommendations to the TVA Board who shall make a decision. No decision by the TVA Board, or its representatives, shall be final without the prior approval of the Director. When the hearing is conducted by a hearing officer appointed by the Director, the hearing officer shall make recommendations to the Director, who shall make the final decision. Parties shall be furnished with copies of the hearing officer's recommendations, and shall be given an opportunity to submit their views.

§ 303.9 Reinstatement of ineligible contractors or subcontractors.

Any prime contractor or subcontractor declared ineligible for further contracts or subcontracts under the order may request reinstatement in a letter directed to the Director. In connection with the reinstatement proceedings, the prime contractor or subcontractor shall be required to show that he has established and will carry out employment policies and practices in compliance with the equal opportunity clause.

§ 303.10 Intimidation and interference.

The sanctions and penalties contained in Subpart D of the order may be exercised by TVA or the Director against any prime contractor, subcontractor, or applicant who fails to take all necessary steps to ensure that no person intimidates, threatens, coerces, or discriminates

against any individual for the purpose of interfering with the filing of a complaint, furnishing information, or assisting or participating in any manner in an investigation, compliance review, hearing, or any other activity related to the administration of the order or any other Federal, State, or local laws requiring equal employment opportunity.

§ 303.11 Affirmative action compliance programs.

(a) *Requirements of programs.* (1) TVA or each applicant shall require each prime contractor who has 50 or more employees and a contract of \$50,000 or more and each prime contractor and subcontractor shall require each subcontractor who has 50 or more employees and a subcontract of \$50,000 or more to develop a written affirmative action compliance program for each of its establishments. A necessary prerequisite to the development of a satisfactory affirmative action program is the identification and analysis of problem areas inherent in minority employment and an evaluation of opportunities for utilization of minority group personnel. The contractor programs shall provide in detail for specific steps to guarantee equal employment opportunity keyed to the problems and needs of members of minority groups, including, when there are deficiencies, the development of specific goals and timetables for the prompt achievement of full and equal employment opportunity. Each contractor shall include in his affirmative action compliance program a table of job classifications. This table should include, but need not be limited to, job titles, principal duties (and auxiliary duties, if any), rates of pay, and where more than one rate of pay applies (because of length of time in the job or other factors), the applicable rates. The affirmative action compliance program shall be signed by an executive official of the contractor.

(2) Whenever the Director designates a specific construction affirmative action program for a labor area, TVA shall (i) include in its invitations for bids the program requirements connected with the construction project; and (ii) require definite minimum commitments from the low bidder which will satisfy the program, including timetables and reasonable goals.

(b) *Utilization evaluation.* The evaluation of utilization of minority group personnel shall include the following:

- (1) An analysis of minority group representation in all job categories;
- (2) An analysis of hiring practices for the past year, including recruitment sources and testing, to determine whether equal employment opportunity is being afforded in all job categories; and
- (3) An analysis of upgrading, transfer, and promotion for the past year to determine whether equal employment opportunity is being afforded.

(c) *Maintenance of programs.* Within 120 days from the commencement of the contract, each contractor shall maintain a copy of separate affirmative action

compliance programs for each establishment, including evaluations of utilization of minority group personnel and the job classification tables, at each local office responsible for the personnel matters of such establishment. An affirmative action compliance program shall be part of the manpower and training plans for each new establishment and shall be developed and made available prior to the staffing of such establishment. A report of the results of such program shall be compiled annually and the program shall be updated at that time. This information shall be made available to representatives of TVA or Director upon request and the contractor's affirmative action program and the result it produces shall be evaluated as part of the compliance review activities.

§ 303.12 Access to records of employment.

Each prime contractor and subcontractor shall permit access during normal business hours to his books, records, and accounts pertinent to compliance with the order, and all rules and regulations promulgated pursuant thereto by TVA or the Director for purposes of investigation to ascertain compliance with the equal opportunity clause of the contract or subcontract. Information obtained in this manner shall be used only in connection with the administration of the order, the administration of the Civil Rights Act of 1964, and in furtherance of the order and that Act.

§ 303.13 Rulings and interpretations.

Rulings under or interpretations of the order, the regulations of the Secretary of Labor, and the regulations in this part shall be made by the Secretary or his designee.

§ 303.14 Solicitations or advertisements for employees.

The requirements of the equal opportunity clause regarding solicitations or advertisements for employees placed by or on behalf of a contractor will be satisfied whenever the contractor or subcontractor complies with any of the following:

- (a) States expressly in the solicitations or advertising that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin;
- (b) Uses display or other advertising, and the advertising includes an appropriate insignia prescribed by the Director. The use of the insignia is considered subject to the provisions of 18 U.S.C. section 701;
- (c) Uses a single advertisement, and the advertisement is grouped with other advertisements under a caption which clearly states that all employers in the group assure all qualified applicants equal consideration for employment without regard to race, color, religion, sex, or national origin;
- (d) Uses a single advertisement in which appears in clearly distinguishable type the phrase "an equal opportunity employer."

§ 303.15 Existing contracts and subcontracts.

All contracts and subcontracts in effect prior to October 24, 1965, which are not subsequently modified shall be administered in accordance with the nondiscrimination provisions of any prior applicable Executive orders. Any contract or subcontract modified on or after October 24, 1965, shall be subject to Executive Order No. 11246. Complaints received by and violations coming to the attention of TVA regarding contracts and subcontracts which were subject to Executive Orders Nos. 10925 and 11114 shall be processed as if they were complaints regarding violations of this order.

Effective date. These regulations are effective July 1, 1968, for all invitations for bids or requests for proposals issued by TVA or an applicant for Federal assistance on or after that date, and for all negotiated contracts or contract modifications executed on or after that date. Contracts executed prior to the effective date of these regulations shall be governed by the regulations previously in effect. Notwithstanding the foregoing, this amendment is effective as to all contracts or contract modifications executed on and after the 120th day following July 1, 1968.

These regulations were approved by the Director, Office of Federal Contract Compliance, U.S. Department of Labor, on December 30, 1968, to be effective upon publication in the FEDERAL REGISTER.

Dated: February 17, 1969.

TENNESSEE VALLEY AUTHORITY,
L. J. VAN MOL,
General Manager.

[P.R. Doc. 69-2254; Filed, Feb. 24, 1969;
8:47 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Order M-11A, Direction 2, as amended
Feb. 25, 1969]

M-11A, DIR. 2—DOMESTIC REFINED COPPER SET-ASIDE

This amended direction to BDSA Order M-11A, as amended, is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended direction, there was consultation with industry representatives and consideration was given to their recommendations.

This amended direction supersedes Direction 2 to BDSA Order M-11A as amended February 15, 1967. This amended direction (1) changes the base period for determining average monthly production of domestic refined copper from the

calendar year 1965 to the last 6 months of calendar year 1968, (2) decreases the portion of production of domestic refined copper reserved for the acceptance of rated orders from 22 percent to 16 percent of average monthly production, as defined, and (3) deletes the requirement for reporting on Form 6-1046-MS by producers of domestic refined copper.

Direction 2 to BDSA Order M-11A, as amended, is hereby further amended to read as follows:

Sec.

- 1 What this direction does.
- 2 Definitions.
- 3 Use of rated orders for domestic refined copper.
- 4 Opening of order books.
- 5 Acceptance of rated orders.
- 6 Rejection of rated orders.
- 7 Priority status of delivery orders.
- 8 Reserved portion of production (set-aside).
- 9 Records and reports.
- 10 Communications.

AUTHORITY: Section 704, 64 Stat. 816, as amended, 50 U.S.C. App. 2154; sec. 1, Public Law 90-370, 82 Stat. 279.

Section 1 What this direction does.

This direction applies to producers of domestic refined copper. It contains rules pertaining to the opening of order books, the acceptance and rejection of rated orders, and establishes a set-aside for the required acceptance of such orders by producers of domestic refined copper on an equitable basis.

Sec. 2 Definitions.

As used in this direction:

(a) "Person" means any individual, corporation, partnership, association, or other organized group of persons, and includes any agency of the U.S. Government or any other government.

(b) "BDSA" means the Business and Defense Services Administration of the U.S. Department of Commerce.

(c) "Domestic refined copper" means copper metal made from ores mined in the continental United States which has been refined by any process of electrolysis or fire-refining to a grade and in a form suitable for fabrication, such as cathodes, wire bars, ingot bars, ingots, cakes, billets, or other refined shapes. It does not include copper-base alloy ingot, brass mill castings, intermediate shapes, anodes, powder mill products, copper wire mill products, brass mill products, or foundry copper or copper-base alloy products, or refined copper produced from secondary metal.

(d) "Producer of domestic refined copper" means any person who produces domestic refined copper for his own account in his own facility or who contracts for its production elsewhere from his own raw materials for his account under toll arrangements.

(e) "Controlled material" means steel, copper, aluminum, and nickel alloys, in the forms and shapes specified in Schedule I of DMS Reg. 1, as amended.

(f) "Controlled material producer" means any person who produces a controlled material. For purposes of this direction only, the term "controlled material producer" includes a producer of

an intermediate shape as such shape is defined in section 2(m) (11) of BDSA Order M-11A, as amended.

(g) "Rated order" means any purchase order, contract, or other form of procurement for materials or services bearing an authorized rating and the certification required by BDSA Reg. 2 (formerly NPA Reg. 2), DMS Reg. 1 or any other applicable regulation or order of BDSA.

(h) "Mandatory acceptance order" means any authorized controlled material order, rated order, certified order, or any other purchase or delivery order which a person is required to accept pursuant to any regulation or order of BDSA, or pursuant to a specific authorization or directive of BDSA.

(i) "Average monthly production of domestic refined copper" means the monthly average quantity of domestic refined copper produced by a producer of domestic refined copper in the last 6 months of calendar year 1968, including any domestic refined copper produced for his account by another person under toll arrangements.

Sec. 3 Use of rated orders for domestic refined copper.

A controlled material producer, as defined in section 2(f) of this direction, must use the rating DO-D1 or DX-D1, as the case may be, to obtain domestic refined copper needed to fill mandatory acceptance orders or to replace in inventory domestic refined copper used by him to fill such orders, in accordance with the provisions of section 4(c), 4(d), and 4(e) of DMS Reg. 1, Dir. 3: *Provided*, That such ratings shall not be used to obtain a quantity of domestic refined copper in excess of the quantity of copper contained in the controlled material or intermediate shape produced or to be produced therefrom.

Sec. 4 Opening of order books.

Each producer of domestic refined copper shall open his order books for the purpose of accepting rated orders no later than the first day of the month preceding the calendar month for which delivery is requested.

Sec. 5 Acceptance of rated orders.

(a) Each producer of domestic refined copper shall, after receipt of any rated order tendered to him, promptly accept or reject such order. Receipt of a rated order shall not be deemed to have occurred until the order is received at the place where the producer usually processes such an order. Upon such acceptance or rejection, he shall promptly notify, by letter or telegram, the person who tendered the order, of such acceptance or rejection. For the purpose of this paragraph, the word "promptly" shall mean as soon as possible, but in no event later than five consecutive calendar days after receipt.

(b) Each producer of domestic refined copper must comply with such production and other directives as may be issued from time to time by BDSA and with the provisions of BDSA Reg. 2 (formerly NPA Reg. 2) and of all other

applicable regulations and orders of BDSA.

Sec. 6 Rejection of rated orders.

A producer of domestic refined copper must accept all mandatory acceptance orders; however, he may reject rated orders in the following cases, but he shall not discriminate among customers in rejecting or accepting such orders:

(1) If the order is received from a person other than a controlled material producer.

(2) If the order is received after the 10th day of the month preceding the month of delivery requested in the order: *Provided*, That a DX order must be accepted without regard to this provision unless it is impracticable for him to make delivery within the required delivery month, in which event, he must accept such order for the earliest practicable delivery date: *Provided further*, That acceptance of a DX order by a producer of domestic refined copper prior to the date he opens his order books shall not effect an opening of his books so as to require acceptance of other orders for domestic refined copper.

(3) If the order is one for less than 20,000 pounds.

(4) If the person seeking to place the order is unwilling or unable to meet such producer's regularly established prices and terms of sale or payment.

(5) If the order calls for delivery of a quantity of domestic refined copper which, together with the quantity of that material for which he had previously accepted rated orders for delivery during the same month, would exceed the quantity of that material which he is required to reserve pursuant to section 8 of this direction: *Provided, however*, That a DX order must be accepted even though the set-aside has been or will be exceeded by such acceptance.

Sec. 7 Priority status of delivery orders.

Each producer of domestic refined copper who accepts rated orders for domestic refined copper pursuant to this direction shall make delivery pursuant to such orders in preference to any other delivery order for domestic refined copper which is not a rated order. However, a delivery order for domestic refined copper pursuant to a directive issued by BDSA, shall take precedence over any other delivery order (including rated orders) previously or subsequently received.

Sec. 8 Reserved portion of production (set-aside).

From the date of opening his books in any month for the acceptance of rated orders for domestic refined copper, each producer of domestic refined copper shall reserve at least 16 percent of his average monthly production of domestic refined copper (as defined in section 2(1) of this direction) for the acceptance of such rated orders calling for delivery in the

immediately following month until the quantity of domestic refined copper for which he has accepted such rated orders is equal to at least the quantity thereof he is required to reserve, as indicated above; however, he need not accept such orders after the 10th day of that month even though he may not have accepted rated orders equivalent to the reserved quantity by that date: *Provided, however*, That DX rated orders must be accepted in accordance with the provisos contained in section 6 (2) and (5) above.

Sec. 9 Records and reports.

(a) Producers of domestic refined copper shall make and preserve for at least 3 years thereafter, accurate and complete records of production, receipts, sales, and deliveries of domestic refined copper. Such reports shall include, but shall not be limited to, all rated orders received by such producers. Records shall be maintained in sufficient detail to permit the determination after audit whether each transaction involving rated orders complies with the provisions of this direction. This direction does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided the records required herein are maintained. Records may be retained in the form of microfilm, or other photographic copies or in the storage devices of automatic data processing equipment, instead of the originals by the producer of domestic refined copper who, at the time such microfilm or other photographic copies or magnetic tapes are made, maintains such types of record information in the regular and usual course of business.

(b) All records required by this direction shall be made available for inspection and audit by duly authorized representatives of the Business and Defense Services Administration, at the usual place of business, where maintained.

(c) Producers of domestic refined copper subject to this direction shall make such records and submit such reports to BDSA as it shall require subject to the terms of the Federal Reports Act of 1942 (5 U.S.C. 139-139F).

Sec. 10 Communications.

All communications concerning this direction shall be addressed to the Business and Defense Services Administration, Washington, D.C. 20230. Ref: BDSA Order M-11A.

This direction shall become effective February 25, 1969.

BUSINESS AND DEFENSE SERVICES
ADMINISTRATION,
RODNEY L. BORUM,
Administrator.

[P.R. Doc. 69-2246; Filed, Feb. 24, 1969;
8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER A—GENERAL

[CGFR 69-04]

PART 2—GENERAL DUTIES AND JURISDICTION

Miscellaneous Amendments and Determinations

Correction

In F.R. Doc. 69-1935 appearing at page 2202 in the issue of Friday, February 14, 1969, the last line of the penultimate paragraph of the first column on page 2203 should be corrected to read "2.99-20(c).".

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 16—MIGRATORY BIRD PERMITS

Acquisition of Captive-Reared Mallard Ducks Without Permit

To clarify the application of the Migratory Bird Hunting Regulations which are published annually in Part 10 of this chapter, and of the Migratory Bird Hunting Stamp Act (48 Stat. 451; 16 U.S.C. 718a), as amended, to § 16.16(c) of this chapter, it has been determined to amend § 16.16 as follows:

§ 16.16 Acquisition, without a permit, of captive-reared mallard ducks.

(c) When so marked, such live birds may be killed, in any number, at any time or place, by any means except shooting. Such birds may be killed by shooting only in accordance with all applicable hunting regulations governing the taking of mallard ducks from the wild: *Provided*, That such birds may be killed by shooting, in any number, at any time, within the confines of any premises operated as a shooting preserve under State license, permit, or authorization; or they may be shot, in any number, at any time or place, by any person for bona fide dog training or field trial purposes: *Provided further*, That the provisions of the hunting regulations (Part 10 of this subchapter) and the Migratory Bird Hunting Stamp Act (duck stamp requirement) shall not apply to shooting preserve operations, as provided for in this paragraph, or to bona fide dog training or field trial operations.

(40 Stat. 755; 16 U.S.C. 704)

Effective date. Since this amendment relieves existing restrictions, it shall become effective upon publication in the FEDERAL REGISTER.

JOHN S. GOTTSCHALK,
*Director, Bureau of
Sport Fisheries and Wildlife.*

FEBRUARY 17, 1969.

[F.R. Doc. 69-2248; Filed, Feb. 24, 1969;
8:46 a.m.]

**Chapter II—Bureau of Commercial
Fisheries, Fish and Wildlife Service,
Department of the Interior**

SUBCHAPTER F—AID TO FISHERIES

**PART 258—FISHERMEN'S PROTEC-
TIVE ACT PROCEDURES**

Provision for Optional Fees

Section 7 of the Fishermen's Protective
Act of 1967 (Public Law 90-482; 22 U.S.C.

1977) authorized the Secretary of the Interior to set fees to be charged for the furnishing of a Guarantee Agreement. The Fishermen's Protective Act Procedures which became effective February 9, 1969, set fees which were based on loss data developed on an annual basis although there is less than half of a fiscal year available of the first fiscal year's coverage. In order to avoid the necessity for issuing two Guarantee Agreements within a period of 5 months with the consequent additional cost to the owners an optional fee is authorized covering the balance of the current fiscal year and the fiscal year ending June 30, 1970.

This amendment relates to matters which are exempt from the rule making requirements of the Administrative Procedures Act (5 U.S.C. 1003). Furthermore this amendment has the effect of relaxing previous restrictions and so should be made effective immediately. This amendment is hereby adopted and

will become effective on the date of its publication in the FEDERAL REGISTER.

Section 258.5 is hereby amended by relettering paragraph (d) as paragraph (e) and inserting a new paragraph (d) to read as follows:

§ 258.5 Fees.

(d) The fees to be paid by an applicant to cover a Guarantee Agreement executed during the fiscal year ending June 30, 1969, in the event said applicant desires to have the Guarantee Agreement extend through June 30, 1970, shall be as follows:

For each vessel \$90 plus \$2.40 per gross ton as listed on the vessel's documents. Fractions of a ton are not included.

H. E. CROWTHER,
*Director,
Bureau of Commercial Fisheries.*

[F.R. Doc. 69-2270; Filed, Feb. 24, 1969;
8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 52]

CANNED SPINACH

Standards for Grades; Extension of Time for Study and Comment

During the period of March 1, 1966, to January 1, 1969, three notices of proposed rule making relative to a revision of the U.S. Standards for Grades of Canned Spinach were published in the FEDERAL REGISTER (31 F.R. 3253; 32 F.R. 6848; and 33 F.R. 4335).

In consideration of a request by the Canners League of California a notice to further extend time for filing comments from January 1, 1969, until February 1, 1969, was published in the FEDERAL REGISTER of December 25, 1968 (33 F.R. 19251).

The Canners League of California has requested that time for study and comments pertaining to the proposal again be postponed until December 31, 1969. The reasons given for such postponement are:

(1) The 1968 spinach packing season was of relatively short duration and due to the high quality of the raw product canners were unable to effectively evaluate the new concept in standards (statistical attributes principle), particularly in the lower ranges of the grade classifications.

(2) There were sufficient questions raised by the canners relative to the definitions of color, extraneous plant material, defect classifications, and tolerances for stem material to warrant further tests.

In consideration of the foregoing reasons, notice is hereby given that time is extended until January 1, 1970, to study and comment on the notice of proposed rule making for the U.S. Standards for Grades of Canned Spinach as published in the FEDERAL REGISTER of March 8, 1968 (33 F.R. 4335), with the following addition to § 52.1909 *Classification of defects*:

§ 52.1909 Classification of defects.

(f) *Adversely affected*. With respect to color appearance, means the color of the product as a mass may be dull, and/or have a grayish or brownish cast or otherwise discolored. Damaged leaves or stems are not considered in the evaluation of the color factor.

Interested persons may file comments, concerning the proposed revision with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250. All

written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: February 19, 1969.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 69-2268; Filed Feb. 24, 1969; 8:48 a.m.]

[7 CFR Part 910]

[Docket No. AO-144-A11]

LEMONS GROWN IN CALIFORNIA AND ARIZONA

Withdrawal of Hearing Notice and Termination of Proceeding With Respect to Proposed Further Amendment of Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders (7 CFR Part 900), a notice setting forth proposals, a location, date, and time for a public hearing was published in the FEDERAL REGISTER (29 F.R. 3708) with respect to proposed amendment of the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona.

Subsequent to such publication, the Lemon Administrative Committee withdrew its proposals for amendment. Requests for an indefinite postponement of the hearing were received from two of the principal marketing organizations handling lemons which also had submitted proposals. The Department gave notice of postponement of the public hearing in the FEDERAL REGISTER (29 F.R. 4723).

Since the time of postponement, the principal handler of lemons has filed a request to withdraw its proposals. The Department has not received any request to proceed with the hearing. Also, significant changes have occurred in industry organizations as well as in conditions affecting the handling of lemons.

In view of the changed situation and the lapse of a substantial period of time since the proposals were submitted, it is concluded that no useful purpose would be served by further postponement of the hearing. Therefore, the notice of hearing (29 F.R. 3708), including postponement thereof (29 F.R. 4723), is hereby withdrawn and the proceeding terminated.

Done at Washington, D.C., this 19th day of February 1969.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 69-2269; Filed, Feb. 24, 1969; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[49 CFR Part 371]

[Docket No. 2-15; Notice 3]

MOTOR VEHICLE SAFETY STANDARD; CHILD SEATING SYSTEMS

Notice of Extension of Time To File Comments; Amendment

On January 24, 1969, the Federal Highway Administration published a notice of proposed rule making, proposing a new Motor Vehicle Safety Standard for Child Seating Systems (34 F.R. 1172). The notice provided that comments should be received by the close of business on February 21, 1969. The Federal Highway Administration has received requests that the time for filing comments be extended. Generally, the reasons given for requesting the extension are the complexity of the subject material covered and the amount of data and information needed to provide meaningful comments.

After consideration of the requests, it has been determined that an extension of time should be granted to all interested persons for filing comments on this docket. The time to file comments in response to this notice is extended to the close of business on April 25, 1969.

In addition, the Administrator is considering extending the application of the proposed standard from Child Seating Systems for use in passenger cars to Child Seating Systems for use in any type of motor vehicle. Therefore, all references to "passenger car(s)" or "car(s)" in the notice of proposed rule making are hereby changed to "motor vehicle(s)". In consonance with this change in application, the following additional changes in the notice of proposed rule making are made:

(1) In paragraph S4.1(f), the words, "manufactured before January 1, 1968" are deleted.

(2) In paragraph S4.3(b), the words, "in accordance with Federal Motor Vehicle Safety Standard No. 210," are deleted, and the words, "with anchorages that conform to paragraphs S4.2 and S4.3 of Federal Motor Vehicle Safety Standard No. 210" are substituted in their place.

Correction: In paragraph S4.5.2 of the notice, the words "requirements of S4.5.2" are changed to read "requirements of S4.5.1".

This notice of extension of time to file comments is issued under authority of sections 103, 112, and 119 of the National Traffic and Motor Vehicle Safety Act of 1966, 15 U.S.C. 1392, 1401, 1407, and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, 49 CFR 1.4(c).

Issued on February 18, 1969.

JOHN R. JAMIESON,
Deputy Federal
Highway Administrator.

[P.R. Doc. 69-2247; Filed, Feb. 24, 1969;
8:46 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 203]

[Docket No. 20745; EDR-156]

FOREIGN AIR TRANSPORTATION

Filing of Notice of Nonstop Service to or From South America

FEBRUARY 18, 1969.

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments to Part 203 of its rules of practice in economic proceedings (14 CFR Part 203) which would eliminate present requirements for the filing of notice of the inauguration of nonstop service to and from South America.

The principal features of the proposed amendment are further described in the explanatory statement set forth below, and the proposed amendments are set forth in the proposed rule. This regulation is proposed under the authority of sections 204(a), 401, and 402 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 49 U.S.C. 1324; 72 Stat. 754, as amended by 76 Stat. 143, 49 U.S.C. 1371, 72 Stat. 757, 49 U.S.C. 1372).

Interested persons may participate in this rule making proceeding through submission of twelve (12) copies of written data, views, and arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter in communications received on or before March 27, 1969, will be considered by the Board. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. Sections 203.3(b) and 203.4(a) (1) presently require the

filing of nonstop notices¹ with respect to the inauguration of nonstop service to or from a point in South America. Formerly, §§ 203.3 and 203.4 required the filing of nonstop notices with respect to all foreign air transportation. However, the requirement was removed, except as to nonstop service to or from South American points, in ER-330, adopted May 11, 1961. The Board retained the nonstop notice procedure with respect to South America essentially because this area was the only major transportation area whose service needs and competitive patterns had not been reviewed by the Board since the inception of competitive service, and the nature of the route structure was such as to magnify the competitive impact of nonstop service.

Since the Board has now recently reviewed the service needs and competitive patterns in the South American area,² there does not appear to be any further basis for requiring the filing of notice of the inauguration of nonstop service to and from this area alone. The proposed rule would therefore eliminate this requirement by deleting paragraph (b) of § 203.3 and subparagraph (1) of § 203.4 (a) and by appropriate amendment of the service and filing provisions of §§ 203.7 and 203.8, respectively. In addition, § 203.3(c), which presently contains an exception to the requirement for filing a nonstop notice under § 203.3(b), would be deleted, since it would become superfluous with the proposed deletion of § 203.3(b).

Proposed rule. It is proposed to amend Part 203 of the economic regulations (14 CFR Part 203) as follows:

1. Amend § 203.3 to read:

§ 203.3 Nonstop service.

The holder of a certificate may, subject to the provisions of section 405(b) of the Act, inaugurate scheduled nonstop service between any two points not consecutively named in its certificate or approved service plan (if such certificate or approved service plan authorizes service between such points and does not prohibit nonstop service between them) upon the effective date of a schedule page, showing nonstop service, filed with the Board in accordance with Part 231 of this chapter.

2. Amend 203.4 to read:

§ 203.4 Requirements of foreign countries.

(a) If at any time the holder of a certificate is required, in order to comply with any obligation, duty, or liability imposed by any foreign country (other than any obligation, duty, or liability

¹ Entitled "Notice of Nonstop Service in Foreign Air Transportation" and "Notice of Nonstop Service Required by Foreign Country," respectively.

² United States-Caribbean-South American Route Investigation (U.S.-Sou. America Part), Order 68-11-122, reconsideration denied, Order 69-1-84.

arising out of a contract or other agreement entered into between an air carrier or any officer, or representative thereof, and any foreign country, if such contract or agreement shall have been disapproved by the Board as being contrary to the public interest)—

(1) [Deleted]

(2) To add a stop at a point not named in the certificate, or not included in the approved service plan, and situated in such foreign country; or

(3) To change the terminal point in such foreign country;

such holder shall file with the Board written notice of such requirement.

(b) Such notice shall be filed within 20 days after the air carrier shall have been advised of such requirement, shall be conspicuously entitled "Notice of Additional Stop Required by Foreign Country" or "Notice of Terminal Change Required by Foreign Country", as the case may be, and shall fully set forth the facts and circumstances relating to such requirement. At the time such notice is filed with the Board, a copy thereof shall be served by the holder upon such persons as the Board may require. Such service may be inaugurated immediately upon the filing of such notice and may be continued unless and until the Board, after notice and public hearing, shall disapprove such service as being contrary to the public interest, or unless and until the Board shall find, after investigation, that such requirement of the foreign country is not in effect.

3. Amend § 203.7 to read in part as follows:

§ 203.7 Persons upon whom notice must be served.

A copy of each Application for Change in Approved Service Plan—Foreign Air Transportation, Airport Notice—Foreign Air Transportation, Notice of Additional Stop Required by Foreign Country, Notice of Terminal Change Required by Foreign Country, or application for permission to use an airport, as the case may be, filed with the Board pursuant to this part by the holder of a certificate of public convenience and necessity, shall be served upon the following:

(e) [Deleted]

4. Amend § 203.8(a) to read:

§ 203.8 Filing and service of documents; procedures thereon; petitions for reconsideration.

(a) *Number of copies and certificate of service.* An original and three copies of each Approved Service Plan—Foreign Air Transportation, Notice of Additional Stop Required by Foreign Country, Notice of Terminal Change Required by Foreign Country, and Airport Notice—Foreign Air Transportation, and an original and 19 copies of each application shall be filed with the Board, each setting forth the names and addresses of the

persons required to be served and stating that service has been made on all such persons by personal service or by registered or certified mail, and the date of such service. In the case of service by mail, the date of mailing shall be considered the date of service. Each copy of a notice or application served pursuant to this part shall state that such service is made pursuant to this part.

[F.R. Doc. 69-2261; Filed, Feb. 24, 1969; 8:47 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Part 504]

[Docket No. 69-6]

COLLECTION, COMPROMISE, AND TERMINATION OF ENFORCEMENT CLAIMS

Notice of Proposed Rule Making

Notice is hereby given that the Federal Maritime Commission is considering promulgating rules relating to the administrative collection, compromise, or termination of enforcement claims not exceeding \$20,000 which may arise under the provisions of the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933.

In July 1966, Congress enacted the Federal Claims Collection Act of 1966 which became effective on January 16, 1967. The purpose of the Act is to authorize heads of agencies, which is so defined as to include a "commission, board, or other group of individuals having the decision-making responsibility for the agency", to settle claims arising out of activities of the agency that do not exceed \$20,000. The agency may compromise any such claim, cause collection on any such claim to be terminated or suspended where it appears that no person liable for the claim has the present or prospective financial ability to pay significant sum thereon or the cost of collecting the claim is likely to exceed the amount of the recovery. One of the purposes of the Act is to minimize and lighten the burden of litigation of claims before the Federal courts.

Pursuant to the passage of the Act, the Comptroller General and the Attorney General have jointly issued detailed standards and procedures to be followed by federal agencies in connection with the assertion, settlement, or compromise of their civil claims. While the statute itself did not include the word "penalty", the regulations promulgated by the Justice Department and the General Accounting Office interpret the scope of the statute to include the collection of "statutory penalties". The interpretation placed on the statute by the Justice Department is significant in that it sponsored the bill and was the sole witness at the hearings.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5

U.S.C. 553) and section 3 of the Federal Claims Collection Act of 1966 (31 U.S.C. 951, et seq.) and in conformity with the Joint Regulations issued by the General Accounting Office and the Department of Justice (4 CFR Parts 101-105), a new part is proposed to be added to Title 46 CFR as follows:

PART 504—COLLECTION, COMPROMISE, AND TERMINATION OF ENFORCEMENT CLAIMS

Sec.

- 504.1 Incorporation by reference; scope.
- 504.2 Definitions.
- 504.3 Notice of claim and demand.
- 504.4 Settlement.
- 504.5 Payment of claims.

AUTHORITY: The provisions of this Part 504 issued under sec. 3, 80 Stat. 309; 31 U.S.C. 952.

§ 504.1 Incorporation by reference; scope.

The provisions of this part incorporate by this reference the Joint Regulations issued by the Comptroller General and the Attorney General of the United States under section 3 of the Federal Claims Collection Act of 1966 to prescribe standards for the administrative collection, compromise, or termination of agency collection action and supplement those regulations by the prescription of procedures necessary and appropriate for Federal Maritime Commission operations. The provisions of this part do not apply to any claim based on conduct violative of the antitrust laws or to any claim as to which there is an indication of fraud or misrepresentation: *Provided, however,* That matters submitted to the Department of Justice for consideration where there is an indication of fraud or misrepresentation may be returned to the Federal Maritime Commission for further handling in accordance with § 101.3 of the Joint Regulations.

§ 504.2 Definitions.

For the purposes of this part:

(a) "Enforcement claims" are all separate civil penalty or forfeiture claims not exceeding \$20,000 which may arise under sections 14b, 15, 18, and 21 of the Shipping Act, 1916, and the provisions of the Intercoastal Shipping Act, 1933.

(b) "Debtor" is any person, corporation, or other entity subject to civil penalties or forfeitures for violation of sections 14b, 15, 18, and 21 of the Shipping Act, 1916, and the provisions of the Intercoastal Shipping Act, 1933.

§ 504.3 Notice of claim and demand.

The administrative collection of enforcement claims will be commenced with the mailing of a letter of notice of claim and demand to the debtor. This letter shall inform the debtor of the statutory and factual basis for the claim, the amount of the claim, and the availability of Commission personnel for discussion of the claim should the debtor so desire. Where appropriate, the demand letter or letters shall further advise the

debtor that his failure to respond to the demand letter(s) or to settle the claim within a reasonable time may result in the Commission giving consideration to other courses of action, such as, but not limited to:

(a) Collection of the claim by offset where the debtor is receiving pay or compensation from the Federal Government or has obtained a judgment against the United States and where the amount of the claim is liquidated or certain in amount.

(b) Referral of the uncollected and unsettled claim to the Department of Justice for enforcement and prosecution.

§ 504.4 Settlement.

(a) Upon the debtor's agreement to settle a claim, he shall be provided with a Settlement Agreement Form (Appendix A), to be signed, in duplicate, and returned.¹ This form, after reciting the basis for the claim, will contain a statement evidencing the debtor's agreement to settlement of the claim for the amount set forth in the agreement and shall also embody an "Approval and Acceptance" provision. Upon final payment of the claim in the agreed amount, one copy of the Settlement Agreement shall be returned to the debtor with the "Approval and Acceptance" thereon signed by the General Counsel of the Commission.

(b) All correspondence, forms, or other instruments regarding the collection, compromise, or termination of any claim under this part should be addressed to the General Counsel, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573.

§ 504.5 Payment of claims.

Payment of claims by the debtor shall be made by:

(a) A bank cashier's check or other instrument acceptable to the Commission.

(b) Regular installments by check after the execution of a promissory note containing a confess-judgment agreement (Appendix B).¹

(c) A combination of the above offered alternatives.

All checks or other instruments submitted in payment of claims shall be made payable to "Federal Maritime Commission".

Interested persons may participate in this rulemaking proceeding by filing with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, prior to the close of business on March 26, 1969, an original and 15 copies of their views or comments pertaining to the proposed rule. Any suggestions for changes in the proposed rule should be supported by statements relating the proposed change to the purposes of the Federal Claims Collection Act of 1966 and the Joint Regulations of the General Accounting Office and the Department of Justice.

¹ Form of agreement filed as part of original document.

The Federal Maritime Commission, Bureau of Hearing Counsel, shall participate in the proceeding and shall file Reply to Comments prior to close of business on April 10, 1969, by serving an original and 15 copies on the Federal Maritime Commission and one copy to each party who filed comments. Answers to Hearing Counsel's replies shall be submitted to the Federal Maritime Commission prior to close of business on April 21, 1969.

By the Commission.

[SEAL]

THOMAS LISI,
Secretary.

[P.R. Doc. 69-2255; Filed, Feb. 24, 1969;
8:47 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[R 2048]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

FEBRUARY 13, 1969.

The Forest Service, U.S. Department of Agriculture has filed an application, Serial Number R 2048, for the withdrawal of lands described below from prospecting, location, entry, and purchase under the mining laws, subject to valid existing rights.

The lands have previously been withdrawn for the San Jacinto Forest Reserve by Presidential Proclamation of February 22, 1897, now the San Bernardino National Forest, and as such have been open to entry under the general mining laws.

The applicant desires the exclusion of mining activity to permit use of such lands for spring development, pipeline, water tank and a wildlife watering device, which use is incompatible with mineral development.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 University Avenue, Post Office Box 723, Riverside, Calif. 92502.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's need, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

SAN BERNARDINO MERIDIAN, CALIFORNIA

SAN BERNARDINO FOREST

Rarick Spring

T. 7 S., R. 5 E.,
Sec. 18, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Containing 5 acres in Riverside County,
Calif.

WALTER F. HOLMES,
Assistant Land Office Manager.

[F.R. Doc. 69-2238; Filed, Feb. 24, 1969;
8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration GENERAL AVIATION DISTRICT OFFICE AT MEMPHIS, TENN.

Notice of Redesignation

Notice is hereby given that on or about April 1, 1969, the General Aviation District Office at Memphis, Tenn., will be redesignated as a "Flight Standards District Office." Services to both general aviation and air carrier will be provided by this office. This information will be reflected in the FAA organization statement next time it is reissued.

(Sec. 313 (a), 72 Stat. 752; 49 U.S.C. 1354)

Issued in Atlanta, Ga., on January 27,
1969.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-2245; Filed, Feb. 24, 1969;
8:45 a.m.]

ADVISORY COUNCIL ON HISTORIC PRESERVATION

NATIONAL REGISTER OF HISTORIC PLACES

CROSS REFERENCE: For a document regarding the National Register of Historic Places, see F.R. Doc. 69-2081, Department of the Interior, National Park Service, Part II of this issue, *infra*.

ATOMIC ENERGY COMMISSION

[Docket No. 50-197]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Notice of Issuance of Amended Facility License

The Atomic Energy Commission has issued, effective as of the date of issuance,

Amendment No. 1, set forth below, to Facility License CX-21. The amendment authorizes the National Aeronautics and Space Administration to partially disassemble the Zero Power Reactor II, and to possess, but not to operate, the disassembled reactor.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment see (1) the related Safety Evaluation prepared by the Division of Reactor Licensing, and (2) the licensee's application for license amendment dated November 21, 1968, which are available for public inspection at the Public Document Room, 1717 H Street NW., Washington, D.C. A copy of the Safety Evaluation may be obtained at the Commission's Public Document Room, or upon request, addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 17th day of February 1969.

For the Atomic Energy Commission.

DENNIS L. ZIEMANN,
Acting Assistant Director for
Reactor Operations, Division
of Reactor Licensing.

AMENDED FACILITY LICENSE

[License CX-21, Amdt. 1]

The Atomic Energy Commission ("the Commission") having found that:

A. The application dated November 21, 1968, for license amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

B. There is reasonable assurance that the reactor can be disassembled and stored at the designated location without endangering the health and safety of the public;

C. The issuance of an amendment authorizing disassembly, possession, and storage of the ZPR-II reactor in the NASA Zero Power Reactor Facility will not be inimical to the common defense and security or to the health and safety of the public; and

D. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated.

License No. CX-21 is amended in its entirety to read as follows:

1. This license applies to the solution-type critical experiments facility designated as Zero Power Reactor II (ZPR-II) (hereinafter referred to as "the reactor"), which is owned by the National Aeronautics and Space Administration and located at the Lewis Research Center in Cleveland, Ohio, and described in the application dated April 23, 1961, and supplements thereto, including supplement dated November 21, 1963 (hereinafter "the application").

2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses the National Aeronautics and Space Administration:

A. Pursuant to section 104c of the Atomic Energy Act of 1954, as amended (hereinafter "the Act"), and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities," to possess, but not to operate, the disassembled reactor;

B. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material," to possess and store up to 53.0 kilograms of contained uranium-235 formerly used in connection with operation of the reactor; and

C. Pursuant to the Act and Title 10, CFR, Chapter I, Part 30, "Rules of General Applicability to Licensing of Byproduct Material," to possess, but not to separate, such byproduct material as may have been produced by operation of the reactor.

3. This license shall be deemed to contain and be subject to the conditions specified in Part 20, § 30.34 of Part 30, §§ 50.54 and 50.59 of Part 50, and § 70.32 of Part 70 of the Commission's regulations, and to be subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. The licensee may partially disassemble the reactor as described in application for amendment dated November 21, 1963.

B. The licensee shall not reassemble the reactor without prior approval of the Commission.

C. In addition to those required by applicable AEC regulations, including § 20.401 of 10 CFR Part 20, the licensee shall keep the following records:

1. Records showing radioactivity released or discharged into the air or water beyond the effective control of the licensee as measured at the point of such release or discharge.

2. Records of surveys of radioactivity levels of the disassembled reactor.

D. In addition to reports otherwise required by applicable AEC regulations, the licensee shall submit a report of any indication or occurrence of a possible unsafe condition relating to the facility or to the public. For each occurrence, the licensee shall promptly notify by telephone or telegram the Director of the appropriate AEC Regional Compliance Office listed in Appendix D of 10 CFR Part 20 and shall submit within 10 days a report in writing to the Director, Division of Reactor Licensing, with a copy to the Regional Compliance Office.

E. This license is effective as of the date of issuance and shall expire at midnight, April 13, 1972.

Date of issuance: February 17, 1969.

For the Atomic Energy Commission.

DENNIS L. ZIEMANN,
Acting Assistant Director for Re-
actor Operations, Division of Re-
actor Licensing.

[F.R. Doc. 69-2231; Filed, Feb. 24, 1969;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18388]

FLYING TIGER ADDITIONAL POINTS

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on May 5, 1969, at 10 a.m., e.d.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Merritt Ruhlen.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on November 19, 1968, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., February 18, 1969.

[SEAL]

MERRITT RUHLEN,
Hearing Examiner.

[F.R. Doc. 69-2262; Filed, Feb. 24, 1969;
8:47 a.m.]

[Docket No. 20728]

LINEA AEREA NACIONAL—CHILE (LAN)

Notice of Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on March 10, 1969, at 10 a.m., e.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner John E. Faulk.

Notice is also given that hearing on the application 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., February 19, 1969.

[SEAL]

THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 69-2263; Filed, Feb. 24, 1969;
8:47 a.m.]

[Docket No. 20541]

TRANSPORTES AEREOS DE CARGA, S.A. (TRANSCARGA)

Notice of Postponement of Hearing

Notice is hereby given that the hearing in the above-entitled proceeding has been indefinitely postponed.

Dated at Washington, D.C., February 18, 1969.

[SEAL]

JOHN E. FAULK,
Hearing Examiner.

[F.R. Doc. 69-2264; Filed, Feb. 24, 1969;
8:48 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 65-46]

TRUCK LOADING AND UNLOADING RATES AT NEW YORK HARBOR

Third Supplemental Order

On December 14, 1965, the Commission instituted an investigation into the level of truck loading and unloading rates at New York Harbor charged by the New York Terminal Conference, an association of marine terminal operators organized under approved Federal Maritime Commission Agreement No. 8005. On November 22, 1968, the Commission expanded the investigation to include a 23 percent rate increase published in the New York Terminal Conference Truck Loading and Unloading Tariff No. 7, FMC-T No. 8.

Among other issues set forth in the Commission's original order was that pertaining to the reasonableness of the Terminal Conference's regulations and practices in connection with the published rates. Since the commencement of this investigation the Conference has constructed a statement purporting to measure the costs of performing the subject truck loading and unloading service.

In the New York Terminal Conference Truck Loading and Unloading Tariff No. 7 the service is defined as follows:

Truck Loading—shall mean the service of moving cargo from a place of rest on the terminal facility, elevating the cargo onto the truck and stowing of the cargo in the truck, but shall not include, among other things, special stowage, sorting, or grading of, or otherwise selecting, the cargo for the convenience of the trucker or the consignee, nor the loading of cargo onto consignee's pallets.

Truck Unloading—1. When the participating member performs truck unloading, such service shall consist of removing cargo from the body of the truck to a place of rest on the terminal facility designated by the participating member, and shall include sorting by port. Truck unloading shall be performed by the participating member at the request of the motor carrier.

2. When the motor carrier's employees perform the unloading service, it shall include the removing of cargo from the body of the truck to a place of rest on the terminal facility adjacent to truck tailgate, as designated by the participating member. Motor carrier's employees shall be required to tier cargo to the height specified by the participating member but in no event shall they be required to tier cargo more than six (6) feet high.

The Conference, in constructing a statement based upon the quoted definition of the service, might have improperly allocated costs to cargo interests rather than to ocean carriers. It is apparent that a determination of the reasonableness of the subject rates on the basis of costs will depend to a large extent on the validity of these allocations and that it is in the public interest for the Commission to determine what is a reasonable method of cost allocation to insure proper rate-making practices for the future. It also appears that an expedited determination

of these matters apart from the other issues set forth in the Commission's earlier orders of investigation will assist in bringing the proceeding to an orderly conclusion.

Now therefore, it is ordered, That the investigation specifically determine whether the implementation of the definition of the truck loading and unloading service as quoted above by the New York Terminal Conference constitutes a just and reasonable practice within the meaning of section 17 of the Shipping Act, 1916; and whether the utilization of any method of cost accounting or allocation based upon such a definition distributes costs between cargo interests and ocean carriers in a just and reasonable manner within the meaning of section 17;

It is further ordered, That these issues be severed from those already in the proceeding for expedited hearing and the issuance of an early decision;

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and copy of such order be served upon all parties in this proceeding;

It is further ordered, That persons other than those already party to this proceeding who wish to participate therein shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, promptly with copy to parties of record; and

It is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing, shall be mailed directly to all parties of record.

By the Commission.

[SEAL]

THOMAS LISI,
Secretary.

[F.R. Doc. 69-2256; Filed, Feb. 24, 1969;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RP69-22]

CASCADE NATURAL GAS CORP.

Notice of Petition for Investigation of Rates

FEBRUARY 17, 1969.

Notice is hereby given that Cascade Natural Gas Corp. (Cascade) on February 7, 1969, filed a petition requesting the Commission, on its own motion, investigate the lawfulness and reasonableness of the rates and charges set out in its FPC Gas Rate Schedule No. 1, and the lawfulness of certain other terms and conditions contained in that rate schedule. Cascade alleges that rate levels are so low as to adversely affect the public interest, impair the financial ability of the Corporation to continue or to expand its service, cast upon other consumers an excessive burden, and is therefore unjust, unlawful, unreasonable, unduly discriminatory, confiscatory, and contrary to the public interest and

further, that certain other provisions in Rate Schedule No. 1 are also unjust, unlawful, unduly discriminatory, in restraint of trade and illegal, and contrary to the public interest.

Cascade requests that a hearing be held on these matters and that to the extent that the Commission finds the rate levels to be too low that the Commission by order permit the filing of just and reasonable rates and to the extent that the Commission finds other terms and conditions unlawful or otherwise contrary to the Natural Gas Act, that they be declared inoperative, and of no force and effect.

Comments thereon, protests, petitions or notices to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, pursuant to the Commission's rules of practice and procedure on or before March 14, 1969.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2232; Filed, Feb. 24, 1969;
8:45 a.m.]

[Docket No. CP69-216]

FLORIDA GAS TRANSMISSION CO.

Notice of Application

FEBRUARY 14, 1969.

Take notice that on February 10, 1969, Florida Gas Transmission Co. (Applicant), Post Office Box 44, Winter Park, Fla., filed in Docket No. CP69-216 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities to sell and deliver natural gas to an industrial plant near Sweetwater in Dade County, Fla., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate approximately 7.5 miles of 8-inch O.D. pipeline with metering and regulating facilities, from its existing 18-inch main pipeline in Dade County, Fla., to the plant of Lehigh Portland Cement Co. near Sweetwater. Applicant states the gas will be used for direct drying of portland cement.

Applicant estimates the maximum deliveries through the proposed facilities will be 8,640 million B.t.u. daily and 2,850 billion B.t.u. annually.

Total estimated cost of the above facilities is \$399,000, to be financed out of funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before March 14, 1969.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on

this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2233; Filed, Feb. 24, 1969;
8:45 a.m.]

[Docket No. RI69-542, etc.]

GETTY OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

FEBRUARY 14, 1969.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before April 2, 1969.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

¹ Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-542	Getty Oil Co. (Operator) et al., Post Office Box 1404, Houston, Tex. 77001, Attention: Mr. A. M. Mouser.	104	17	El Paso Natural Gas Co. (San Juan Basin, Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	\$11,511	1-16-69	2-16-69	7-16-69	13.05363	14.05775	RI65-2.
RI69-543	do	134	5	do	479	1-16-69	2-16-69	7-16-69	13.0	14.0	

¹ The stated effective date is the effective date requested by Respondent.

² Periodic rate increase.

³ Pressure base is 15,025 p.s.i.a.

⁴ Applicable to high pressure base only.

⁵ Excludes 1 cent per Mcf minimum liquid guarantee.

⁶ Includes partial reimbursement for 0.55 percent New Mexico Emergency School Tax.

Getty Oil Co. (Operator) et al., and Getty Oil Co.'s proposed increased rates and charges exceed the applicable area price level of 13 cents per Mcf for increased rates in the San Juan Basin Area as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56), and should be suspended for five months from February 16, 1969, as ordered herein.

The basic contract related to the proposed rate increase filed by Getty Oil Co. (Operator) et al., contains a 1 cent per Mcf minimum guarantee for liquids provision but this 1 cent has been excluded from the proposed rate. Getty is advised that a notice of change in rate will be required if it intends to collect the 1 cent per Mcf minimum guarantee for liquids in the future. See the Commission's order issued December 7, 1967, in Docket No. RI64-491 et al., Union Texas Petroleum, a division of Allied Chemical Corp. (Operator) et al.

[F.R. Doc. 69-2234; Filed, Feb. 24, 1969; 8:45 a.m.]

[Docket Nos. RP69-16—RP69-18]

MANUFACTURERS LIGHT AND HEAT CO. ET AL.

Order Amending Hearing Procedures and Providing for Consolidated Hearing on Rate of Return

FEBRUARY 17, 1969.

The Manufacturers Light and Heat Co., Docket No. RP69-16; Home Gas Co., Docket No. RP69-17; The Ohio Fuel Gas Co., Docket No. RP69-18.

The Commission, on February 4, 1969, provided for hearings on February 18, 1969, suspended the proposed increased rates tendered for filing by the Respondents in each of the captioned proceedings. Each of the Respondents is a subsidiary of the Columbia Gas System, Inc. In support of their respective increased rates each of the Respondents contend, among other things, that they are entitled to a 7.5 percent rate of return, and they have submitted identical witnesses, testimony, and exhibits in support of the claimed rate of return. These exhibits include cost of capital studies based upon the capitalization of Columbia Gas System, Inc.

Accordingly, it is appropriate that the hearings presently scheduled in these three proceedings for February 18, 1969, be held in joint session before Presiding

Examiner Allen C. Lande (as designated by the Chief Examiner) and that the question whether the rate of return issue shall be tried as Phase I of these dockets be determined by that Presiding Examiner. It is our further view that the rate of return issue in these dockets should be consolidated for hearing and decision.

The Commission orders:

(A) The hearings scheduled to be held on February 18, 1969, in these dockets shall be held on a joint basis for the purpose of carrying out the provisions of paragraphs (C) and (D) of the respective orders issued February 4, 1969.

(B) The issue of rate of return in each of the above captioned proceedings is hereby consolidated for hearing and decision.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2235; Filed, Feb. 24, 1969; 8:45 a.m.]

[Docket No. RI69-541]

MARATHON OIL CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

FEBRUARY 14, 1969.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act particularly sections 4 and 15, the regula-

tions pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.¹

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before April 2, 1969.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

¹ If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI69-541	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840.	25	10	El Paso Natural Gas Co. (Jicarilla Area, San Juan Basin, Rio Arriba County, N. Mex.) (San Juan Basin Area).	\$307 158	1-16-69	*2-16-69	*2-17-69	13.0	13.0636	13.0
									13.0	13.2486	

* The stated effective date is the effective date requested by Respondent.
 * The suspension period is limited to 1 day.
 * Tax reimbursement increase.
 * Pressure base is 15.025 p.s.i.a.
 * Applicable to gas subject to Emergency School Tax prior to Apr. 1, 1963.

* Includes partial reimbursement for 0.55 percent New Mexico Emergency School Tax.
 * Includes partial reimbursement for full 2.55 percent New Mexico Emergency School Tax.
 * Applicable to gas exempt from the Emergency School Tax prior to Apr. 1, 1963.

Marathon Oil Co.'s (Marathon) proposed 13.2486 cents per Mcf rate increase reflects partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax which was increased on April 1, 1963. The buyer, El Paso Natural Gas Co. (El Paso), in accordance with its policy of protesting tax filings proposing reimbursement for the New Mexico Emergency School Tax in excess of 0.55 percent, is expected to file a protest to this rate increase. El Paso questions the right of the producer under the tax reimbursement clause to file a rate increase reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher rate of at least 0.55 percent, it claims there is controversy as to whether or not the new legislation effected an increase in excess of 0.55 percent. In view of the contractual problem presented, we shall provide that the hearing herein shall concern itself with the contractual basis for the rate filing, as well as the statutory lawfulness of Marathon's proposed increased rates and charges.

The tax reimbursement increases submitted by Marathon exceed the applicable area rate ceiling for the San Juan Basin Area only by such tax reimbursement. In this situation, we conclude that Marathon's proposed rate increases should be suspended for 1 day from February 16, 1969, the proposed effective date, as ordered herein.

[F.R. Doc. 69-2236; Filed, Feb. 24, 1969; 8:45 a.m.]

[Docket Nos. RI69-329, RI69-330]

UNION PRODUCING CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund; Correction

FEBRUARY 7, 1969.

In the order providing for hearings on and suspension of proposed changes in rates, and allowing rate changes to become effective subject to refund, issued December 24, 1968, and published in the FEDERAL REGISTER January 6, 1969 (34 F.R. 169), on page 2, paragraph (D), 4th line after the word "before" insert "February 28, 1969." In Appendix "A", page 3, Docket No. RI69-330, under column headed "Effective Date Unless Suspended" change "12/27/68" to read "12/31/68," and under column headed "Date Suspended Until" change "12/28/68" to read "1/1/69."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-2237; Filed, Feb. 24, 1969; 8:45 a.m.]

OFFICE OF EMERGENCY PREPAREDNESS

ARKANSAS

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, Public Law 87-296, and Public Law 90-608; by virtue of the Act of September 30, 1950, entitled "An Act to authorized Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated February 15, 1969, reading in part as follows:

I have determined that the damage in various areas of the State of Arkansas adversely affected by severe storms and flooding, beginning on or about January 28, 1969, is of sufficient severity and magnitude as to warrant a major disaster declaration under Public Law 81-875.

I do hereby determine the following areas in the State of Arkansas to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of February 15, 1969:

The Counties of:

Baxter.	Lonoke.
Benton.	Madison.
Boone.	Marion.
Clay.	Montgomery.
Conway.	Newton.
Craighead.	Perry.
Cross.	Poinsett.
Faulkner.	Pike.
Fulton.	Prairie.
Greene.	Randolph.
Howard.	St. Francis.
Independence.	Searcy.
Izard.	Sharp.
Jackson.	Stone.
Lawrence.	Woodruff.
Logan.	Yell.

Dated: February 19, 1969.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[F.R. Doc. 69-2259; Filed, Feb. 24, 1969; 8:47 a.m.]

CALIFORNIA

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of California, dated January 28, 1969, and published February 1, 1969 (34 F.R. 1620), and amended February 5, 1969, February 8, 1969, and February 13, 1969, is hereby further amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of January 26, 1969:

Plumas. Yuba.
Tehama.

Dated: February 19, 1969.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[F.R. Doc. 69-2260; Filed, Feb. 24, 1969; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

DUMONT CORP.

Order Suspending Trading

FEBRUARY, 18, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the class A and class B Common Stock of Dumont Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 19, 1969, through February 28, 1969, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-2239; Filed, Feb. 24, 1969; 8:45 a.m.]

[812-2460]

FINANCIAL VENTURE FUND, INC.**Notice of Filing of Application for Exemption**

FEBRUARY 18, 1969.

Notice is hereby given that Financial Venture Fund, Inc. ("Applicant"), 900 Grant Street, Denver, Colo. 80201, a Colorado corporation registered under the Investment Company Act of 1940 ("Act") as an open-end diversified management investment company, has filed an application for an order pursuant to section 6(c) of the Act to exempt from the provisions of section 18(d) of the Act certain transactions proposed in connection with the offering of its shares to the public. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Applicant proposes to make a public offering of its shares of Common Stock, \$1 par value, through a group of underwriters represented by Goodbody & Co., Shearson, Hammill & Co., Inc., E. F. Hutton & Co., Inc., and Dempsey-Tegeler & Co., Inc., and has filed a registration statement covering these shares under the Securities Act of 1933. The underwriters propose to purchase 5 million shares of Stock from the Applicant at a price of \$9.15 per share and will reoffer the stock to the public at a maximum price of \$10 per share.

Each share of Applicant purchased during the original public offering will have a special subscription right to purchase one additional share of Applicant. This right will not be severable from a share and transfer of a share will also transfer the right. Subscription rights will be canceled upon redemption of shares. The rights may be exercised beginning April 1, 1969, until 4:30 p.m., Denver time on March 31, 1971, at which time all rights not previously exercised or canceled by redemption will expire. The rights will be exercisable in 10-share lots at a subscription right offering price (per share net asset value plus sales charge) calculated at least once daily as of the close of trading on the New York Stock Exchange and effective at that time. Purchases will be confirmed at the next effective price after receipt of the notice of exercise. In order to provide for the exercise of the rights, Applicant proposes to enter into a distributor's contract with Financial Programs, Inc. ("Programs"), who will also act as Applicant's investment manager and adviser. Pursuant to this contract Programs will bear all expenses incidental to the rights offering in consideration for which it would receive a sales charge ranging from 8.5 percent on amounts less than \$12,000 to 1 percent on amounts of \$15,000 or more, which amounts are determined by adding the cost of shares previously purchased (excluding shares purchased through reinvestment) and still owned, to the cost of shares being purchased by exercise of rights. These sales charges would be applicable to the exercise of rights by a

corporation, an individual or to an individual, his spouse and their children under the age of 21, or a trustee, guardian or other like fiduciary of a single trust, estate or single fiduciary account. Adviser may reallocate a portion of the sales charge as a discount to brokers or dealers and will retain the balance itself.

No other shares of Applicant will be issued during this period except through reinvestment of dividend income and capital gains distributions at net asset value. Shares purchased through the exercise of subscription rights or through reinvestment of distributions will not have subscription rights. Subsequent to the expiration of the rights no additional shares of Applicant will be issued except through reinvestment of distributions as above without first obtaining shareholder approval.

Section 18(d) of the Act, insofar as here pertinent, prohibits Applicant, a registered investment company, from issuing any warrant or right to subscribe to or purchase a security of which Applicant is the issuer unless it expires in less than 120 days and is issued exclusively and ratably to applicant's security holders.

Section 6(c) of the Act provides that the Commission, by order upon application, may exempt any person, security or transaction from any provision of the Act or from any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant requests an exemption from section 18(d) to permit the proposed issuance of the special purchase rights. Such rights will be nontransferable alone and may be exercised without any resultant dilution of the interests of stockholders.

Notice is further given that any interested person may, not later than February 28, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DUBOIS,
Secretary.[F.R. Doc. 69-2240; Filed, Feb. 24, 1969;
8:45 a.m.]**MAJESTIC CAPITAL CORP.****Order Suspending Trading**

FEBRUARY 18, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Majestic Capital Corp., Encino, Calif., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 19, 1969, through February 28, 1969, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.[F.R. Doc. 69-2241; Filed, Feb. 24, 1969;
8:46 a.m.]**SMALL BUSINESS
ADMINISTRATION**

[Declaration of Disaster Loan Area 696]

ALASKA**Declaration of Disaster Loan Area**

Whereas, it has been reported that during the month of January 1969, because of the effects of certain disasters, damage resulted to residences and business property located along the Kenai River, affecting the Settlements of Soldotna, Ridgeway, and Sterling, in the State of Alaska;

Whereas, the Small Business Administration has investigated and received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Acting Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms

whose property, situated in the afore-said Settlements, and areas adjacent thereto, suffered damage or destruction resulting from floods occurring on or about January 19, 1969.

OFFICE

Small Business Administration Regional Office, 632 Sixth Avenue, Anchorage, Alaska 99501.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to August 31, 1969.

Dated: February 13, 1969.

HOWARD GREENBERG,
Acting Administrator.

[F.R. Doc. 69-2242; Filed, Feb. 24, 1969;
8:46 a.m.]

[Declaration of Disaster Loan Area 697]

TEXAS

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of February 1969, because of the effects of certain disasters, damage resulted to residences and business property located in the counties of Harris and Galveston in the State of Texas;

Whereas, the Small Business Administration has investigated and received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Acting Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid counties, and areas adjacent thereto, suffered damage or destruction resulting from floods occurring on February 14, 1969.

OFFICE

Small Business Administration Regional Office, 808 Travis Street, Houston, Tex. 77002.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to August 31, 1969.

Dated: February 17, 1969.

HOWARD GREENBERG,
Acting Administrator.

[F.R. Doc. 69-2253; Filed, Feb. 24, 1969;
8:46 a.m.]

[Declaration of Disaster Loan Area 698]

TEXAS

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of February 1969, be-

cause of the effects of certain disasters, damage resulted to residences and business property located in San Patricio County, Tex.;

Whereas, the Small Business Administration has investigated and received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Acting Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid county, and areas adjacent thereto, suffered damage or destruction resulting from floods occurring on February 14, 1969.

OFFICE

Small Business Administration Regional Office, 301 Broadway, San Antonio, Tex. 78205.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to August 31, 1969.

Dated: February 17, 1969.

HOWARD GREENBERG,
Acting Administrator.

[F.R. Doc. 69-2243; Filed, Feb. 24, 1969;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 299]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 19, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70376. By order of February 18, 1969, the Motor Carrier Board approved the transfer to McDaniel Motor Express, Inc., Lexington, Ky., of the operating rights in certificate No. MC-40647 and those evidenced by certificate of registration No. MC-40647 (Sub-No. 4), issued February 9, 1961 and April 14, 1965, respectively, the certificate author-

izing the transportation of general commodities, with the usual exceptions, between North Middletown, Ky., and Lexington, Ky., serving all intermediate points and the off-route points of Austerlitz, Plum, Clintonville, and Little Rock, Ky., and the certificate of registration evidencing a right to engage in transportation corresponding in scope to the authority granted in Kentucky certificate No. 347 dated September 6, 1961. George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601, attorney for applicants.

No. MC-FC-70535. By order of February 18, 1969, the Motor Carrier Board, on reconsideration, approved the transfer to R. B. Duncan and R. B. Duncan, Jr., a partnership, doing business as R. B. Duncan & Son, Route 1, Box 19, Buckeye, Ariz. 85326, of the certificate of registration in No. MC-121070 (Sub-No. 1) issued November 10, 1965, to O K Transportation Co., Inc., 806 West Madison, Phoenix, Ariz. 85025, evidencing a right of the holder to engage in transportation in interstate or foreign commerce corresponding in scope to the grant of authority in certificate No. 3853 issued by the Arizona Corporation Commission and involving the transportation of farm products and heavy machinery within the State of Arizona.

No. MC-FC-70976. By order of February 12, 1969, the Motor Carrier Board approved the transfer to Gator Freightways, Inc., Jacksonville, Fla., of certificate of registration in No. MC-121569 (Sub-No. 1), issued October 6, 1967, to George E. Paris and Lillian L. Paris, a partnership, doing business as Beach Trucking Co., Neptune Beach, Fla., authorizing the transportation of: General commodities with certain exceptions, between specified points in Florida. J. Edward Allen, Post Office Box 1086, Jacksonville, Fla. 32201, attorney for applicants.

No. MC-FC-70977. By order of February 12, 1969, the Motor Carrier Board approved the transfer to Fanelli Brothers Trucking Co., a corporation, Pottsville, Pa., the operating rights in certificate No. MC-87717 issued August 9, 1965, to Victoria Bevan, Flemington, N.J., authorizing the transportation of: Malt beverages, and related matter, between points in Pennsylvania, Maryland, Ohio, Virginia, West Virginia, Delaware, New Jersey, New York, and the District of Columbia. Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101, attorney for applicants.

No. MC-FC-71000. By order of February 12, 1969, the Motor Carrier Board approved the transfer to John F. Meiske, Jr., doing business as Meiske Trucking, Hartley, Iowa, of certificate No. MC-96529, issued March 13, 1945, to R. M. Ennis, Hartley, Iowa, authorizing the transportation of livestock from Hartley, Iowa, and points and places in Iowa within 25 miles of Hartley, to Sioux Falls, S. Dak., Albert Lea, and Austin, Minn., and from points and places over certain designate highways in Minnesota, South Dakota, and Nebraska to Hartley, Iowa, grain from points and places in Minnesota within 60 miles of Hartley, Iowa, and

from points and places over certain designate highways in South Dakota to Hartley, Iowa, and points and places in Iowa within 25 miles of Hartley. Emigrant movables between points and places in Iowa within 25 miles of Hartley, Iowa, on the one hand, and, on the other, points and places over certain designate highways in Minnesota, South Dakota, and Nebraska.

No. MC-FC-71113. By order of February 11, 1969, the Motor Carrier Board approved the transfer to All Express, Inc., Pittsburgh, Pa., a portion of certificate No. MC-52966, issued April 15, 1958, to Ray Thomas Transfer and Storage, Inc., Fairmont, W. Va., authorizing

the transportation of: Heavy commodities, requiring special equipment, between Pittsburgh, Pa., and points in West Virginia, serving intermediate points between Pittsburgh, and the Pennsylvania-West Virginia State line, and off-route points within 20 miles of Pittsburgh, over specified highways; and between Clarksburg, W. Va., and points within 50 miles of Clarksburg, on the one hand, and, on the other, points in Pennsylvania west of U.S. Highway 15, and those in Ohio; and household goods, as defined by the Commission, between points in Monongalia, Marion, Taylor, and Harrison Counties, W. Va.,

on the one hand, and, on the other, points in Ohio, Kentucky, Delaware, Illinois, Indiana, Maryland, New Jersey, New York, Pennsylvania, and Virginia; and between Clarksburg, W. Va., and points within 30 miles of Clarksburg, on the one hand, and, on the other, points in Ohio, Pennsylvania, Virginia, Maryland, New York, New Jersey, and the District of Columbia. A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

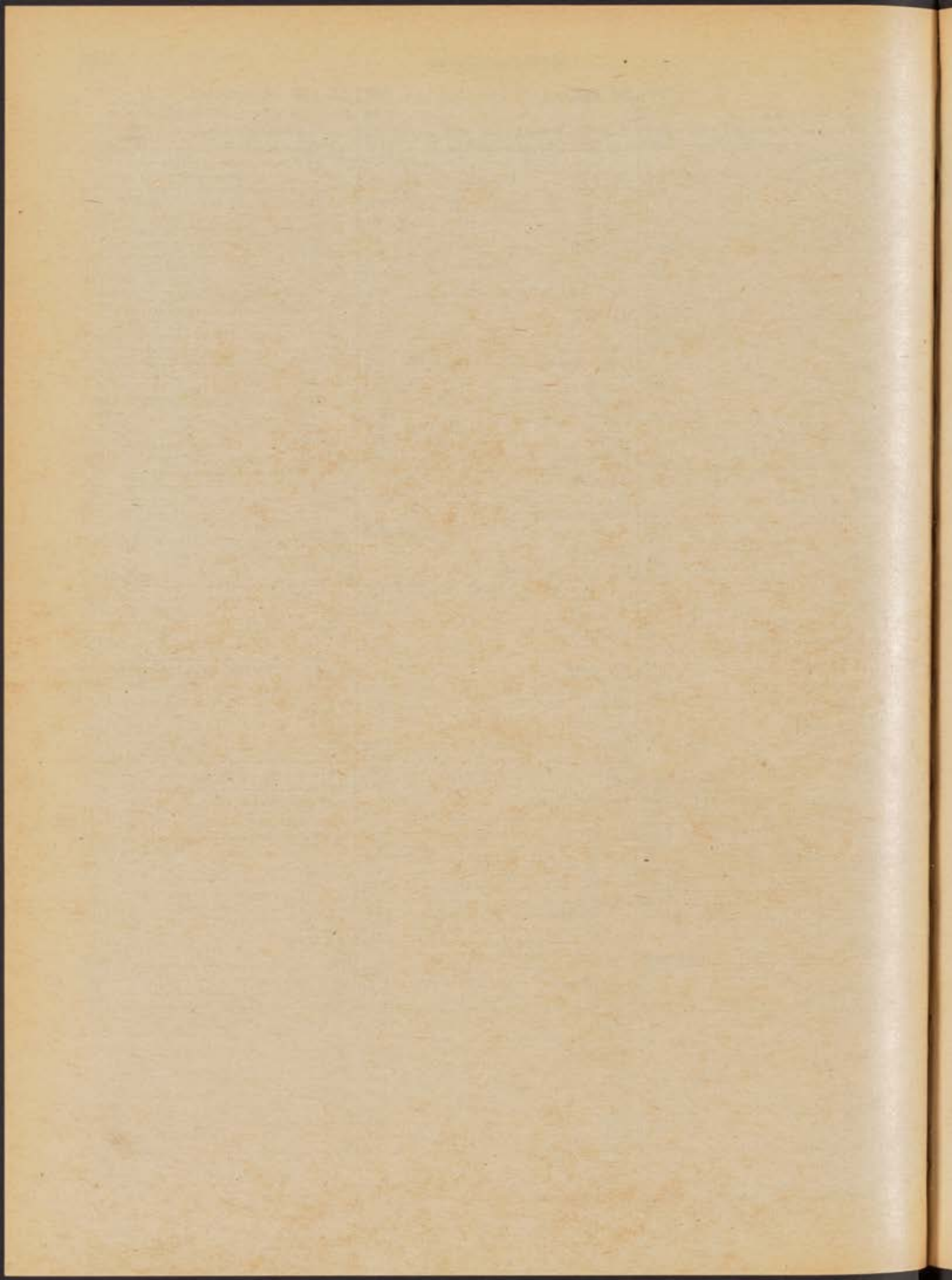
[F.R. Doc. 69-2257; Filed, Feb. 24, 1969;
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FEDERAL REGISTER

VOLUME 34 • NUMBER 37

Tuesday, February 25, 1969 • Washington, D.C.

PART II

Department of the Interior
National Park Service

National Register of Historic Places



DEPARTMENT OF THE INTERIOR

National Park Service

NATIONAL REGISTER OF HISTORIC PLACES

Pursuant to the National Historic Preservation Act of 1966 (80 Stat. 915; 16 U.S.C. 470) the Advisory Council on Historic Preservation and the National Park Service, Department of the Interior have undertaken steps to implement the purposes of that act through (1) expansion of the National Register of Historic Places, (2) initiating a program of grants-in-aid for historic preservation, and (3) adoption of procedures and criteria for furthering the Nation's historic preservation program. In addition, the role and functions of the Advisory Council on Historic Preservation have been more clearly defined.

It is the purpose of this notice, through publication of the following information and materials, to apprise the public, as well as governmental agencies, associations, and all other organizations and individuals interested in historic preservation of the implementing actions that have been taken in order that there will be a greater awareness of the means by which properties of State and local historical significance may be nominated for placement in the National Register, of the criteria used in evaluating the properties, and of the responsibilities exercised by the Advisory Council. The notice includes a list of the properties presently included in the National Register of Historic Places. Amendments and revisions of that list will be published in the FEDERAL REGISTER from time to time.

HARTHON L. BILL,
Acting Director, National Park
Service, and Executive Direc-
tor, Advisory Council on His-
toric Preservation.

THE NATIONAL HISTORIC PRESERVATION ACT

I. THE NATIONAL REGISTER OF HISTORIC PLACES AND PROCEDURES FOR REGISTRATION

A. *Introduction.* In the National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470, the Congress found and declared:

(a) That the spirit and direction of the Nation are founded upon and reflected in its historic past;

(b) That the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people.

(c) That, in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) That, although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Gov-

ernment to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

In order to accomplish these purposes, the National Historic Preservation Act provided for three significant innovations: An expanded National Register of Historic Places, a program of grants-in-aid for historic preservation, and an Advisory Council on Historic Preservation empowered to comment upon all undertakings licensed, assisted, or carried out by the Federal Government that have an effect upon properties in the National Register.

Official notice is hereby given to the public and government agencies of the opportunities and restrictions provided by the National Historic Preservation Act. Detailed administrative procedures for the program may be found in the manual "Grants For Historic Preservation: A Guide For State Participation" (U.S. Department of the Interior, National Park Service, Washington, D.C.), which will be available for purchase from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C.

B. *Expanding the National Register of Historic Places.* The Act authorizes the Secretary of the Interior to expand and maintain a National Register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture. Previously, the National Register included only nationally significant properties that are historical or archeological units of the National Park System or that have been declared eligible for designation as National Historic Landmarks. Because they must meet exacting criteria of national significance, such properties are few in number. The National Historic Preservation Act of 1966 provides a means for States to nominate properties of State and local significance for placement in the National Register.

The following officials have been designated by their Governors to act as State Liaison Officers responsible for State activities under the National Historic Preservation Act:

STATE LIAISON OFFICERS

ALABAMA

Chairman, Alabama Historical Commission, State Department of Archives and History, 624 Washington Avenue, Montgomery, Ala. 36104.

ALASKA

Chief, Parks and Recreation, Department of Natural Resources, Division of Lands, 344 Sixth Avenue, Anchorage, Alaska 99501.

ARIZONA

Director, State Parks Board, Phoenix, Ariz. 85021.

ARKANSAS

Director, Arkansas Planning Commission, Little Rock, Ark. 72201.

CALIFORNIA

Director, Department of Parks and Recreation, State Resources Agency, Post Office Box 2390, Sacramento, Calif. 95811.

COLORADO

President, State Historical Society, Colorado State Museum, East 14th Avenue and Sherman Street, Denver, Colo. 80203.

CONNECTICUT

Chairman, Connecticut Historical Commission, 78 Elm Street, Hartford, Conn. 06115.

DELAWARE

State Archivist, Archives Building, Dover, Del. 19901.

FLORIDA

Executive Director, Florida Board of Archives and History, 401 East Gaines Street, Tallahassee, Fla. 32304.

GEORGIA

Executive Secretary, Georgia Historical Commission, 116 Mitchell Street SW., Atlanta, Ga. 30303.

HAWAII

Director, Department of Land and Natural Resources, State of Hawaii, Honolulu, Hawaii 96813.

IDAHO

Director, Idaho Historical Society, 610 North Julia Drive, Boise, Idaho 83706.

ILLINOIS

Director, Department of Conservation, State Office Building, Springfield, Ill. 62706.

INDIANA

Director, Department of Natural Resources, State of Indiana, Indianapolis, Ind. 46204.

IOWA

Superintendent, State Historical Society of Iowa, Centennial Building, Iowa City, Iowa 52242.

KANSAS

Executive Secretary, Kansas State Historical Society, 120 West 10th, Topeka, Kans. 66612.

KENTUCKY

Coordinator of State and Federal Activities, Office of the Governor, Frankfort, Ky. 40601.

LOUISIANA

Chairman, Louisiana Historical Preservation and Cultural Commission, Post Office Box 44222, Capitol Station, Baton Rouge, La. 70802.

MAINE

Director, State Park and Recreation Commission, State Office Building, Augusta, Maine 04330.

MARYLAND

Director, Maryland Historical Trust, Box 1704, Annapolis, Md. 21401.

MASSACHUSETTS

Secretary of the Commonwealth, Chairman, Massachusetts Historical Commission, Boston, Mass. 02133.

MICHIGAN

Director, Department of Conservation, Stevens T. Mason Building, Lansing, Mich. 48926.

MINNESOTA

Director, Minnesota Historical Society, Cedar and Central Streets, St. Paul, Minn. 55101.

MISSISSIPPI

Director, State of Mississippi, Department of Archives and History, Post Office Box 571, Jackson, Miss. 39201.

MISSOURI

Director, Missouri State Park Board, Post Office Box 176, 1204 Jefferson Building, Jefferson City, Mo. 65101.

MONTANA

Chief of Recreation and Parks Division, Department of Fish and Game, State of Montana, Helena, Mont. 57601.

NEBRASKA

Director, The Nebraska State Historical Society, 15th and R Streets, Lincoln, Nebr. 68508.

NEVADA

Administrator, Division of State Parks, 201 South Fall Street, Room 221, Nye Building, Carson City, Nev. 89701.

NEW HAMPSHIRE

Commissioner, Department of Resources and Economic Development, Concord, N.H. 03301.

NEW JERSEY

Commissioner, State of New Jersey, Department of Conservation and Economic Development, Trenton, N.J. 08608.

NEW MEXICO

State Planning Officer, State of New Mexico, Santa Fe, N. Mex. 87501.

NEW YORK

Chairman, New York State Historic Trust, 30 Rockefeller Plaza, Room 5600, New York, N.Y. 10020.

NORTH CAROLINA

Director, Department of Archives and History, State of North Carolina, Raleigh, N.C. 27602.

NORTH DAKOTA

Superintendent, State Historical Society of North Dakota, Liberty Memorial Building, Bismarck, N. Dak. 58501.

OHIO

Director, The Ohio Historical Society, Columbus, Ohio 43210.

OKLAHOMA

Chairman, Oklahoma Historical Society, 1108 Colcord Building, Oklahoma City, Okla. 73102.

OREGON

State Highway Engineer, Oregon State Highway Department, State Highway Building, Salem, Oreg. 97310.

PENNSYLVANIA

Executive Director, Pennsylvania Historical and Museum Commission, William Penn Memorial Museum and Archives Building, Harrisburg, Pa. 17108.

RHODE ISLAND

Director, Rhode Island Development Council, Roger Williams Building, Hayes Street, Providence, R.I. 02908.

SOUTH CAROLINA

Director, State Archives Department, 1430 Senate Street, Columbia, S.C. 29201.

SOUTH DAKOTA

Chief, Division of Parks and Recreation, Department of Game, Fish and Parks, Pierre, S. Dak. 57501.

TENNESSEE

Chairman, Tennessee Historical Commission, State Library and Archives Building, Nashville, Tenn. 37219.

TEXAS

Executive Director, Texas State Historical Survey Committee, 108 West 15th Street, Austin, Tex. 78701.

UTAH

Director, Department of Development Services, 312 State Capitol Building, Salt Lake City, Utah 84114.

VERMONT

Director, Vermont Historical Society, Montpelier, Vt. 05602.

VIRGINIA

Chairman, Virginia Historic Landmarks Commission, Room 1106, State Ninth Street Office Building, Richmond, Va. 23219.

WASHINGTON

Director, Washington State Parks and Recreation, Olympia, Wash. 98501.

WEST VIRGINIA

Chairman, Ad Hoc Committee on Historic Properties, Potomac State College, Keyser, W. Va. 26726.

WISCONSIN

Director, State Historical Society of Wisconsin, 816 State Street, Madison, Wis. 53706.

WYOMING

Executive Director, Wyoming Recreation Commission, Cheyenne, Wyo. 82001.

DISTRICT OF COLUMBIA

Deputy Mayor, Executive Office, District of Columbia Government, Washington, D.C. 20004.

COMMONWEALTH OF PUERTO RICO

Executive Director, Institute of Puerto Rican Culture, San Juan, P.R. 00931.

GUAM

Director of Land Management, Government of Guam, Agaña, Guam.

VIRGIN ISLANDS

Planning Director, Virgin Islands Planning Board, Charlotte Amalie, St. Thomas, V.I.

SAMOA

Office of the Governor, Pago Pago, American Samoa.

The State Liaison Officer supervises a professional survey staff in conducting a statewide historic sites survey. From the survey findings a comprehensive statewide historic preservation plan is prepared. The plan must be reviewed and approved by a high-level professional review committee. The State Liaison Officer, in accordance with the plan, may then nominate properties for inclusion in the National Register. The nominated properties which are approved by the National Park Service are entered in the National Register of Historic Places by the Chief, Office of Archeology and Historic Preservation, National Park Service.

In exceptional cases, States may make nominations before submission of the statewide historic preservation plan. The National Park Service will consider appropriate properties so nominated which have received unanimous approval of the

professional review committee and the State Liaison Officer as unquestionably worthy of entry into the National Register of Historic Places. Such consideration will be given to properties which are: (a) in State ownership; (b) recognized in other Federal historic preservation programs; (c) owned by private, national, regional, or State organizations concerned with historic preservation; or (d) recognized in an existing State landmark program.

The following criteria shall be used by the States in evaluating properties for nomination to the National Register of Historic Places and by the National Park Service in reviewing State nominations.

National Register Criteria of Evaluation

The quality of significance in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or

2. That are associated with the lives of persons significant in our past; or

3. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

4. That have yielded, or may be likely to yield, information important in prehistory or history.

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

(a) A religious property deriving primary significance from architectural or artistic distinction or historical importance.

(b) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event.

(c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(d) A cemetery which derives its primary significance from graves of persons

of transcendent importance, from age, from distinctive design features, or from association with historic events.

(e) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived.

(f) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance.

(g) A property achieving significance within the past 50 years if it is of exceptional importance.

C. Grants for historic preservation. The National Historic Preservation Act also authorizes a program of grants-in-aid to States for comprehensive statewide historic site surveys and preservation plans. Grants are also authorized to States, local governments, private organizations, and individuals for preservation projects in accordance with an approved statewide plan. All grants are made through the States. The State Liaison Officer may then distribute the funds to other approved public and private recipients. Funds may be used for acquisition, protection, rehabilitation, restoration, and reconstruction of properties included in the National Register of Historic Places.

II. PROTECTION OF PROPERTIES IN THE NATIONAL REGISTER OF HISTORIC PLACES

A. Introduction. The National Historic Preservation Act of 1966 created the Advisory Council on Historic Preservation. The Council is authorized to advise the President and the Congress on matters relating to historic preservation; to recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation; to comment on undertakings carried out, licensed, or financially assisted by the Federal Government which have any effect upon properties listed in the National Register; and to secure from the appropriate Federal agencies certain information necessary to the performance of these duties.

B. Procedures for section 106 compliance. The Advisory Council exercises an important function by responding with comments to undertakings carried out, licensed, or financially assisted by the Federal Government, when the undertaking will affect a property listed in the National Register. This authority derives from section 106 of the National Historic Preservation Act, which provides:

The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the National Register. The head of any such Federal agency shall afford the Advisory Coun-

cil on Historic Preservation established under title II of this Act a reasonable opportunity to comment with regard to such undertaking.

The Advisory Council desires to provide maximum assistance in connection with section 106. Normally the Council anticipates that its comments will be required in only the most complex situations, and it requests that agencies fulfill their obligations under section 106 by the use of the following procedures:

ADVISORY COUNCIL ON HISTORIC PRESERVATION
WASHINGTON, D.C. 20240

Procedures for Compliance Section 106

National Historic Preservation Act of 1966

At the earliest stage of planning or consideration of any undertakings carried out, licensed, or financially assisted by the Federal Government, an agency should follow these steps:

1. Consult the National Register of Historic Places to determine if a National Register property is involved in the undertaking. The National Register is maintained by the Office of Archeology and Historic Preservation, National Park Service, and published from time to time with interim addendums in the FEDERAL REGISTER.

2. Apply the "Criteria for Effect." If there is no effect, the undertaking may proceed.

3. If there is an effect, regional, or State officials of the agency¹ in consultation with the State Liaison Officer and a representative of the Office of Archeology and Historic Preservation shall:

(a) Determine if the effect is adverse—if not, the undertaking may proceed;

(b) Upon finding an adverse effect, select and agree upon a prudent and feasible alternative to remove the adverse effect, in which case the undertaking may proceed;

(c) Failing to find and agree upon an alternative, recommend all possible planning to minimize the adverse effect and delay further processing of the undertaking pending the receipt of comments from the Advisory Council.

4. Provide written notice affording the Advisory Council an opportunity to comment upon doubtful or unresolved situations of adverse effect and upon request submit a report of the undertaking.

The Council expects to exert its advisory prerogatives by commenting to agencies in certain special situations even though written notice of effect has not been received.

Criteria for Effect

A federally financed or licensed undertaking shall be considered to have an effect on a National Register listing (districts, sites, buildings, structures, and objects, including their settings) when any condition of the undertaking creates a change in the quality of the historical, architectural, archeological, or cultural character that qualified the property under the National Register criteria for listing in the National Register.

Generally, adverse effect occurs under conditions which include but are not limited to:

(a) Destruction or alteration of all or part of a property;

(b) Isolation from or alteration of its surrounding environment;

(c) Introduction of visual, audible, or atmospheric elements that are out of character with the property and its setting.

¹ When the agency has no regional or State officials, the Office of Archeology and Historic Preservation will perform this service.

C. Advisory Council section 106 reporting procedures. For the convenience of agencies submitting effect notices to the Council under section 106, the following standard procedures for handling such notices have been promulgated:

1. Upon receipt of a written notice of an undertaking having an effect on a National Register property, the Council shall:

(a) Acknowledge its receipt and give notice of a 14-day review period during which the Advisory Council may determine and so advise the agency of its desire to comment;

(b) Refer the notice to the Office of Archeology and Historic Preservation, National Park Service, for a preliminary verification of significance, National or otherwise, and evaluation of the effect upon the National Register property; and

(c) Determine that it will or will not comment.

2. Upon determination that the Council will comment on an undertaking, the Council shall:

(a) Notify the agency of Council intent to comment and date by which it will do so;

(b) Place the matter on the agenda of the next regular meeting or in exceptional circumstances schedule the matter for consideration in an unassembled meeting; and

(c) Authorize preparation of a section 106 report.

3. The section 106 report shall be prepared by the Executive Director and shall contain:

(a) A full report of verification and evaluation of the effect prepared by the Office of Archeology and Historic Preservation;

(b) A report from the requesting agency on the undertaking with the agency evaluation of effect; and

(c) Conclusions.

The section 106 report shall contain but not be limited to information such as a full description including visual materials of the National Register property, the undertaking, agency efforts to take into account effect on National Register properties, records of hearings, statements of support or opposition, a statement from the State Liaison Officer, and answers to any specific questions voiced by Council members. The Council will not hold formal hearings on section 106 matters. The Council comments to agencies shall take the form of a three-part statement including an introduction, findings, and a conclusion.

III. THE NATIONAL REGISTER OF HISTORIC PLACES

Pursuant to the authority vested in the Director of the National Park Service under the Antiquities Act of 1906, 34 Stat. 225, 16 U.S.C. 431; the Act of August 25, 1916, 39 Stat. 535, 16 U.S.C. 1; the Historic Sites Act of 1935, 49 Stat. 666, 16 U.S.C. 461; and the National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470; the properties listed below are included in the National Register of Historic Places. The responsibility

of all Federal agencies to take cognizance of these properties is specified in section 106 of the National Historic Preservation Act.

NATIONAL REGISTER ENTRIES

ALABAMA

Baldwin County

Gauche vicinity, *Fort Morgan*, western terminus of Alabama 180.

Colbert County

Florence vicinity, *Wilson Dam*, Tennessee River, on Alabama 133 (also in Lauderdale County).

Elmore County

Wetumpka vicinity, *Fort Toulouse*, 4 miles southwest of Wetumpka at confluence of the Coosa and Tallapoosa Rivers.

Hale County

Moundville vicinity, *Moundville Site*, 1 mile west of Moundville on County Route 21.

Jackson County

Bridgeport vicinity, *Russell Cave National Monument*, 8 miles west of Bridgeport via U.S. 72 and County Routes 91 and 75.

Lauderdale County

Wilson Dam (see Colbert County).

Macon County

Tuskegee vicinity, *Tuskegee Institute*, 1 mile northwest of Tuskegee on U.S. 80.

Montgomery County

Montgomery, *First Confederate Capitol*, Goat Hill, east end of Dexter Avenue.

Russell County

Holy Trinity vicinity, *Apalachicola Fort*, 1.5 miles east of Holy Trinity on Chattahoochee River.

Talladega County

Talladega vicinity, *Curry (J. L. M.) Home*, 3 miles northeast of Talladega on Alabama 21.

Tallapoosa County

Dadeville vicinity, *Horseshoe Bend National Military Park*, Tallapoosa River, 12 miles north of Dadeville on Alabama 49.

ALASKA

Northwestern District

Barrow vicinity, *Blunt Site*, 5 miles northeast of Barrow.

Cape Denbigh Peninsula, *Iyatayet Site*, Norton Sound.

Cape Prince of Wales vicinity, *Wales Sites*, adjacent to Cape Prince of Wales on Seward Peninsula.

Nome vicinity, *Anvil Creek Gold Discovery Site*, 4.25 miles north of Nome on Seward Peninsula at Anvil Creek.

Point Hope Peninsula, *Ipiutak Site*, tip of Point Hope, lat. 68°20' N., long. 167°50' W. St. Lawrence Island, *Gambell Sites*, Northwest Cape.

Southcentral District

Kodiak, Kodiak Island, *Erskine House*, Main Street and Mission Street.

Nikolski vicinity, *Chaluka Site*, Umnak Island, Aleutian Islands.

Rip Rock vicinity, *Hawkins Island, Palugvik Site*, 3.75 miles east of Rip Rock on Prince William Sound.

Pribilof Islands, St. Paul Island, *Fur Seal Rookeries*.

Yukon Island, *Yukon Island Main Site*, Kachemak Bay, Cook Inlet.

Southeastern District

Sitka, *American Flag Raising Site*, Castle Hill. Sitka, *Russian Mission Orphanage*, Lincoln and Monastery Streets.

Sitka, *St. Michael's Cathedral*, Lincoln and Maksoutoff Streets.

Sitka, Baranof Island, *Sitka National Monument*.

Sitka vicinity, *Old Sitka Site*, 6 miles north of Sitka on Starrigavan Bay.

Skagway and vicinity, *Skagway Historic District and White Pass*, head of Talya Inlet on Lynn Canal.

ARIZONA

Apache County

Chinle, *Canyon de Chelly National Monument*, east side of Chinle.

Ganado, *Hubbell Trading Post National Historic Site*, west side of Ganado.

Springerville vicinity, *Casa Malpais Site*, 2 miles north of Springerville.

Cochise County

Bisbee vicinity, *Coronado National Memorial*, 30 miles southwest of Bisbee via Arizona 92 and secondary road.

Bisbee vicinity, *Lehner Mammoth-Kill Site*, 10 miles west of Bisbee.

Bowie vicinity, *Fort Bowie National Historic Site*, 13 miles south of Bowie.

Douglas vicinity, *Double Adobe Site*, 12 miles northwest of Douglas on the west bank of Whitewater Creek.

Douglas vicinity, *San Bernardino Ranch*, 17 miles east of Douglas on the international boundary.

Tombstone, *Tombstone Historic District*.

Coconino County

Flagstaff vicinity, *Lowell Observatory*, 1 mile west of Flagstaff on Mars Hill.

Flagstaff vicinity, *Merriam (C. Hart) Base Camp Site*, 20 miles northwest of Flagstaff, at Little Springs private enclave in Coconino National Forest.

Flagstaff vicinity, *Walnut Canyon National Monument*, 8 miles east of Flagstaff on U.S. 66.

Flagstaff vicinity, *Wupatki National Monument*, 30 miles north of Flagstaff off U.S. 89.

Winona vicinity, *Winona Site*, 5 miles northeast of Winona on U.S. 66, Coconino National Forest.

Gila County

Globe vicinity, *Roosevelt Dam*, Salt River, 31 miles northwest of Globe on Arizona 88 (also in Maricopa County).

Globe vicinity, *Tonto National Monument*, 28 miles northwest of Globe on Arizona 88.

Whiteriver vicinity, *Kinishba Ruins*, 15 miles west of Whiteriver via Arizona 73 and secondary road.

Graham County

Bonita vicinity, *Sierra Bonita Ranch*, southwest of Bonita.

Morenci vicinity, *Point of Pines*, 30 miles northwest of Morenci, San Carlos Indian Reservation.

Maricopa County

Gila Bend vicinity, *Gatlin Site*, 3 miles north of Gila Bend.

Phoenix, *Hohokam-Pima Irrigation Sites*, Park of the Four Waters (also in Pinal County).

Phoenix, *Pueblo Grande Ruin*, Washington Avenue, Pueblo Grande City Park.

Roosevelt Dam (see Gila County).

Mohave County

Fredonia vicinity, *Pipe Spring National Monument*, 15 miles southwest of Fredonia.

Navajo County

Kayenta vicinity, *Navajo National Monument*, 30 miles southwest of Kayenta.

Keams Canyon vicinity, *Asotovi Ruins*, 8 miles south of Keams Canyon, Hopi Indian Reservation.

Oraibi vicinity, *Old Oraibi*, 3 miles west of Oraibi on Arizona 264, Hopi Indian Reservation.

Pima County

Santa Rosa vicinity, *Ventana Cave*, 11 miles west of Santa Rosa, Papago Indian Reservation.

Tucson vicinity, *Desert Laboratory*, west of Tucson off West Anklam Road.

Tucson vicinity, *San Xavier del Bac*, 9 miles south of Tucson via Mission Road.

Pinal County

Chandler vicinity, *Snaketown*, 12 miles southwest of Chandler, Gila River Indian Reservation.

Coolidge vicinity, *Casa Grande Ruins National Monument*, 2 miles north of Coolidge on Arizona 87.

Phoenix vicinity, *Hohokam-Pima Irrigation Sites* (see Maricopa County).

Santa Cruz County

Nogales vicinity, *Tumacacori National Monument*, 18 miles north of Nogales on Interstate 19.

Yavapai County

Clarkdale vicinity, *Tuzigoot National Monument*, 2 miles east of Clarkdale.

Flagstaff vicinity, *Montezuma Castle National Monument*, 40 miles south of Flagstaff on Interstate 17.

Jerome, *Jerome Historic District*.

Yuma County

Yuma, *Yuma Crossing and Associated Sites*, Banks of the Colorado River (also in Imperial County, Calif.).

ARKANSAS

Arkansas County

Gillet vicinity, *Arkansas Post National Memorial*, 8 miles southeast of Gillet on Arkansas 1 and 169.

Benton County

Pea Ridge, *Pea Ridge National Military Park*.

Cross County

Parkin vicinity, *Parkin Indian Mound*, north edge of Parkin.

Mississippi County

Wilson, *Nodena Site*, south edge of Wilson.

Sebastian County

Fort Smith, *Fort Smith National Historic Site*.

CALIFORNIA

Alameda County

Berkeley, Room 307, *Gilman Hall*, University of California, University of California campus.

Oakland, *Lake Merritt Wild Duck Refuge*, Lakeside Park, Grand Avenue.

Oakland, *Miller (Joaquin) House*, *The Abbey*, Joaquin Miller Road and Sanborn Drive.

Contra Costa County

Martinez, *John Muir National Historic Site*, 4440 Alhambra Avenue.

El Dorado County

Placerville vicinity, *Coloma*, 7 miles northwest of Placerville on California 49.

Humboldt County

Eureka vicinity, *Gunther Island Site 67 (Tolowot)*, northeast end of Gunther Island in Humboldt Bay north of Eureka.

Imperial County

Winterhaven, *Yuma Crossing and Associated Sites* (see Yuma County, Ariz.).

Inyo County

China Lake vicinity, *Big and Little Petroglyph Canyons*, China Lake Naval Ordnance Test Station.

Kern County

Bakersfield, *Walker Pass*, 60 miles northwest of Bakersfield on California 178.

Los Angeles County

Hollywood District, *Dodge (Walter Luther) House*, 950 North Kings Road.
San Fernando vicinity, *Well No. 4, Pico Canyon Oil Field*, 9.5 miles north of San Fernando and west of U.S. 99.

Mono County

Bridgeport vicinity, *Bodie Historic District*, 7 miles south of Bridgeport on U.S. 395, then 12 miles east on secondary road.

Monterey County

Carmel, *Carmel Mission*, Rio Road.
Monterey, *Larkin House*, 464 Calle Principal.
Monterey, *Old Customhouse*, Calle Principal at Decatur Street.
Monterey, *Royal Presidio Chapel*, 550 Church Street.

Nevada County

Truckee vicinity, *Donner Camp*, 2.6 miles west of Truckee on U.S. 40.

Sacramento County

Sacramento, *Old Sacramento Historic District*, junctions of U.S. 40, 50, 99, and California 16 and 24.
Sacramento, *Pony Express Terminal (B. F. Hastings Building)*, 1006 Second Street.
Sacramento, *Sutter's Fort*, 2701 L Street.

San Diego County

Camp Joseph H. Pendleton, *Las Flores Adobe*, Stuart Mesa Road, about 7 miles north of its junction with Vandergrift Boulevard.
San Diego, *Old Mission Dam*, north side of Mission Street-George Road.
San Diego, *San Diego Presidio*, Presidio Park.
San Diego, *Star of India*, San Diego Embarcadero.
San Diego vicinity, *Cabrillo National Monument*, 10 miles from San Diego off U.S. 101, near the southern tip of Point Loma.
Spring Valley, *Bancroft (Hubert H.) Ranch House*, Bancroft Drive off California 94.
Warner Springs vicinity, *Oak Grove Butterfield Stage Station*, 13 miles northwest of Warner Springs on California 79.
Warner Springs vicinity, *Warner's Ranch*, 4 miles south of Warner Springs on secondary road.

San Francisco County

San Francisco, *C. A. Thayer*, San Francisco Maritime State Historic Park.
San Francisco, *Flood (James C.) Mansion*, California and Mason Streets.
San Francisco, *Old United States Mint*, Fifth and Mission Streets.
San Francisco, *The Presidio*, northern tip of San Francisco Peninsula on U.S. 101 and Interstate 480.
San Francisco, *San Francisco Cable Cars*.

San Mateo County

Belmont, *Ralston (William C.) Home*, College of Notre Dame campus.
San Bruno vicinity, *San Francisco Bay Discovery Site*, 4 miles west of San Bruno via Skyline Drive and Sneath Lane.

Santa Barbara County

Santa Barbara, *Santa Barbara Mission*, 2201 Laguna Street.

Santa Clara County

Gilroy vicinity, *Norris (Frank) Cabin*, 10 miles west of Gilroy via California 152 and secondary roads.
San Jose vicinity, *New Almaden*, 14 miles south of San Jose on County Route G8.

Siskiyou County

Dorris vicinity, *Lower Klamath National Wildlife Refuge*, Lower Klamath Lake, east of Dorris (also in Klamath County, Oreg.).

Sonoma County

Fort Ross vicinity, *Fort Ross*, north of Fort Ross on California 1, Fort Ross State Historical Monument.
Glen Ellen vicinity, *London (Jack) Ranch*, 0.4 mile west of Glen Ellen, Jack London Historical State Park.
Santa Rosa, *Burbank (Luther) House and Garden*, 200 block Santa Rosa Avenue.
Sonoma, *Sonoma Plaza*, center of Sonoma.

Tuolumne County

Sonora vicinity, *Columbia Historic District*, 4 miles northwest of Sonora on California 49.

Yolo County

Broderick, *First Pacific Coast Salmon Cannery Site*, on the Sacramento River, opposite the foot of K Street, in the city of Sacramento.

COLORADO**Bent County**

Las Animas vicinity, *Bent's Old Fort National Historic Site*, 8 miles west of Las Animas on Colorado 194 (also in Otero County).

Clear Creek County

Georgetown-Silver Plume vicinity, *Georgetown-Silver Plume Historic District*.

Conejos County

Sanford vicinity, *Pike's Stockade*, 4 miles east of Sanford on Colorado 136.

El Paso County

Colorado Springs vicinity, *Pikes Peak*, 15 miles west of Colorado Springs, Pike National Forest.

Gilpin County

Central City, *Central City Historic District*.

Lake County

Leadville, *Leadville Historic District*.

La Plata County

Durango, *Durango-Silverton Narrow Gauge Railroad*, right-of-way between Durango and Silverton (also in San Juan County).

Larimer County

Fort Collins vicinity, *Lindenmeier Site*, 28 miles north of Fort Collins.

Las Animas County

Trinidad vicinity, *Raton Pass*, U.S. 85-87, Colorado-New Mexico border (see Colfax County, N. Mex.).

Montezuma County

Cortez vicinity, *Hovenweep National Monument*, northwest of Cortez (also in San Juan County, Utah).
Cortez vicinity, *Mesa Verde National Park*, 10 miles east of Cortez on U.S. 160.
Cortez vicinity, *Yucca House National Monument*, 12 miles south of Cortez via U.S. 666 and secondary roads.
Pleasant View vicinity, *Lowry Ruin*, 30 miles northwest of Cortez via U.S. 160 and secondary road.

Otero County

Bent's Old Fort National Historic Site, (see Bent County).

San Juan County

Durango-Silverton Narrow Gauge Railroad (see La Plata County).
Silverton, *Silverton Historic District*.

San Miguel County

Telluride, *Telluride Historic District*.

Teller County

Cripple Creek, *Cripple Creek Historic District*.

CONNECTICUT**Fairfield County**

Darien, *Mather (Stephen Tyng) Home*, Stephen Mather Road.
New Canaan, *Rogers (John) Studio*, 10 Cherry Street.
Ridgefield, *Remington (Frederic) House*.

Hartford County

Farmington, *Stanley-Whitman House*, 37 High Street.
Hartford, *Barnard (Henry) House*, 118 Main Street.
Hartford, *Bull (Amos) House*, 350 Main Street.
Hartford, *Colt (Samuel) Home*, Armsmead, 80 Wethersfield Avenue.
Hartford, *Old Statehouse*, Main Street at Central Row.
Hartford, *Twain (Mark) Home*, 351 Farmington Avenue.
West Hartford, *Webster (Noah) Birthplace*, 227 South Main Street.
Wethersfield, *Buttolph-Williams House*, 249 Broad Street.
Wethersfield, *Webb (Joseph) House*, 211 Main Street.

Litchfield County

Litchfield, *Reeve (Tapping) House and Law School*, South Street.
Litchfield, *Litchfield Historic District*, East and west sides of North and South Streets (to rear property lines), Prospect Street to Galloway Lane, village green between East and West Streets, and structures on north-east side of the green.

New Haven County

Derby, *The Sterling Opera House*, Northwest corner of Fourth and Elizabeth Streets.
New Haven, *Connecticut Agricultural Experiment Station*, 123 Huntington Street.
New Haven, *Connecticut Hall*, Yale University, Bounded by High, Chapel, Elm, and Cottage Streets.
New Haven, *Dana (James Dwight) House*, 24 Hillhouse Avenue.
New Haven, *First Telephone Exchange*, 741 Chapel Street.
New Haven, *Marsh (Othniel C.) House*, 380 Prospect Street.

New London County

Lebanon, *Trumbull (John) Birthplace*, The Common.
Mystic, *Charles W. Morgan*, Mystic Seaport.

DELAWARE**Kent County**

Dover vicinity, *Dickinson (John) House*, 5 miles southeast of Dover and 3 miles east of U.S. 113 on Kitts Hummock Road.

New Castle County

New Castle, *New Castle Historic District*, Bordered by Harmony Street, The Strand, Third Street, and Delaware Street.
Odessa, *Corbit-Sharp House*, Southwest corner of Main and Second Streets.
Wilmington, *Fort Christina*, East Seventh Street and the Christina River, Fort Christina State Park.

Wilmington, *Holy Trinity (Old Swedes) Church*, Seventh and Church Streets.
Wilmington vicinity, *Eleutherian Mills*, North of Wilmington on Delaware 141 at Brandywine Creek Bridge.

DISTRICT OF COLUMBIA

Washington

Administration Building, Carnegie Institution of Washington, 1530 P Street NW.
American National Red Cross, 17th and D Streets NW.
Army Medical Museum, Seventh Street and Independence Avenue SW.
Battleground National Cemetery, 6625 Georgia Avenue NW.
Chapel Hall, Gallaudet College, Florida Avenue and Seventh Street NE.
Chesapeake and Ohio Canal National Monument (see Allegany County, Md.).
City Hall (District Courthouse), Fourth and E Streets NW.
Decatur House, 749 Jackson Place NW.
Frederick Douglass Home, National Memorial, 1411 W Street SE.
Ford's Theatre (Lincoln Museum), 10th Street NW, between E and F Streets.
Georgetown Historic District.
House Where Lincoln Died, National Memorial, 516 10th Street NW.
Jefferson Memorial, South bank of the Tidal Basin.
Library of Congress, First Street and Independence Avenue SE.
Lincoln Memorial, West Potomac Park.
Octagon House, 1741 New York Avenue NW.
Old Naval Observatory, 23d and E Streets NW.
Old Patent Office, F Street between Seventh and Ninth Streets NW.
Pennsylvania Avenue National Historic Site, Philadelphia (Gundelo), Smithsonian Institution, Museum of History and Technology, 14th Street and Constitution Avenue NW.
Richards (Zalmon) House, 1301 Corcoran Street NW.
St. John's Episcopal Church, 16th and H Streets NW.
Smithsonian Building, Jefferson Drive at 10th Street SW.
Tudor Place, 1644 31st Street NW.
United States Capitol, Capitol Hill.
Washington Monument, The Mall, between 14th and 16th Streets.
White House, 1600 Pennsylvania Avenue NW.
Wilson (Woodrow) House, 2340 S Street NW.

FLORIDA

Duval County

Jacksonville vicinity, *Fort Caroline National Memorial*, 10 miles east of Jacksonville.

Escambia County

Pensacola, *Fort San Carlos de Barrancas*, U.S. Naval Air Station.
Pensacola, *Plaza Ferdinand VII*, Palafox Street, between Government and Zaragoza Streets.

Indian River County

Sebastian vicinity, *Pelican Island National Wildlife Refuge*, east of Sebastian in the Indian River.

Leon County

Tallahassee vicinity, *San Luis de Apalache*, 2 miles west of Tallahassee on U.S. 90.

Manatee County

Bradenton vicinity, *De Soto National Memorial*, 5 miles west of Bradenton.

Monroe County

Key West, *Hemingway (Ernest) House*, 907 Whitehead Street.
Dry Tortugas Islands, *Fort Jefferson National Monument*, 68 miles west of Key West in the Gulf of Mexico.

Okaloosa County

Fort Walton Beach, *Fort Walton Mound*, U.S. 98.

Okeechobee County

Okeechobee vicinity, *Okeechobee Battlefield*, 4 miles southeast of Okeechobee on U.S. 441.

Pinellas County

Safety Harbor vicinity, *Safety Harbor Site*, Philippe Park, 1 mile northeast of Safety Harbor.

St. Johns County

St. Augustine, *Castillo de San Marcos National Monument*, 1 Castillo Drive.
St. Augustine vicinity, *Fort Matanzas National Monument*, 15 miles south of St. Augustine.

Wakulla County

St. Marks, *Fort San Marcos de Apalache*, 30 miles south of Tallahassee on U.S. 319 and Florida 363.

GEORGIA

Bartow County

Cartersville vicinity, *Etowah Mounds*, 3 miles south of Cartersville on Georgia 61.

Bibb County

Macon, *Ocmulgee National Monument*.

Catoosa County

Chattanooga, Tenn., vicinity, *Chickamauga and Chattanooga National Military Park*, 9 miles south of Chattanooga on U.S. 27 (also in Hamilton County, Tenn.).

Chatham County

Savannah, Low (Juliette Gordon) Birthplace, 10 Oglethorpe Avenue East.
Savannah, *Savannah Historic District*, bounded by Bay, East Broad, Gwinnett, and West Broad Streets.
Savannah vicinity, *Fort Pulaski National Monument*, 17 miles east of Savannah, Cockspur Island.

Cobb County

Marietta vicinity, *Kennesaw Mountain National Battlefield Park*, 2 miles west of Marietta.

Columbia County

Augusta vicinity, *Stallings Island*, 8 miles northwest of Augusta in the Savannah River.

Early County

Blakely vicinity, *Kolomoki Mounds*, 8 miles north of Blakely on U.S. 27, Kolomoki Mounds State Park.

Fulton County

Atlanta, Harris (Joel Chandler) House, 1050 Gordon Street SW.

Glynn County

Brunswick vicinity, *Fort Frederica National Monument*, 12 miles north of Brunswick.

Macon County

Andersonville vicinity, *Andersonville Prison Site*, 1 mile east of Andersonville on Georgia 49 (also in Sumter County).

Stephens County

Toccoa vicinity, *Traveler's Rest*, 6 miles east of Toccoa on U.S. 123.

Sumter County

Andersonville Prison Site, (see Macon County).

HAWAII

Hawaii County

Hilo vicinity, Island of Hawaii, *Mauna Kea Adz Quarry*, 25 miles northwest of Hilo via mountain trail.

Hona vicinity, Island of Hawaii, *Mookini Heiau*, northern tip of Hawaii, 1 mile west of Upolu Point Airport.

Kailua-Kona, Island of Hawaii, *Kamakohou, Residence of King Kamehameha I*, on the northwest edge of Kailua Bay, north and west of Kailua Wharf.

Kailua-Kona vicinity, Island of Hawaii, *City of Refuge National Historical Park*, 20 miles south of Kailua-Kona.

Kailua-Kona vicinity, Island of Hawaii, *Honokohau Settlement*, Honokohau Bay, just north of Kailua-Kona.

Kawaihae vicinity, Island of Hawaii, *Puukohola Heiau*, north end of Hawaii off Hawaii 26, about 1 mile southeast of Kawaihae.

Keauhou, Island of Hawaii, *Keauhou Holua Slide*, east of Hawaii 18.

Naalehu vicinity, Island of Hawaii, *South Point Complex*, South Cape, southern tip of Hawaii, Kau District.

Honolulu County

Haleiwa vicinity, Island of Oahu, *Puu o Makuku Heiau*, 4 miles northeast of Haleiwa on Hawaii 83, overlooking Waimea Bay.

Honolulu, Island of Oahu, *Iolani Palace*, 364 South King Street.

Honolulu, Island of Oahu, *Kawaiahae Church and Mission Houses*, 957 Punchbowl Street and 533 South King Street.

Kaneohe vicinity, Island of Oahu, *Huilua Fishpond*, on Kahana Bay, 13 miles north of Kaneohe on Hawaii 83, adjacent to Kahana Bay State Park.

Pearl City vicinity, Island of Oahu, *U.S. Naval Base, Pearl Harbor*, 3 miles south of Pearl City on Hawaii 73.

Kalawao County

Ualapue vicinity, Island of Molokai, *Hoku-Kano-Ualapue Complex*, along Hawaii 45.

Kauai County

Koloa, Island of Kauai, *Old Sugar Mill of Koloa*.

Wailua vicinity, Island of Kauai, *Wailua Complex of Heiaus*, east coast of Kauai at the mouth of the Wailua River, Lihue District.

Waimea, Island of Kauai, *Cook Landing Site*, 2 miles southwest of Hawaii 50.

Waimea vicinity, Island of Kauai, *Russian Fort*, on Hawaii 50, 200 yards southwest of the bridge over the Waimea River.

Maui County

Hana vicinity, Island of Maui, *Piilanthalae Heiau*, 4 miles north of Hana, at the mouth of Honomalee Gulch near Kalahu Point.

Kaupo vicinity, Island of Maui, *Loaloa Heiau*, southeast of coast of Maui on Hawaii 31, about 0.25 mile north of Kaupo.

Lahaina, Island of Maui, *Lahaina Historic District*, west side of Maui on Hawaii 30.

Lanai City vicinity, Island of Lanai, *Kaunolu Village Site*, on Kaunolu Bay, on the southwest cape of the Island of Lanai.

IDAHO

Ada County

Boise, *Assay Office*, 210 Main Street.

Bannock County

Fort Hall vicinity, *Fort Hall*, 11 miles west of Fort Hall, Fort Hall Indian Reservation.

Butte County

Arco vicinity, *Experimental Breeder Reactor No. 1*, National Reactor Testing Station.

Cassia County

Almo vicinity, *City of Rocks*, City of Rocks State Park.

Clearwater County

Lolo Hot Springs vicinity, *Lolo Trail*, Parallel to U.S. 12 on ridges of Bitterroot Mountains, from Lolo Pass to Weippe (also in Idaho County and in Missoula County, Mont.).
 Spaulding (park headquarters), *Nez Perce National Historical Park*, within an area 90 miles south and 150 miles east of Spaulding (also in Idaho, Lewis, and Nez Perce Counties).
 Weippe vicinity, *Weippe Prairie*, south of Weippe and Idaho 11.

Idaho County

Lolo Trail (see Clearwater County).
Nez Perce National Historical Park (see Clearwater County).

Kootenai County

Cataldo, *Cataldo Mission*, off U.S. 10.

Lemhi County

Tendoy vicinity, *Lemhi Pass*, 12 miles east of Tendoy off Idaho 28 (also in Beaverhead County, Mont.).

Lewis County

Nez Perce National Historical Park (see Clearwater County).

Nez Perce County

Nez Perce National Historical Park (see Clearwater County).

ILLINOIS

Champaign County

Urbana, *Morrow Plots*, *University of Illinois*, Gregory Drive at Matthew Avenue.

Cook County

Chicago, *Hull House*, *The University of Illinois*, Chicago Circle, 800 South Halstead Street.
 Chicago, *Robie (Frederick C.) House*, *The University of Chicago*, 5757 South Woodlawn Avenue.
 Chicago, Room 405, *George Herbert Jones Laboratory*, *The University of Chicago*, S. Ellis Avenue, between East 57th and 59th Streets.
 Chicago, *Site of First Self-sustaining Nuclear Reaction*, *The University of Chicago*, South Ellis Avenue, between East 56th and 57th Streets.
 Chicago, *Taft (Lorado) Midway Studios*, *The University of Chicago*, 6016 South Ingleside Avenue.
 Evanston, *Willard (Frances) House*, 1730 Chicago Avenue.
 Forest View, *Chicago Portage National Historic Site*, Forest Preserve District, northwest corner of South Harlem Avenue at the Chicago Sanitary and Ship Canal.
 Winnetka, *Lloyd (Henry Demarest) Home*, *The Wayside*, 830 Sheridan Road.

Hancock County

Nauvoo, *Nauvoo Historic District*.

Jo Daviess County

Galena, *Grant (Ulysses S.) Home*, 511 Bouthillier Street.

Knox County

Galesburg, *Old Main*, *Knox College*, *Knox College Campus*.

La Salle County

Ottawa vicinity, *Old Kaskaskia Village*, 4 miles west of Ottawa on U.S. 6.
 Ottawa vicinity, *Starved Rock*, 6 miles from Ottawa on Illinois 71, *Starved Rock State Park*.

Madison County

Collinsville vicinity, *Cahokia Mounds*, 7850 Collinsville Road, *Cahokia Mounds State Park*.

Massac County

Brookport vicinity, *Kincaid Site*, East of Brookport on the Ohio River (also in Pope County).

Ogle County

Grand Detour, *Deere (John) Home and Shop*.

Pope County

Kincaid Site (see Massac County).

Randolph County

Modoc vicinity, *Modoc Rockshelter*, 2 miles north of Modoc.

Randolph County

Prairie du Rocher vicinity, *Fort de Chartres*, Terminus of Illinois 155, west of Prairie du Rocher, *Fort Chartres State Park*.

St. Clair County

East St. Louis, *Eads Bridge*, spanning the Mississippi River (see St. Louis, Mo.).

Sangamon County

Springfield, *Lincoln (Abraham) Home*, Eighth and Jackson Streets, *Lincoln Home State Memorial*.

Springfield, *Lincoln Tomb*, Oak Ridge Cemetery.

Springfield, *Old State Capitol*, bounded by Fifth, Sixth, Adams, and Washington Streets.

Will County

Joliet vicinity, *Illinois and Michigan Canal (Locks and Towpath)*, 7 miles southwest of Joliet on U.S. 6, *Channahon State Park*.

INDIANA

Knox County

Vincennes, *George Rogers Clark National Historical Park*.

Vincennes, *Harrison (William Henry) Home*, *Grouseland*, 3 West Scott Street.

Marion County

Indianapolis, *Harrison (Benjamin) Home*, 1204 North Delaware Street.

Indianapolis, *Riley (James Whitcomb) House*, 528 Lockerbie Street.

Porter County

Porter vicinity, *Bailly (Joseph) Homestead*, 0.5 mile west of Porter on U.S. 20.

Posey County

New Harmony, *New Harmony Historic District*, Main Street between Granary and Church Streets.

Spencer County

Lincoln City, *Lincoln Boyhood National Memorial*.

Tippecanoe County

Lafayette vicinity, *Tippecanoe Battlefield*, 7 miles northeast of Lafayette on Indiana 225.

Vanderburgh County

Evansville vicinity, *Angel Mounds*, east of Evansville, *Angel Mounds State Memorial*.

Vigo County

Terre Haute, *Debs (Eugene V.) Home*, 451 North Eighth Street.

Wayne County

Fountain City, *Coffin (Levi) House*, 115 North Main Street.

IOWA

Allamakee County

Marquette vicinity, *Effigy Mounds National Monument*, 3 miles north of Marquette on Iowa 13 (also in Clayton County).

Cedar County

West Branch, *Herbert Hoover National Historic Site*.

Cherokee County

Cherokee vicinity, *Phipps Site*, 3 miles north of Cherokee.

Clayton County

Effigy Mounds National Monument, (see Allamakee County).

Iowa County

Middle Amana, *Amana Villages*, Northeastern Iowa County.

Lousa County

Toolesboro vicinity, *Toolesboro Mound Group*, North of Toolesboro.

O'Brien County

Sutherland vicinity, *Indian Village Site (Wittrock Area)*, 3 miles east of Sutherland.

Pottawattamie County

Council Bluffs, *Dodge (Grenville M.) House*, 605 South Third Street.

Story County

Ames, *Knapp-Wilson House*, *The Farm House*, Iowa State University campus.

Woodbury County

Sioux City, *Sergeant Floyd Monument*, Glenn Avenue and Lewis Road.

KANSAS

Bourbon County

Fort Scott, *Fort Scott*.

Douglas County

Lawrence, *Haskell Institute*.

Ford County

Dodge City vicinity, *Santa Fe Trail Remains*, 9 miles west of Dodge City on U.S. 50.

Grant County

Ulysses vicinity, *Wagon Bed Springs*, 12 miles south of Ulysses on U.S. 270.

Johnson County

Fairway, *Shawnee Mission*, 53d Street at Mission Road.

Leavenworth County

Leavenworth, *Fort Leavenworth*.

Morris County

Council Grove, *Council Grove Historic District*.

Pawnee County

Larned vicinity, *Fort Larned National Historic Site*, 5 miles west of Larned.

Rice County

Geneseo vicinity, *Tobias-Thompson Complex*, 4 miles southeast of Geneseo.

Saline County

Salina vicinity, *Whiteford (Price) Site*, 3 miles east of Salina.

Scott County

Scott City vicinity, *El Cuartelejo*, 12 miles north of Scott City, *Scott County State Park*.

Washington County

Hanover vicinity, *Hollenberg (Cottonwood) Pony Express Station*, 1.5 miles east of Hanover on a secondary road.

KENTUCKY**Bell County**

Middlesboro vicinity, *Cumberland Gap National Historical Park* (also in Clairborne County, Tenn., and Lee County, Va.).

Boyle County

Danville, *Jacobs Hall, Kentucky School for the Deaf*, South Third Street.
 Danville, *McDowell (Dr. Ephraim) House*, 125-27 South Second Street.
 Perryville vicinity, *Perryville Battlefield*, west of Perryville on U.S. 150.

Fayette County

Lexington, *Clay (Henry) Home*, Ashland, 2 miles southeast of Lexington on Richmond Road.
 Lexington, *Old Morrison, Transylvania College*, West Third Street between Upper Street and Broadway.

Jefferson County

Louisville, *Taylor (Zachary) House*, Springfield, 5808 Apache Road.

Kenton County

Covington, *Beard (Daniel Carter) Boyhood Home*, 322 East Third Street.

Larue County

Hodgenville vicinity, *Abraham Lincoln Birthplace National Historic Site*, 3 miles south of Hodgenville.

Ohio County

Paradise vicinity, *Indian Knoll*, 0.5 mile upstream from Paradise ferry landing on the Green River.

LOUISIANA**Avoyelles Parish**

Marksville vicinity, *Marksville Prehistoric Indian Site*, Marksville Prehistoric Indian Park State Monument.

Orleans Parish

New Orleans, *The Cabildo*, Jackson Square, Chartres Street, and St. Peter Street.
 New Orleans, *Cable (George Washington) House*, 1313 Eighth Street.
 New Orleans, *Jackson Square (Place d'Armes)*, bounded by Decatur, St. Peter, St. Ann, and Chartres Streets.
 New Orleans, *Old Ursuline Convent*, 1114 Chartres Street.
 New Orleans, *Vieux Carré Historic District*, bounded by the Mississippi River, Rampart Street, Canal Street, and Esplanade Avenue.

Plaquemines Parish

Phoenix vicinity, *Fort de la Boulaye Site*, near Phoenix on the Mississippi River, near Louisiana 50.

Triumph vicinity, *Fort Jackson*, 2.5 miles southeast of Triumph on Louisiana 23, on the west bank of the Mississippi River.
 Triumph vicinity, *Fort St. Philip*, 2.5 miles southeast of Triumph on Louisiana 23, on the east bank of the Mississippi River.

Sabine Parish

Many vicinity, *Fort Jesup*, 7 miles northeast of Many on Louisiana 6, Fort Jesup State Monument.

St. Bernard Parish

New Orleans vicinity, *Chalmette National Historical Park*, 6 miles south of New Orleans.

West Carroll Parish

Delhi vicinity, *Powerty Point*, 12 miles north of Delhi on Bayou Macon.

MAINE**Cumberland County**

Brunswick, *Stowe (Harriet Beecher) House*, 63 Federal Street.
 Harpswell Center, *Harpswell Meetinghouse*.
 Portland, *Wadsworth-Longfellow House*, 487 Congress Street.
 Scarborough, *Homer (Winslow) Studio*, Winslow Homer Road, Prout's Neck.

Hancock County

Northeast Harbor, *Gilman (Daniel Cott) Summer Home*, Over Edge.

Kennebec County

Augusta, *Blaine (James G.) House*, Capitol and State Streets.
 Winslow, *Fort Halifax*.

Washington County

St. Croix Junction vicinity, *St. Croix Island National Monument*, on the international boundary, in the St. Croix River.

York County

Kittery Point, *Pepperell (Mary) House*, Lady Pepperell House, Maine 103.
 York, *Old York Gaol*, 4 Lindsay Road.
 York vicinity, *McIntire Garrison House*, 5 miles west of York on Maine 91.

MARYLAND**Allegany County**

Chesapeake and Ohio Canal National Monument (also in Frederick, Montgomery, and Washington counties, Md.; the District of Columbia; and Morgan County, W. Va.).

Anne Arundel County

Annapolis, *Colonial Annapolis Historic District*, district boundaries approximate those of the city plan of 1695.
 Annapolis, *Hammond-Harwood House*, Maryland Avenue and King Street.
 Annapolis, *Maryland Statehouse*, State Circle.
 Annapolis, *U.S. Naval Academy*, Maryland Avenue and Hanover Street.
 Annapolis, *Whitehall*, off St. Margaret's Road.

Baltimore (Independent City)

Baltimore and Ohio Transportation Museum and Mount Clare Station, Pratt and Poppleton Streets.
 U.S.S. *Constellation*, Pier 4, Pratt Street.
 Fort McHenry National Monument and Historic Shrine, Locust Point, at the eastern end of Port Avenue.
 Peale's Baltimore Museum (Municipal Museum of the City of Baltimore), 225 North Holliday Street.

Baltimore County

Relay, *Thomas Viaduct*, Baltimore & Ohio Railroad.
 Towson, *Hampton National Historic Site*, Hampton Lane, 1 mile north of Interstate 495.

Cecil County

Chesapeake City, *Old Lock Pump House*, Chesapeake and Delaware Canal, U.S. 213.

Frederick County

Chesapeake and Ohio Canal National Monument (see Allegany County).

Garrett County

Grantville vicinity, *Casselman's Bridge*, National Road, east of Grantville on U.S. 40.

Howard County

Ellicott City, *Ellicott City Station*.

Montgomery County

Chesapeake and Ohio Canal National Monument (see Allegany County).
 Glen Echo, *Barton (Clara) House*, 5801 Oxford Road.

Prince George's County

Accokeek vicinity, *Accokeek Creek Site*, opposite Mount Vernon on the Potomac River, west of Piscataway Park.
 Accokeek vicinity, *Piscataway Park*, across the Potomac River from Mount Vernon.
 Washington, D.C., vicinity, *Fort Washington*, 5.5 miles south of District of Columbia line on Maryland 210, west on Old Fort Road.

Washington County

Chesapeake and Ohio Canal National Monument (see Allegany County).
 Harpers Ferry National Historical Park (see Jefferson County, W. Va.).
 Sharpsburg, *Antietam National Battlefield Site*.

MASSACHUSETTS**Berkshire County**

Pittsfield, *Melville (Herman) House*, Arrowhead, Holmes Road.
 Pittsfield, *Hancock Shaker Village*, west of Pittsfield on U.S. 20.
 Stockbridge, *Mission House*, Main Street.
 Stockbridge vicinity, *French (Daniel Chester) Home*, and Studio, Chesterwood, 2 miles west of Stockbridge.

Bristol County

New Bedford, *New Bedford Historic District*, bounded by the waterfront on the east, Elm Street on the north, Acushnet Avenue on the west, and Commercial Street on the south.

Essex County

Amesbury, *Whittier (John Greenleaf) Home*, 86 Friend Street.
 Danvers, *Derby Summer House*, Glen Magna Estate, Ingersoll Street.
 Ipswich, *Whipple (John) House*, 53 South Main Street.
 Marblehead, *Lee (Jeremiah) House*, Washington Street.
 Newbury, *Spencer-Pierce-Little House*, end of Little's Lane, east side of U.S. 1A.
 Salem, *Bowditch (Nathaniel) Home*, North and Essex Streets.
 Salem, *Peabody Museum of Salem*, 161 Essex Street.
 Salem, *Peirce-Nichols House*, 80 Federal Street.
 Salem, *Salem Maritime National Historic Site*, Derby Street.
 Salem, *Ward (John) House*, Essex Institute, 132 Essex Street.
 Saugus, *Saugus Iron Works National Historic Site*, off U.S. 1.
 Saugus, *Scotch-Boardman House*, Howard Street.
 Topsfield, *Capen (Joseph) House*, Parson Capen House, Howlett Street.

Franklin County

Deerfield, *Old Deerfield Village Historic District*.

Hampden County

Springfield, *Springfield Armory*, Armory Square.

Hampshire County

Amherst, *Dickinson (Emily) Home*, 280 Main Street.
 Cummington vicinity, *Bryant (William Cullen) Homestead*, 2 miles from Cummington on side road.

Middlesex County

Cambridge, *Christ Church*, Garden Street.
 Cambridge, *Gray (Asa) House*, 88 Garden Street.
 Cambridge, *Lowell (James Russell) Home*, Elmwood, Elmwood Avenue.
 Cambridge, *Massachusetts Hall*, Harvard University, Harvard University Yard.
 Cambridge, *Vassall (John) House*, *Craigie-Longfellow House*, 105 Brattle Street.
 Concord, *Emerson (Ralph Waldo) Home*, Lexington Road and Cambridge Turnpike.
 Concord, *Minute Man National Historical Park* (also in the towns of Lincoln and Lexington).
 Concord, *Old Manse*, Monument Street.
 Concord, *Orchard House*, Lexington Road.
 Concord, *Walden Pond*, 1.5 miles south of Concord.
 Concord, *Wright's Tavern*, Lexington Road, opposite the Burying Ground.
 Lexington, *Buckman Tavern*, Hancock Street, on the east side of Lexington Green.
 Lexington, *Lexington Green*, Massachusetts and Hancock Streets.
 Medford, *Royal (Isaac) House*, 15 George Street.
 Medford, *Tufts (Peter) House*, 350 Riverside Avenue.

Nantucket County

Nantucket, *Nantucket Historic District*.
 Nantucket, *Coffin (Jethro) House*, Sunset Hill.

Norfolk County

Brookline, *John Fitzgerald Kennedy National Historic Site*, 83 Beals Street.
 Brookline, *Olmsted (Frederick Law) House*, 99 Warren Street.
 Dedham, *Fairbanks House*, Eastern Avenue and East Street.
 Milton, *Forbes (Captain Robert B.) House*, 215 Adams Street.
 Quincy, *Adams (John) Birthplace*, 133 Franklin Street.
 Quincy, *Adams (John Quincy) Birthplace*, 141 Franklin Street.
 Quincy, *Adams National Historic Site*, 135 Adams Street.

Plymouth County

Hingham, *Old Ship Meetinghouse*, Main Street.
 Plymouth, *Cole's Hill*, Carver Street.

Suffolk County

Boston, *Arnold Arboretum*, 22 Divinity Avenue.
 Boston, *Beacon Hill Historic District*, bounded roughly by Beacon Street on the south, the Charles River Embankment on the west, Pinckney and Revere Streets on the north, and Hancock Street on the east.
 Boston, *Boston Athenaeum*, 10½ Beacon Street.
 Boston, *Boston Light*, Little Brewster Island, Boston Harbor.
 Boston, *Boston Naval Shipyard*, East of Chelsea Street, Charlestown.
 Boston, *Bunker Hill Monument*, Breed's Hill.
 Boston, *U.S.S. Constitution*, Boston Naval Shipyard.
 Boston, *Dorchester Heights National Historic Site*, South Boston.
 Boston, *Ether Dome*, Massachusetts General Hospital, Fruit Street.
 Boston, *Faneuil Hall*, Dock Square.
 Boston, *Harding (Chester) House*, 16 Beacon Street.
 Boston, *Headquarters House*, 55 Beacon Street.
 Boston, *King's Chapel*, Tremont and School Streets.
 Boston, *Long Wharf and Customhouse Block*, Foot of State Street.
 Boston, *Massachusetts Historical Society*, 1154 Boylston Street.

Boston, *Massachusetts Statehouse*, Beacon Hill.
 Boston, *Old North Church*, *Christ Church*, 193 Salem Street.
 Boston, *Old South Meetinghouse*, Milk and Washington Streets.
 Boston, *Old Statehouse*, Washington and State Streets.
 Boston, *Parkman (Francis) House*, 50 Chestnut Street.
 Boston, *Pierce (Moses)-Hichborn House*, 29 North Square.
 Boston, *Quincy Market*, South Market Street.
 Boston, *Revere (Paul) House*, 19 North Square.
 Boston, *Tremont Street Subway*, beneath Tremont, Boylston, and Washington Streets.
 Roxbury, *Garrison (William Lloyd) House*, 125 Highland Street.
 Roxbury, *Shirley-Eustis House*, 31-37 Shirley Street.
 West Roxbury, *Brook Farm*, 670 Baker Street.

Worcester County

Auburn vicinity, *Goddard Rocket Launching Site*, Ninth fairway, Pakachoag Golf Course, Pakachoag Road.
 Worcester, *American Antiquarian Society*, 185 Salisbury Street.

MICHIGAN

Cheboygan County

Mackinaw City, *Fort Michilimackinac*, near Mackinac Bridge, at the terminus of U.S. 31.

Chippewa County

Sault Ste. Marie, *St. Mary's Falls Canal*, St. Mary's River.

Emmet County

Walloo Lake, *Hemingway (Ernest) Cottage*, Windemere, Lake Grove Road.

Kent County

Grand Rapids vicinity, *Norton Mound Group*, 2 miles south of Grand Rapids on Indian Mound Drive.

Mackinac County

Mackinac Island, *Mackinac Island*, northeast across the Straits of Mackinac from Mackinaw City.

St. Ignace, *St. Ignace Mission*, State and Marquette Streets, Marquette Park.

Oakland County

Franklin, *Village of Franklin Historic District*, bounded approximately by the Franklin River and properties fronting on Bowden Street, by Romany Way and Scenic Highway, properties fronting on Franklin Road, and a line extending about 600 feet north of and parallel to Fourteen Mile Road.

Wayne County

Dearborn, *Ford (Henry) Estate*, Fair Lane, 4901 Evergreen Road.

MINNESOTA

Cook County

Grand Marais vicinity, *Grand Portage National Monument*, 38 miles north of Grand Marais.

Hennepin County

Minneapolis, *Fort Snelling*, confluence of Minnesota and Mississippi Rivers.
 Minneapolis, *Pillsbury A Mill*, Main Street and Third Avenue SE.

Mille Lacs County

Vineland vicinity, *Kathio Site*, U.S. 169, Mille Lacs Kathio State Park.

Pipestone County

Pipestone vicinity, *Pipestone National Monument*, 1 mile north of Pipestone.

Ramsey County

St. Paul, *Hill (James J.) House*, 240 Summit Avenue.

St. Louis County

Hibbing vicinity, *Hull-Rust-Mahoning Open Pit Iron Mine*, Third Avenue East.
 Mountain Iron vicinity, *Mountain Iron Mine*, north of Mountain Iron.
 Tower vicinity, *Soudan Iron Mine*, Tower-Soudan State Park.

Sherburne County

Elk River vicinity, *Kelley (Oliver H.) Homestead*, 2 miles southeast of Elk River on U.S. 10.

Stearns County

Sauk Centre, *Lewis (Sinclair) Boyhood Home*, 812 Sinclair Lewis Avenue.

Washington County

Stillwater vicinity, *St. Croix Boom Site*, 3 miles north of Stillwater on St. Croix River.

Adams County

Natchez vicinity, *Fatherland Plantation Site*, 3 miles southeast of Natchez.

Lafayette County

Oxford, *Faulkner (William) House*, Rowan Oak, Old Taylor Road.

MISSISSIPPI

Lee County

Baldwyn vicinity, *Brices Cross Roads National Battlefield Site*, 6 miles west of Baldwyn on Mississippi 370.

Tupelo, *Tupelo National Battlefield*, on Mississippi 6 about a mile west of its intersection with U.S. 45.

Warren County

Vicksburg, *Old Courthouse*, Warren County, Court Square.

Vicksburg and vicinity, *Vicksburg National Military Park*, Vicksburg.

Yazoo County

Holly Bluff, *Holly Bluff Site*.

MISSOURI

Boone County

Columbia, *Sanborn Field and Soil Erosion Plots*, University of Missouri campus.

Buchanan County

St. Joseph, *Patte (John) House*, 12th and Pennsylvania Streets.

Callaway County

Fulton, *Westminster College Gymnasium*, Westminster College campus.
 Portland vicinity, *Research Cave*.

Clay County

Excelsior vicinity, *Watkins Mill*, 6 miles northwest of Excelsior.

Greene County

Springfield vicinity, *Wilson's Creek National Battlefield Park*, Southwest of Springfield on Missouri 174.

Jackson County

Sibley, *Fort Osage*, north edge of Sibley on the Missouri River.

Marion County

Hannibal, *Twain (Mark) Boyhood Home*, 206-208 Hill Street.

Montgomery County

Mineola vicinity, *Graham Cave*, 0.5 mile north of Mineola.

Newton County

Diamond vicinity, *George Washington Carver National Monument*, 3 miles south of Diamond.

St. Louis (Independent City)

Anheuser-Busch Brewery, 721 Pestalozzi Street.

Eads Bridge, spanning the Mississippi River at Washington Street (also in St. Clair County, Ill.).

Goldenrod Showboat, 400 North Wharf Street.
Jefferson National Expansion Memorial National Historic Site, Mississippi River between Washington and Poplar Streets.
Old Post Office, Eighth and Olive Streets.
Wainwright Building, 709 Chestnut Street.

Ste. Genevieve County

Ste. Genevieve, *St. Genevieve Historic District*.

Saline County

Arrow Rock, *Arrow Rock*, *Arrow Rock State Park*.

Arrow Rock, *Bingham (George Caleb) House*, *Arrow Rock State Park*.

Marshall vicinity, *Utz Site*, 12 miles north of Marshall, adjoining Van Meter State Park.

Vernon County

Nevada vicinity, *Carrington Osage Village Site*, north of Nevada, on west edge of Green Valley Prairie.

MONTANA**Beaverhead County**

Armstead vicinity, *Lemhi Pass*, 33.5 miles west of Armstead on U.S. 91 (see Lemhi County, Idaho).

Dillon vicinity, *Bannack Historic District*, 22 miles from Dillon on secondary road off Montana 278.

Wisdom vicinity, *Big Hole National Battlefield*, 12 miles west of Wisdom.

Big Horn County

Hardin vicinity, *Custer Battlefield National Monument*, 15 miles south of Hardin.

Cascade County

Great Falls, *Russell (Charles M.) House and Studio*, 1217-19 Fourth Avenue North.

Great Falls vicinity, *Great Falls Portage*, southeast of Great Falls at junction of Montana 87, 89, and 91.

Chouteau County

Fort Benton, *Fort Benton*.

Dawson County

Glendive vicinity, *Hagen Site*, 5 miles southeast of Glendive on secondary road.

Gallatin County

Three Forks vicinity, *Three Forks of the Missouri*, northeast of Three Forks on the Missouri River, Missouri Headwaters State Monument.

Glacier County

Browning vicinity, *Camp Disappointment*, 12 miles northeast of Browning on the Blackfoot Reservation.

Madison County

Virginia City, *Virginia City Historic District*, *Wallace Street*.

Missoula County

Lolo vicinity, *Traveler's Rest*, 1 mile south of Lolo near U.S. 93.

Lolo vicinity, *Lolo Trail*, U.S. 93 (see Clearwater County, Idaho).

Powell County

Deer Lodge, *Grant-Kohrs Ranch*, edge of Deer Lodge.

Roosevelt County

Fort Union Trading Post National Historic Site (see Williams County, N. Dak.).

Silver Bow County

Butte, *Butte Historic District*.

Yellowstone County

Billings vicinity, *Pictograph Cave*, 7 miles southeast of Billings via U.S. 87 and secondary road, Indian Caves Park.

Pompey's Pillar vicinity, *Pompey's Pillar*, west of Pompey's Pillar on U.S. 10.

NEBRASKA**Cass County**

Murray vicinity, *Walker-Gilmore Site (Sterns Creek Site)*, near Murray on U.S. 34.

Dawes County

Fort Robinson vicinity, *Fort Robinson and Red Cloud Agency*, east of Fort Robinson on U.S. 20.

Gage County

Beatrice vicinity, *Homestead National Monument*, 4 miles northwest of Beatrice on Nebraska 4.

Garden County

Lewellen vicinity, *Ash Hollow Cave*, 2 miles southeast of Lewellen.

Howard County

Palmer vicinity, *Palmer Site*, 4 miles north and 1 mile west of Palmer on Loup River.
St. Paul vicinity, *Coufal Site*, near St. Paul on Devils Creek.

Lancaster County

Lincoln, *Bryan (William Jennings) House*, *Fairview*, 4900 Sumner Street.

Morrill County

Bayard vicinity, *Chimney Rock National Historic Site*, 4 miles south of Bayard off Nebraska 86.

Red Willow County

McCook, *Norris (Senator George William) House*, 706 Norris Avenue.

Richardson County

Rulo vicinity, *Leary Site*, 4 miles southeast of Rulo on Nebraska 7.

Scottsbluff County

Gering vicinity, *Scotts Bluff National Monument*, 3 miles west of Gering on Nebraska 92.

Scottsbluff vicinity, *Robidoux Pass*, 8 miles southwest of Scotts Bluff National Monument on secondary roads.

Scottsbluff vicinity, *Signal Butte*, 14 miles southwest of Scottsbluff.

Valley County

North Loup vicinity, *Schultz Site*, 6 miles west of North Loup on Nebraska 22.

Washington County

Fort Calhoun vicinity, *Fort Atkinson*, 1 mile east of Fort Calhoun via secondary road.

Webster County

Red Cloud vicinity, *Pike Pawnee Village Site (Hill Site)*, south bank of the Republican River, 2 miles south and 6 miles east of Red Cloud.

NEVADA**Lyons County**

Weeks vicinity, *Fort Churchill*, U.S. 95A, 8 miles south of U.S. 50.

Pershing County

Lovelock vicinity, *Leonard Rock Shelter*, 12 miles south of Lovelock off Nevada 159.

Storey County

Virginia City, *Virginia City Historic District*.

Washoe County

Reno, *Newlands (Senator Francis G.) House*, 7 Elm Court.

White Pine County

Hobson vicinity, *Fort Ruby*, near Hobson on a secondary road, west side of Ruby Lake.

NEW HAMPSHIRE**Hillsboro County**

Hillsboro vicinity, *Pierce (Franklin) Homestead*, 3 miles west of Hillsboro on New Hampshire 31.

Peterborough, *MacDowell Colony*, west of U.S. 202.

Merrimack County

Concord, *Pierce (Franklin) House*, 18 Montgomery Street.

Rockingham County

Derry vicinity, *Frost (Robert) Homestead*, 2 miles southeast of Derry on New Hampshire 28.

Portsmouth, *Jackson (Richard) House*, Northwest Street.

Portsmouth, *Macphedris-Warner House*, Chapel and Daniel Streets.

Portsmouth, *Moffatt-Ladd House*, 154 Market Street.

Portsmouth, *Wentworth-Gardner House*, 140 Mechanic Street.

Portsmouth vicinity, *Wentworth-Coolidge Mansion*, 2 miles south of Portsmouth, off U.S. 1A.

Sullivan County

Plainfield vicinity, *Saint-Gaudens National Historic Site*, south of Plainfield off New Hampshire 12A.

NEW JERSEY**Bergen County**

Palisades Interstate Park, west bank of Hudson River (also in Orange and Rockland Counties, N.Y.).

Camden County

Camden, *Whitman (Walt) House*, 330 Mickle Street.

Essex County

West Orange, *Edison National Historic Site*, Main Street, between Alden and Lakeside Streets.

Hudson County

Statue of Liberty National Monument (see New York County, N.Y.).

Mercer County

Princeton, *Cleveland (Grover) Home*, Westland, 15 Hodge Road.

Princeton, *Henry (Joseph) House*, Princeton University campus.

Princeton, *Nassau Hall*, Princeton University, Princeton University campus.

Princeton, *Princeton Battlefield*, Princeton Battlefield State Park.

Washington Crossing vicinity, *Washington Crossing State Park*, New Jersey 546 and Pennsylvania 532, Delaware River (see Bucks County, Pa.).

Monmouth County

Freehold vicinity, *Monmouth Battlefield*, northwest of Freehold on New Jersey 522.
Sandy Hook, *Sandy Hook Light*.

Morris County

Morristown, *Morristown National Historical Park*.
Morristown, *Nast (Thomas) Home*, *Villa Fontana*, MacCulloch Avenue and Miller Road.

Ocean County

Lakehurst vicinity, *Hangar No. 1*, *Lakehurst Naval Air Station*, north of Lakehurst on County Route 547.

Passaic County

Hewitt vicinity, *Ringwood Manor*, 3 miles east of Hewitt, *Ringwood Manor State Park*.

NEW MEXICO**Catron County**

Silver City vicinity, *Gila Cliff Dwellings National Monument*, 47 miles north of Silver City on New Mexico 26 and 527.

Colfax County

Raton vicinity, *Raton Pass*, U.S. 85 and 87 (also in Las Animas County, Colo.).

Dona Ana County

Las Cruces vicinity, *Mesilla Plaza*, 2 miles south of Las Cruces on New Mexico 28.

Eddy County

Carlsbad vicinity, *Carlsbad Reclamation Project*, north of Carlsbad.

Lincoln County

Lincoln, *Lincoln Historic District*, U.S. 380.

Los Alamos County

Los Alamos, *Los Alamos Scientific Laboratory*, Central Avenue.

McKinley County

Manuelito vicinity, *Manuelito Complex*, 6 miles south of Manuelito on secondary roads.

Thoreau vicinity, *Chaco Canyon National Monument*, 64 miles north of Thoreau on New Mexico 56.

Mora County

Wagon Mound vicinity, *Wagon Mound*, east of Wagon Mound on U.S. 85.

Watrous, *Watrous (La Junta)*, U.S. 85.

Watrous vicinity, *Fort Union National Monument*, 9 miles north of Watrous on New Mexico 477.

Rio Arriba County

Espanola vicinity, *Puye Ruins*, 14 miles west of Espanola on New Mexico 30 and 5, *Santa Clara Indian Reservation*.

San Juan Pueblo vicinity, *San Gabriel de Yungue-ouinge*, 1 mile west of San Juan Pueblo on New Mexico 74 and secondary roads.

Roosevelt County

Clovis vicinity, *Anderson Basin (Blackwater Drain)*, 12 miles south and 6 miles east of Clovis via U.S. 70 and secondary roads.

San Juan County

Aztec vicinity, *Aztec Ruins National Monument*, 1 mile north of Aztec on secondary road.

La Plata vicinity, *Holmes Site*, east of La Plata on the La Plata River.

San Miguel County

Pecos vicinity, *Pecos National Monument*, south of Pecos on New Mexico 63.

Santa Fe vicinity, *Glorieta Pass Battlefield*, 20 miles southeast of Santa Fe on U.S. 84-85 and New Mexico 50 (also in Santa Fe County).

Sandoval County

Los Alamos vicinity, *Bandelier National Monument*, 12 miles south of Los Alamos on New Mexico 4.

Bernalillo vicinity, *Sandia Cave*, 11 miles east of Bernalillo on New Mexico 44, *Cibola National Forest*.

Casa Salazar vicinity, *Big Bend Mesa*, west of Casa Salazar on secondary roads, *Cibola National Forest*.

Santa Fe County

Santa Fe, *Barrio de Analco*, *Historic District*, *Santa Fe, Palace of the Governors*, *The Plaza*.

Santa Fe, *Santa Fe Plaza*.

Santa Fe vicinity, *Glorieta Pass Battlefield*, (see San Miguel County).

Santa Fe vicinity, *San Lazaro*, 25 miles south of Santa Fe via New Mexico 10 and secondary road.

Santa Fe vicinity, *Seton Village*, 6 miles south of Santa Fe off U.S. 84-85 and secondary road.

Socorro County

Bingham vicinity, *Trinity Site*, 25 miles south of U.S. 380 on White Sands Missile Range.

Gran Quivira vicinity, *Gran Quivira National Monument*, 1 mile east of Gran Quivira on New Mexico 10, (also in Torrance County).

Taos County

Las Trampas, *Las Trampas Historic District*, *Taos, Blumenschein (Ernest L.) House*, *Ledoux Street*.

Taos, *Carson (Kit) House*, *Kit Carson Avenue*.

Taos vicinity, *Taos Pueblo*, 3 miles north of Taos.

Torrance County

Gran Quivira National Monument (see Socorro County).

Abó vicinity, *Abó*, 3 miles west of Abó on U.S. 60 and secondary road in Abó State Monument.

Punta de Agua vicinity, *Quarai*, 1 mile south of Punta de Agua on secondary road in Quarai State Monument.

Union County

Clayton vicinity, *Rabbit Ears (Clayton Complex)*, north and west of Clayton.

Folsom vicinity, *Folsom Site*, 8 miles west of Folsom on banks of Dead Horse Gulch.

Valencia County

Casa Blanca vicinity, *Ácoma*, 13 miles south of Casa Blanca on New Mexico 23.

El Morro vicinity, *El Morro National Monument*, 2 miles west of El Morro on New Mexico 53.

Zuni vicinity, *Hawikuh*, 12 miles southwest of Zuni, *Zuni Indian Reservation*.

NEW YORK**Albany County**

Albany, *Schuyler (Philip) Mansion*, *Clinton and Schuyler Streets*.

Watervliet, *Watervliet Arsenal*, *South Broadway*.

Cayuga County

Auburn, *Seward (William H.) House*, 33 South Street.

Poplar Ridge, *Wood (Jethro) House*, New York 34B.

Chautauqua County

Chautauqua, *Miller (Lewis) Cottage*, *Chautauqua Institution*, New York 17J.

Clinton County

Adirondack Forest Preserve, northeastern New York State (also in Essex, Franklin, Fulton, Hamilton, Herkimer, St. Lawrence, and Warren Counties).

Plattsburgh vicinity, *Plattsburgh Bay*, *Cumberland Bay*, east of Plattsburgh.

Plattsburgh vicinity, *Valcour Bay*, 7 miles south of Plattsburgh on the west shore of Lake Champlain.

Columbia County

Church Hill, *Church (Frederic E.) House*, *Olana*, *Church Hill*, east end of Rip Van Winkle Bridge.

Kinderhook vicinity, *Van Alen (Luykas) House*, U.S. 9H, 2.1 miles south of U.S. 9. Kinderhook vicinity, *Van Buren (Martin) House*, *Lindenwald*, east of Kinderhook on New York 9H.

New Lebanon, *Mount Lebanon Shaker Society*, U.S. 20.

Delaware County

Roxbury vicinity, *Burroughs (John) Home*, *Woodchuck Lodge*, 2 miles from Roxbury.

Dutchess County

Hyde Park, *Home of Franklin D. Roosevelt National Historic Site*, 2 miles south of Hyde Park on U.S. 9.

Hyde Park, *Vanderbilt Mansion National Historic Site*, north edge of Hyde Park, U.S. 9.

Poughkeepsie, *Morse (Samuel F. B.) House*, *Locust Grove*, 370 South Street.

Eric County

Buffalo, *Wilcox (Ansley) House National Historic Site*, *Delaware Avenue*.

Essex County

Adirondack Forest Preserve (see Clinton County).

Crown Point, *Fort St. Frederic*, junction of New York 8 and U.S. 9N.

Port Kent, *Watson (Elkanah) House*, 3 miles east of U.S. 9.

Ticonderoga vicinity, *Fort Ticonderoga*, 2.5 miles south of Ticonderoga on New York 22.

Franklin County

Adirondack Forest Preserve (see Clinton County).

Fulton County

Adirondack Forest Preserve (see Clinton County).

Johnstown, *Johnson Hall*, *Hall Street*.

Genesee County

Batavia, *Holland Land Office*, *West Main Street*.

Greene County

Catskill, *Cole (Thomas) House*, 218 Spring Street.

Coxsackie vicinity, *Bronck (Pieter) House*, 2 miles northwest of Coxsackie on the west side of U.S. 9W.

Hamilton County

Adirondack Forest Preserve (see Clinton County).

Herkimer County

Adirondack Forest Preserve (see Clinton County).

Kings County

Brooklyn, *Plymouth Church of the Pilgrims*, 75 Hicks Street.

Brooklyn, *Wyckoff (Pieter) House*, 5902 Canarsie Lane.

Lewis County

Lowville, *Hough (Franklin B.) House*, *Collins Street*.

Madison County

Oneida, *Oneida Community Mansion House*, Sherrill Road.

Monroe County

Rochester, *Anthony (Susan B.) House*, 17 Madison Street.
Rochester, *Eastman (George) House*, 900 East Avenue.

Montgomery County

Amsterdam vicinity, *Erie Canal*, 6 miles west of Amsterdam on New York 53.

Nassau County

Oyster Bay, Long Island, *Sagamore Hill National Historic Site*, end of Cove Neck Road, Port Washington, *Sousa (John Philip) House*, Wildbank, 14 Hicks Lane, Sands Point.

New York County

New York, *Arthur (Chester A.) House*, 123 Lexington Avenue.
New York, *Brooklyn Bridge*, Boroughs of Manhattan and Brooklyn across the East River.
New York, *Brooklyn Heights Historic District*, Borough of Brooklyn, bounded by Atlantic Avenue, Court Street, Fulton Street, and the East River.
New York, *Carnegie Hall*, Seventh Avenue, 56th to 57th Streets.
New York, *Carnegie (Andrew) Mansion*, 2 East 91st Street.
New York, *Castle Clinton National Monument*, South Ferry.
New York, *Central Park*, bounded by Central Park South, Fifth Avenue, Central Park West, and 110th Street.
New York, *City Hall*, Broadway and Chambers Street.
New York, *Cooper Union*, Cooper Square, Seventh Street and Fourth Avenue.
New York, *Cyclotron*, Pupin Physics Laboratories, Columbia University, Broadway and 120th Street.
New York, *Dyckman (William) House*, 4881 Broadway.
New York, *Federal Hall National Memorial*, Wall and Nassau Streets.
New York, *General Grant National Memorial*, Riverside Drive and West 122d Street.
New York, *Hamilton Grange National Memorial*, 287 Convent Avenue.
New York, *Morgan (Pierpont) Library*, 33 East 36th Street.
New York, *Morris-Jumel Mansion*, 160th Street and Edgecombe Avenue.
New York, *New York Botanical Gardens*, Southern and Bedford Park Boulevards.
New York, *New York Public Library*, Fifth Avenue and 42d Street.
New York, *The Players*, 16 Gramercy Park.
New York, *Theodore Roosevelt Birthplace National Historic Site*, 28 East 20th Street.
New York, *St. Paul's Chapel*, Broadway, between Fulton and Vesey Streets.
New York, *Statue of Liberty National Monument*, Liberty Island, New York harbor (also in Hudson County, N.J.).
New York, *Tredwell (Seabury) House*, Old Merchant's House, 29 East Fourth Street.
New York, *Van Cortlandt (Frederick) House*, Van Cortlandt Park at 242d Street.
New York, *Woolworth Building*, 233 Broadway.

Niagara County

Niagara Falls, *Niagara Reservation*, Youngstown vicinity, *Old Fort Niagara*, north of Youngstown on New York 18.

Oneida County

Rome, *Fort Stanwix National Monument*, bounded by Dominick, Spring, Liberty, and James Streets.
Rome vicinity, *Oriskany Battlefield*, 5 miles east of Rome on New York 69.

Ontario County

Victor vicinity, *Boughton Hill*, 1.25 miles south of Victor.

Orange County

Delaware and Hudson Canal (also in Sullivan and Ulster Counties and Pike and Wayne Counties, Pa.).
Palisades Interstate Park (see Bergen County, N.J.).
Goshen, *Historic Track*, Main Street.
Harriman, *Harriman (E. H.) Estate*, Arden, New York 17.
Newburgh, *Washington's Headquarters*, Liberty and Washington Streets.
West Point, *U.S. Military Academy*, New York 218.

Queens County

Flushing, *Old Quaker Meetinghouse*, south side of Northern Boulevard.
Richmond Hill, *Riis (Jacob) House*, 84-41 120th Street.

Rensselaer County

Rensselaer, *Fort Crailo*, south of Columbia Street on Riverside Street.
Walloomsac vicinity, *Bennington Battlefield*, New York 67, on Vermont line.

Richmond County

Staten Island, *The Voorlezer's House*, Arthur Kill Road, opposite Center Street.
Tottenville, Staten Island, *Conference House*, Hylan Boulevard.

Rockland County

Palisades Interstate Park (see Bergen County, N.J.).
Stony Point vicinity, *Stony Point Battlefield*, north of Stony Point on U.S. 9W and U.S. 202.
Tappan, *De Wint House*, Livingston Avenue and Oak Tree Road.

St. Lawrence County

Adirondack Forest Preserve (see Clinton County).

Saratoga County

Albany vicinity, *Saratoga National Historical Park*, 30 miles north of Albany on U.S. 4 and New York 32.

Schoharie County

North of Blenheim, *Old Blenheim Bridge*, New York 30.

Schuyler County

Tyrone vicinity, *Lamoka*, 2 miles west of Tyrone at northern edge of Lamoka Lake.

Seneca County

Seneca Falls, *Stanton (Elizabeth Cady) House*, 32 Washington Street.

Suffolk County

Cutchogue, *The Old House*, New York 25.
East Hampton, Long Island, *Moran (Thomas) House*, Main Street.
Stony Brook, Mount (William Sydney) House, Gould Road and New York 25.

Sullivan County

Delaware and Hudson Canal (see Orange County).

Tompkins County

Ithaca, *Morrill Hall*, Cornell University, Cornell University campus.

Ulster County

Delaware and Hudson Canal (see Orange County).
Esopus, *Burroughs (John) Cabin*, Slabsides west of West Park.
Esopus, *Burroughs (John) Riverby Study*, West Park.

Hurley, *Hurley Historic District*, Hurley Street, Hurley Mountain Road, and Schoonmaker Lane.

New Paltz, *Hasbrouck (Jean) House*, Huguenot Street, opposite its junction with North Street.

New Paltz, *Huguenot Street Historic District*, Huguenot Street.

Warren County

Adirondack Forest Preserve (see Clinton County).

Westchester County

Croton-on-Hudson, *Van Cortlandt Manor*, U.S. 9, north of intersection with U.S. 9A.
Mount Vernon, *St. Paul's Church National Historic Site*, Eastchester, Mount Vernon.
North Tarrytown, *Dutch Reformed (Sleepy Hollow) Church*, north edge of Tarrytown on U.S. 9.
Tarrytown, *Gould (Jay) Estate*, Lyndhurst, 635 South Broadway.
Tarrytown vicinity, *Irving (Washington) House*, Sunnyside, Sunnyside Lane.
Upper Mills, *Philipsburg Manor*, 381 Bellwood Avenue.
Yonkers, *Philips Manor*, Warburton Avenue and Dock Street.

NORTH CAROLINA**Buncombe County**

Asheville, *Biltmore Estate*, Biltmore Plaza.

Cabarrus County

Concord vicinity, *Reed Gold Mine*, 11 miles southeast of Concord on North Carolina 601 and 200.

Dare County

Kitty Hawk, *Wright Brothers National Memorial*.

Manteo vicinity, *Roanoke Island, Fort Raleigh National Historic Site*, 4 miles north of Manteo on U.S. 158.

Durham County

Durham vicinity, *Duke Homestead and Tobacco Factory*, 0.5 mile north of Durham on Guess Road and east on County Route 1025.

Forsyth County

Winston-Salem, *Old Salem Historic District*, Salem College campus and area near Salem Square.

Winston-Salem, *Salem Tavern*, 800 South Main Street.

Guilford County

Greensboro vicinity, *Guilford Courthouse National Military Park*, 6 miles northwest of Greensboro near U.S. 220.

Henderson County

Flat Rock vicinity, *Carl Sandburg Home National Historic Site*, 0.25 mile west of Flat Rock.

Montgomery County

Mount Gilead vicinity, *Town Creek Indian Mound*, 4.5 miles southeast of Mount Gilead on North Carolina 73.

New Hanover County

Wilmington vicinity, *Fort Fisher*, 18 miles south of Wilmington on U.S. 421.

Orange County

Chapel Hill, *Old East, University of North Carolina*, University of North Carolina campus.

Pender County

Wilmington vicinity, *Moore's Creek National Military Park*, 25 miles northwest of Wilmington on North Carolina 210.

NORTH DAKOTA

Billings County

Medora, *Theodore Roosevelt National Memorial Park* (also in McKenzie County).

Burleigh County

Menoken vicinity, *Menoken Indian Village Site*, 1.25 miles north of Menoken, Verendrye State Park.

McKenzie County

Theodore Roosevelt National Memorial Park (see Billings County).

Mercer County

Stanton vicinity, *Big Hidatsa Village Site*, north bank of Knife River, 1 mile north of Stanton.

Williams County

Buford vicinity, *Fort Union Trading Post National Historic Site*, west of Buford (also in Roosevelt County, Mont.).

OHIO

Adams County

Locust Grove vicinity, *Serpent Mound*, 5 miles northwest of Locust Grove on Ohio 73.

Allen County

Spencerville vicinity, *Miami and Erie Canal, Deep Cut*, 2 miles south of Spencerville on Ohio 66.

Athens County

Athens, *Manasseh Cutler Hall*, Ohio University, Ohio University campus.

Butler County

Oxford, *McGuffey (William H.) House*, 401 East Spring Street.

Columbiana County

East Liverpool, *The Beginning Point of the U.S. Public Land Survey on the Ohio-Pennsylvania boundary* (also in Beaver County, Pa.).

Cuyahoga County

Valley View Village, *Ohio and Erie Canal*, Ohio 631.

Erie County

Milan, *Edison (Thomas Alva) Birthplace*.

Fairfield County

Lancaster, *Sherman (John) Birthplace*, 137 East Main Street.

Guernsey County

Old Washington vicinity, *S Bridge, National Road*, 5 miles west of Old Washington on U.S. 40.

Hamilton County

Cincinnati, *Pendleton (George Hunt) House*, 559 East Liberty Street.
Cincinnati, *Taft (William Howard) Home*, 2038 Auburn Avenue.

Lake County

Mentor, *Garfield (James A.) Home*, *Lawnfield*, 1059 Mentor Avenue.

Licking County

Newark, *Newark Earthworks, Mound Builders State Memorial*.

Lorain County

Oberlin, *Oberlin College*, Tappan Square.

Lucas County

Maumee vicinity, *Fallen Timbers Battlefield*, 2 miles west of Maumee on U.S. 24.

Mahoning County

Coltsville Township, *McGuffey (William H.) Boyhood Home Site*, McGuffey Road, near Ohio 616.

Marion County

Marion, *Harding (Warren G.) Home*, 380 Mount Vernon Avenue.

Montgomery County

Dayton, *Dunbar (Paul Laurence) House*, 219 North Summit Street.

Ottawa County

Gibraltar Island, *Cooke (Jay) Home*, Put-in-Bay, Lake Erie.

Put-in-Bay, South Bass Island, *Perry's Victory and International Peace Memorial National Monument*.

Ross County

Chillicothe vicinity, *Mound City Group National Monument*, 4 miles north of Chillicothe on Ohio 104.

Hopetown vicinity, *Hopetown Earthworks*, near Mound City Group National Monument on U.S. 23.

Sandusky County

Fremont, *Hayes (Rutherford B.) Home*, Spiegel Grove, Hayes and Buckland Avenues.

Warren County

Lebanon vicinity, *Fort Ancient*, 7 miles southeast of Lebanon on Ohio 350, *Fort Ancient State Memorial*.

OKLAHOMA

Bryan County

Nida vicinity, *Fort Washita*, southwest of Nida on Oklahoma 199.

Cherokee County

Tahlequah, *Cherokee National Capitol*.

Cimarron County

Wheless vicinity, *Camp Nichols*, 3 miles northeast of Wheless on Ranch Road.

Comanche County

Lawton vicinity, *Fort Sill*, north of Lawton.

Kay County

Newkirk vicinity, *Deer Creek Site*, 6 miles northeast of Newkirk.

McCurtain County

Millertown vicinity, *Wheelock Academy*, east of Millertown on U.S. 70.

Muskogee County

Fort Gibson, *Fort Gibson*.

Okmulgee County

Okmulgee, *Creek National Capitol*.

Roger Mills County

Cheyenne vicinity, *Washita Battlefield*, northwest of Cheyenne on U.S. 283.

Sequoyah County

Akins vicinity, *Sequoyah's Cabin*, Oklahoma 101, *Sequoyah's Cabin State Park*.

Texas County

Optima vicinity, *Stamper Site*, 2.5 miles south of Optima on the south bank of the North Canadian River.

Washita County

Colony vicinity, *McLemore Site*, 4 miles southeast of Colony on Oklahoma 69.

OREGON

Clackamas County

Oregon City, *McLoughlin (Dr. John) House National Historic Site*, *McLoughlin Park*, between Seventh and Eighth Streets.

Clatsop County

Astoria, *Elmore (Samuel) Cannery*, on the waterfront at the foot of Flavel Street.

Astoria, *Fort Astoria*, 15th and Exchange Streets.

Astoria vicinity, *Fort Clatsop National Memorial*, 4.5 miles south of Astoria.

Jackson County

Jacksonville, *Jacksonville Historic District*.

Klamath County

Worden, *Lower Klamath National Wildlife Refuge* (see Siskiyou County, Calif.).

Lake County

Fort Rock vicinity, *Fort Rock Cave*, northwest of Fort Rock on secondary roads.

PENNSYLVANIA

Adams County

Gettysburg, *Gettysburg National Military Park*.

Gettysburg vicinity, *Eisenhower National Historic Site*, southwest edge of Gettysburg National Military Park.

Allegheny County

Pittsburgh, *Forks of the Ohio*, Point Park.

Beaver County

Ambridge, *Old Economy*, northwest of Pittsburgh on Pennsylvania 65.

Glasgow vicinity, *The Beginning Point of the U.S. Public Land Survey* (see Columbiana County, Ohio).

Berks County

Morgantown vicinity, *Hopewell Village National Historic Site*, 10 miles northeast of Morgantown Interchange, Pennsylvania Turnpike.

Womelsdorf vicinity, *Weiser (Conrad) House*, 2 miles east of Womelsdorf, U.S. 422.

Blair County

Altoona vicinity, *Horseshoe Curve*, 5 miles west of Altoona on Pennsylvania 193.

Johnstown vicinity, *Allegheny Portage Railroad National Historic Site*, U.S. 22 (also in Cambria County).

Bucks County

Philadelphia vicinity, *Biddle (Nicholas) Estate, Andalusia*, 1.4 miles north of Philadelphia on Pennsylvania 32.

Yardley vicinity, *Washington Crossing State Park*, between Yardley and New Hope, on the Delaware River (also in Mercer County, N.J.).

Cambria County

Allegheny Portage Railroad National Historic Site (see Blair County).

Johnstown vicinity, *Johnstown Flood National Memorial intersection of U.S. 219 and Pennsylvania 869*.

Chester County

Norristown vicinity, *Valley Forge*, Valley Forge State Park (also in Montgomery County).

Cumberland County

Carlisle, *Old West, Dickinson College*, Dick of Carlisle on U.S. 11.

Carlisle, *Old West, Dickinson College*, Dickinson College campus.

Delaware County

Chadd's Fort, *Brandywine Battlefield*, Brandywine Battlefield Park.

Dilworthtown vicinity, *Brinton (William) House*, 1704 House, Oakland Road, near junction of U.S. 202 and County Route 15199.

Essington, *The Printzhof*, Taylor Avenue and Second Street.

Swarthmore, *West (Benjamin) Birthplace*, Swarthmore College campus.

Fayette County

- Point Marion vicinity, *Gallatin (Albert) House, Friendship Hill*, 3 miles north of Point Marion on Pennsylvania 166.
 Uniontown vicinity, *Fort Necessity National Battlefield*, 11 miles east of Uniontown on U.S. 40.
 Uniontown vicinity, *Searights Tollhouse National Road*, west of Uniontown near U.S. 40.

Huntingdon County

- Rockhill Furnace, *East Broad Top Railroad*, U.S. 522.

Lackawanna County

- Scranton, *Powderly (Terence V.) House*, 614 North Main Street.

Lancaster County

- Brickerville, *Stiegel-Coleman House*, Pennsylvania 501 and U.S. 322.
 Ephrata, *Ephrata Cloister*.
 Lancaster, *Buchanan (James) House, Wheatland*, 1120 Marietta Avenue.
 Quarryville vicinity, *Fulton (Robert) Birthplace*, 8 miles south of Quarryville on U.S. 22.

Lebanon County

- Cornwall, *Cornwall Iron Furnace*, 5 miles south of Lebanon on U.S. 322.

Montgomery County

- Horsham vicinity, *Graeme Park*, Keith Valley Road.
 Trappe, *Augustus Lutheran Church*, Seventh Avenue East and Main Street.
 Valley Forge (see Chester County).

Northumberland County

- Northumberland, *Priestley (Joseph) House*, Priestley Avenue.

Philadelphia County

- Philadelphia, *Academy of Music*, Broad and Locust Streets.
 Philadelphia, *American Philosophical Society Hall*, Independence Square.
 Philadelphia, *Bartram (John) House*, 54th Street and Eastwick Avenue.
 Philadelphia, *Chew House*, Germantown Avenue between Johnson and Cliveden Streets.
 Philadelphia, *Coleman (William) House*, Woodford, East Fairmount Park.
 Philadelphia, *Eakins (Thomas) House*, 1729 Mount Vernon Place.
 Philadelphia, *Eastern State Penitentiary*, 21st Street and Fairmount Avenue.
 Philadelphia, *Elfreth's Alley Historic District*, between Second and Front Streets.
 Philadelphia, *Germantown Historic District*, Germantown Avenue, between Windrim Avenue and Upsal Street.
 Philadelphia, *Gloria Dei (Old Swedes) Church National Historic Site*, Swanson Street, between Christian and Water Streets.
 Philadelphia, *Hamilton (William) House*, The Woodlands, 40th Street and Woodland Avenue West.
 Philadelphia, *Independence National Historical Park*, bounded by Walnut, Sixth, Chestnut, and Second Streets.
 Philadelphia, *Institute of the Pennsylvania Hospital*, 111 North 49th Street.
 Philadelphia, *Logan (James) Home*, Stenton, 18th and Courtland Streets.
 Philadelphia, *MacPherson (John) House*, Mount Pleasant, Fairmount Park.
 Philadelphia, *New Market*, South Second Street, between Pine and Lombard Streets.
 Philadelphia, *U.S.S. Olympia*, Pier 40, at the foot of Chestnut Street.
 Philadelphia, *Peale (Charles Willson) House*, Belfield, 2100 Clarkson Avenue.
 Philadelphia, *The Pennsylvania Hospital*, Eighth and Spruce Streets.
 Philadelphia, *Poe (Edgar Allan) House*, 530 North Seventh Street.

- Philadelphia, *Reynolds-Morris House*, 225 South Eighth Street.
 Philadelphia, *Sully (Thomas) Residence*, 530 Spruce Street.
 Philadelphia, *Walnut Street Theatre*, Ninth and Walnut Streets.

Pike County

- Delaware and Hudson Canal (see Orange County, N.Y.).
 Milford, *Pinchot (Gifford) House*, Grey Towers, west edge of Milford.

Venango County

- Titusville vicinity, *Drake Oil Well*, 3 miles southeast of Titusville on Pennsylvania 36, Drake Well Memorial Park.

Wayne County

- Delaware and Hudson Canal (see Orange County, N.Y.).

Westmoreland County

- Harrison City vicinity, *Bushy Run Battlefield*, 2 miles east of Harrison City on Pennsylvania 993.

PUERTO RICO

San Juan

- La Fortaleza, San Juan Island, between San Juan Bay and Calle Recinto Oeste.
 San Juan National Historic Site.

RHODE ISLAND

Newport County

- Newport, *Brick Market*, Thames Street and Washington Square.
 Newport, *Chateau-sur-Mer*, Bellevue, Leroy, Lawrence, and Shepard Avenues.
 Newport, *Hunter House*, 54 Washington Street.
 Newport, *Newport Historic District* near but not including the waterfront area, within the 18th-century town limits.
 Newport, *Old Statehouse*, Washington Square.
 Newport, *Redwood Library*, 50 Bellevue Avenue.
 Newport, *Touro Synagogue National Historic Site*, 85 Touro Street.
 Newport, *Trinity Church*, 141 Church Street.
 Newport, *U.S. Naval War College*, Coaster's Harbor Island.
 Newport, *Vernon House*, 46 Clarke Street.
 Newport, *Wanton-Lyman-Hazard House*, 17 Broadway.

Providence County

- Lincoln, *Arnold (Eleazer) House*, Great Road (Rhode Island 123).
 Pawtucket, *Old Slater Mill*, Roosevelt Avenue.
 Providence, *Brown (John) House*, 52 Power Street.
 Providence, *First Baptist Meetinghouse*, North Main Street between Thomas and Waterman Streets.
 Providence, *Roger Williams National Memorial*, Old Town.
 Providence, *University Hall*, Brown University, Brown University campus.

Washington County

- Saunderstown, *Stuart (Gilbert) Birthplace*, Gilbert Stuart Road.

SOUTH CAROLINA

Berkeley County

- Moncks Corner vicinity, *Broughton (Thomas) Plantation*, Mulberry, off U.S. 52 on the Cooper River.

Charleston County

- Charleston, *Aiken (William) House and Associated Railroad Structures*, 456 King Street.
 Charleston, *Brewton (Miles) House*, 27 King Street.

- Charleston, *Brewton (Robert) House*, 71 Church Street.

- Charleston, *Charleston Historic District*, bounded by Broad, Bay, Logan, East Battery, and South Battery Streets; and by Cumberland, State, Chalmers, and Meeting Streets.

- Charleston vicinity, *Drayton (John) House*, Drayton Hall, 12 miles west of Charleston off South Carolina 61.

- Charleston, *Fort Sumter National Monument*, Charleston Harbor.

- Charleston, *Mills (Clark) Studio*, 51 Broad Street.

- Charleston, *St. Michael's Episcopal Church*, 80 Meeting Street.

Cherokee County

- Chesnee vicinity, *Cowpens National Battlefield Site*, 2 miles east of Chesnee at junction of South Carolina 11 and South Carolina 110.

Darlington County

- Hartsville vicinity, *Coker Experimental Farms*, west of Hartsville on South Carolina 151.

Kershaw County

- Camden vicinity, *Camden Battlefield*, 5 miles north of Camden on U.S. 521 and 601.

Pickens County

- Clemson, *Calhoun (John C.) House*, Fort Hill, Clemson University campus.

York County

- Bethany vicinity, *Kings Mountain National Military Park*, northwest of Bethany on South Carolina 161.

SOUTH DAKOTA

Buffalo County

- Chamberlain vicinity, *Crow Creek Site*, 15 miles north of Chamberlain on the east side of the Missouri River near South Dakota 47.

- Fort Thompson vicinity, *Fort Thompson Mounds*, near Fort Thompson on South Dakota 50, Crow Creek Indian Reservation.

Davison County

- Mitchell, *Mitchell Site*, Municipal golf course.

Dewey County

- Mobridge vicinity, *Molstad Village*, 18 miles south of Mobridge, overlooking the Oahe Reservoir.

Hanson County

- Bloom vicinity, *Bloom Site*, east of Bloom on the James River.

Hughes County

- Pierre vicinity, *Araberger Site*, 7.5 miles east of Pierre on the Missouri River.

Lawrence County

- Deadwood, *Deadwood Historic District*.

Lyman County

- Lower Brule vicinity, *Langdeau Site*, north of Lower Brule on South Dakota 47W.

Pennington County

- Keystone vicinity, *Mount Rushmore National Memorial*, 3 miles west of Keystone off U.S. 16A.

Shannon County

- Batesland vicinity, *Wounded Knee Battlefield*, 11 miles west of Batesland, Pine Ridge Indian Reservation.

TENNESSEE

Anderson County

- Oak Ridge, *X-10 Reactor*, Oak Ridge National Laboratory.

Carter County

Elizabethtown vicinity, *Sycamore Shoals*, 2 miles west of Elizabethtown on the Watauga River.

Claiborne County

Cumberland Gap National Historical Park (see Bell County, Ky.).

Davidson County

Nashville, Peabody (George) College for Teachers, 21st Avenue South and Edgehill Avenue.

Nashville vicinity, Jackson (Andrew) House, *The Hermitage*, 12 miles east of Nashville on U.S. 70N.

Greene County

Greeneville, Andrew Johnson National Historic Site, Depot and College Streets.

Hamilton County

Chickamauga and Chattanooga National Military Park (see Catoosa County, Ga.).

Hardin County

Shiloh, Shiloh National Military Park.

Knox County

Knoxville, Blount (William) Mansion, 200 West Hill Avenue.

Madison County

Pinson vicinity, Pinson Mounds, 3 miles east of Pinson on secondary road.

Maury County

Columbia, Polk (James K.) House, West Seventh and South High Streets.

Monroe County

Vonore vicinity, Fort Loudoun, U.S. 411.

Rutherford County

Murfreesboro vicinity, Stones River National Battlefield, 3 miles northwest of Murfreesboro on U.S. 41.

Shelby County

Memphis, Beale Street Historic District, Beale Street from Main to Fourth Streets.

Stewart County

Dover vicinity, Fort Donelson National Military Park, 1 mile west of Dover on U.S. 79.

Sullivan County

Kingsport vicinity, Long Island of the Holston, south branch of the Holston River.

Williamson County

Franklin vicinity, Franklin Battlefield, south of Franklin on U.S. 31.

TEXAS**Armstrong County**

Palo Duro vicinity, JA Ranch, Palo Duro Canyon.

Bexar County

San Antonio, The Alamo, Alamo Plaza.
San Antonio, Espada Aqueduct, Espada Road, just east of U.S. 281S.

San Antonio, San Jose Mission National Historic Site, 6519 San Jose Drive.

Blanco County

Johnson City, Johnson (Lyndon B.) Boyhood Home.

Cameron County

Brownsville, Fort Brown.

Brownsville, Resaca de la Palma Battlefield, north edge of Brownsville on Parades Line Road.

Brownsville vicinity, Palo Alto Battlefield, junction of Farm Roads 1847 and 511, 6.3 miles north of Brownsville.

El Paso County

El Paso, Chamizal National Memorial.

Goliad County

Goliad vicinity, Presidio Nuestra Señora de Loreto de la Bahía, 1 mile south of Goliad State Park on U.S. 183.

Hale County

Plainview, Plainview Site, 0.5 mile west of the junction of U.S. 70 and 87.

Harris County

Houston vicinity, San Jacinto Battlefield, 22 miles east of Houston on Texas 134.

Jack County

Jacksboro vicinity, Fort Richardson, south of Jacksboro on U.S. 281.

Jeff Davis County

Fort Davis, Fort Davis National Historic Site, junction of Texas 17 and 118.

Jefferson County

Beaumont vicinity, Lucas Gusher, Spindletop Oil Field, 3 miles south of Beaumont on Spindletop Avenue.

Kaufman County

Terrell vicinity, Porter (Walter C.) Farm, 2 miles north of Terrell on Farm Road 986.

Kenedy County

Kingsville vicinity, King Ranch, in and near Kingsville (also in Kleberg, Nueces, and Willacy Counties).

Kleberg County

King Ranch (see Kenedy County).

Nueces County

King Ranch (see Kenedy County).

Oldham County

Vega vicinity, Landergerin Mesa, east side of East Alamosa Creek, Mansfield Ranch.

Potter County

Fritch vicinity, Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument, southwest of Fritch on the Canadian River.

Tom Green County

San Angelo, Fort Concho, south edge of San Angelo.

Willacy County

King Ranch (see Kenedy County).

Young County

Newcastle vicinity, Fort Belknap, 1 mile south of junction of Texas 24 and 251.

South Bend, Harrell Site, 1 mile north of South Bend on the Brazos River.

UTAH**Boz Elder County**

Promontory, Golden Spike National Historic Site.

Carbon County

Green River, Desolation Canyon (also in Emery, Grand, and Uintah Counties).

Emery County

Desolation Canyon (see Carbon County).

Grand County

Desolation Canyon (see Carbon County).

Salt Lake County

Salt Lake City, Emigration Canyon, east edge of Salt Lake City on Utah 65.

Salt Lake City, Temple Square.

Salt Lake City, Young (Brigham) House, Lion House, 63 South Temple Street.

Salt Lake City vicinity, Brigham Canyon Open Pit Copper Mine, 16 miles southwest of Salt Lake City on Utah 48.

San Juan County

Bluff vicinity, Hovenweep National Monument (see Montezuma County, Colo.).

Monticello vicinity, Alkali Ridge, 25 miles southeast of Monticello on secondary road, 10 miles east from Recapture Creek on Utah 47.

Tooele County

Wendover vicinity, Danger Cave, 1 mile east of Wendover on U.S. 40.

Uintah County

Desolation Canyon (see Carbon County).

VERMONT**Addison County**

Middlebury, Willard (Emma) House, Middlebury College campus.

Ripton vicinity, Frost (Robert) Farm, Homer Noble Farm, 1 mile north of Vermont 125, 3 miles east of Ripton.

Bennington County

South Shaftsbury, Frost (Robert) Farm, The Gully, 0.25 mile east of Vermont 7 on Buck Hill Road.

Chittenden County

Shelburne, The Ticonderoga, Shelburne Museum.

Orange County

Strafford, Morrill (Justin Smith) Homestead, South of the Common.

Windsor County

Plymouth Notch, Coolidge (Calvin) Homestead, off Vermont 100A.

Windsor, Robbins and Lawrence Armory and Machine Shop, South Main Street.

Woodstock, Marsh (George Perkins) Boyhood Home, 54 Elm Street.

VIRGIN ISLANDS**St. Croix Island**

Christiansted, Christiansted National Historic Site.

Columbus Landing Site, Salt River Bay.

St. Thomas Island

St. Thomas National Historic Site, Charlotte Amalie.

VIRGINIA**Albemarle County**

Charlottesville vicinity, Jefferson (Thomas) Plantation, Monticello, 2 miles south of Charlottesville on Virginia 53.

Alexandria (Independent City)

Alexandria Historic District, bounded roughly by the Potomac River and North Washington, Franklin, and Queen Streets.

Gadsby's Tavern, 128 North Royal Street.

Appomattox County

Appomattox vicinity, Appomattox Court House National Historical Park, 3 miles northeast of Appomattox on Virginia 24.

Arlington County

Arlington vicinity, Custis-Lee Mansion, Arlington National Cemetery.

Charles City County

Charles City vicinity, Byrd (William II) Plantation, Westover, 7 miles west of Charles City on Virginia 5.

Charles City vicinity, Tyler (John) House, Sherwood Forest, 4 miles east of Charles City on Virginia 5.

Charlottesville (Independent City)

Rotunda, University of Virginia, University of Virginia campus.

Clarke County

White Post vicinity, Greenway Court, 1 mile south of White Post on Virginia 277.

Dinwiddie County

Petersburg vicinity, Five Forks Battlefield, 12 miles west of Petersburg on County Road 627 at Church Road.

Petersburg vicinity, Petersburg National Battlefield, southeast, south, and southwest of Petersburg (also in Prince William County).

Fairfax County

Alexandria vicinity, Gunston Hall, 15 miles south of Alexandria on Virginia 242.

Alexandria vicinity, Washington (George) Plantation, Mount Vernon, 7 miles south of Alexandria on George Washington Memorial Parkway.

Franklin County

Rocky Mount vicinity, Booker T. Washington National Monument, 16 miles east of Rocky Mount on Virginia 122.

Fredericksburg (Independent City)

Monroe Law Office, 908 Charles Street.
Rising Sun Tavern, 1306 Caroline Street.

Goochland County

Manakin vicinity, Tuckahoe, on James River southeast of Manakin via secondary roads.

Hampton (Independent City)

Fort Monroe, Old Point Comfort.

Hanover County

Ashland vicinity, Henry (Patrick) House, Scotchtown, 10 miles northwest of Ashland on Virginia 685.

Richmond vicinity, Richmond National Battlefield Park (also in Henrico County and Richmond).

Richmond vicinity, Ruffin (Edmund) Plantation, Marlborough, 11 miles northeast of Richmond on U.S. 360.

Henrico County

Richmond National Battlefield Park (see Hanover County).

Isle of Wight County

Benn's Church, St. Luke's Church.

James City County

Jamestown, Jamestown National Historic Site, Jamestown Island.

Jamestown and vicinity, Colonial National Historical Park, (also in Williamsburg and in York County).

Lancaster County

Kilmarnock vicinity, Christ Church, 3 miles south of Kilmarnock on Virginia 3.

Lee County

Cumberland Gap National Historical Park (see Bell County, Ky.).

Lexington (Independent City)

Barracks, Virginia Military Institute, north edge of Lexington on U.S. 11.

Lee Chapel, Washington and Lee University campus.

Loudoun County

Leesburg vicinity, Monroe (James) House, Oak Hill, 8 miles south of Leesburg on U.S. 15.

Orange County

Orange vicinity, Madison (James) House, Montpelier, 4 miles west of Orange on Virginia 20.

Prince George County

Petersburg National Battlefield (see Dinwiddie County).

Prince William County

Manassas vicinity, Manassas National Battlefield Park.

Richmond (Independent City)

Marshall (John) House, Ninth and Marshall Streets.

Richmond National Battlefield Park, East Broad Street.

St. John's Episcopal Church, East Broad Street between 24th and 25th Streets.

Virginia State Capitol (Second Confederate Capitol), Capitol Square.

White House of the Confederacy, Clay and 12th Streets.

Richmond County

Warsaw vicinity, Tayloe (John) Plantation, Mount Airy, 1 mile west of Warsaw on U.S. 360.

Rockbridge County

Staunton vicinity, McCormick (Cyrus) Farm and Workshop, 18 miles south of Staunton on U.S. 11 and Rockbridge County 606 at Walnut Grove.

Spotsylvania County

Fredericksburg vicinity, Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park, Fredericksburg and the area in Spotsylvania County to the west and southwest.

Stafford County

Falmouth, Melchers (Gari) Home, Belmont.

Staunton (Independent City)

Wilson (Woodrow) Birthplace, North Coalter Street, between Beverly and Frederick Streets.

Surry County

Bacon's Castle, Allen (Arthur) House, Bacon's Castle.

Virginia Beach (Independent City)

Cape Henry Lighthouse, Atlantic Avenue at U.S. 60

Thoroughgood (Adam) House, 4 miles east of Norfolk on Lynnhaven River.

Westmoreland County

Fredericksburg vicinity, George Washington Birthplace National Monument, 38 miles east of Fredericksburg via Virginia 218, 301, and 705.

Lerty vicinity, Lee (Thomas) Plantation, Stratford Hall, 3 miles north of Lerty on Virginia 214.

Williamsburg (Independent City)

Colonial National Historical Park (see James City County).

Williamsburg Historic District, bounded by Francis, Waller, Nicholson, North England, Lafayette, and Nassau Streets.

Wren Building, College of William and Mary, College of William and Mary campus.

Winchester (Independent City)

Jackson (Thomas J.) Headquarters, 416 North Braddock Street.

York County

Colonial National Historical Park (see James City County).

WASHINGTON**Clark County**

Vancouver, Fort Vancouver National Historic Site.

Franklin County

Lyons Ferry vicinity, Marmes Rockshelter, 1 mile north of Lyons Ferry on west side of Palouse River.

Kitsap County

Port Gamble, Port Gamble Historic District.

Pacific County

Chinook vicinity, Chinook Point, 0.5 mile southeast of Port Columbia Historical State Park on U.S. 101.

San Juan County

Friday Harbor vicinity, San Juan Island, San Juan Island National Historical Park.

Walla Walla County

Walla Walla vicinity, Whitman Mission National Historic Site, 6 miles west of Walla Walla off U.S. 410.

WEST VIRGINIA**Jefferson County**

Harpers Ferry, Harpers Ferry National Historical Park (also in Washington County, Md.).

Marshall County

Moundsville, Grave Creek Mound, Tomlinson and Ninth Streets.

Monongalia County

Morgantown, Wade (Alexander) House, 256 Prairie Street.

Morgan County

Chesapeake and Ohio Canal National Monument (see Allegany County, Md.).

WISCONSIN**Crawford County**

Prairie du Chien, Astor Fur Warehouse, Water Street, St. Perle Island.

Prairie du Chien, Brisbois (Michael) House, Water Street, St. Perle Island.

Prairie du Chien, Dousman Hotel, Water Street, St. Perle Island.

Prairie du Chien, Second Fort Crawford, bank of the Mississippi River.

Prairie du Chien, Villa Louis, St. Perle Island.

Dane County

Madison, North Hall, University of Wisconsin, University of Wisconsin campus.

Maple Bluff, La Follette (Robert M.) Home, 733 Lakewood Boulevard.

Jefferson County

Lake Mills vicinity, Aztalan, near Lake Mills on Wisconsin 89, Aztalan State Park.

Oconto County

Oconto, Oconto Site, Copper Culture State Park.

WYOMING**Carbon County**

Independence Rock vicinity, Sun (Tom) Ranch, 6 miles west of Independence Rock on Wyoming 220 (also in Natrona County).

Fremont County

South Pass City vicinity, South Pass, 10 miles southwest of South Pass City on Wyoming 28.

Goshute County

Fort Laramie vicinity, Fort Laramie National Historic Site, 3 miles southwest of Fort Laramie.

Johnson County

Story vicinity, Fort Phil Kearny, on secondary road west of U.S. 87.

NOTICES

Natrona County

Casper vicinity, *Independence Rock*, 60 miles southwest of Casper on Wyoming 220.
Sun (Tom) Ranch (see Carbon County).

Park County

Cody vicinity, *Horner Site*, 4 miles northeast of Cody on U.S. 20.
 Wapiti vicinity, *Wapiti Ranger Station*, Shoshone National Forest.

Platte County

Chugwater, *Swan Land and Cattle Company Headquarters*, east side of Chugwater.
 Guernsey vicinity, *Oregon Trail Ruts*, south side of the North Platte River, 0.5 mile south of Guernsey.

Sheridan County

Sheridan, *Sheridan Inn*, Broadway and Fifth Street.

Sublette County

Daniel vicinity, *Upper Green River Rendezvous Site*, on Green River above and below Daniel.

Sweetwater County

Green River, *Expedition Island*.

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