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# FEDERAL REGISTER

VOLUME 36 • NUMBER 39

Friday, February 26, 1971 • Washington, D.C.

Pages 3503–3792

Part I

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Agencies in this issue—

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Agricultural Research Service
Air Force Department
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Consumer and Marketing Service
Customs Bureau
Emergency Preparedness Office
Environmental Protection Agency
Federal Aviation Administration
Federal Communications Commission
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Securities and Exchange Commission
Small Business Administration
Social and Rehabilitation Service

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92d Congress, 1st Session
1971

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Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

**Order from Superintendent of Documents, U.S. Government Printing Office**
**Washington, D.C. 20402**

FEDERAL REGISTER
Area Code 202 Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended (44 U.S.C. 1510). The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

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### EXECUTIVE ORDER 11583

#### Office of Consumer Affairs

Consumer protection fosters a market place in which our competitive economic system flourishes best. It is good for businessmen because it gives the consumer greater confidence in the goods and services provided by business. It is good for consumers because it reinforces the concept of buyers' rights:

—the right to make an intelligent choice among products and services;

—the right to accurate information on which to make a free choice;

—the right to expect that the health and safety of the buyer is taken into account by those who seek his patronage;

—the right to register dissatisfaction, and have a complaint heard and weighed, when a buyer's interests are badly served.

The Special Assistant to the President for Consumer Affairs is performing an important role in representing consumer interests in the Federal Government. It is important that the role of the office of the Special Assistant be reinforced by increasing its responsibilities and reemphasizing its importance.

There is need for a consumer office within the Executive Office of the President, which not only advises and represents the President on matters of consumer interest, but also analyzes and coordinates the implementation of all Federal activities in the field of consumer protection, helping to establish priorities and resolve conflicts, and recommending ways in which governmental consumer programs can be made more effective.

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

SECTION 1. *Office of Consumer Affairs.* The Office of Consumer Affairs (hereinafter referred to as the "Office") is hereby established in the Executive Office of the President. The Office shall be headed by a Director who shall be appointed by the President, and there shall be in the Office a Deputy Director who shall also be appointed by the President. The Deputy Director shall perform such duties as the Director may designate, and in case of a vacancy in the office of Director or during the absence or incapacity of the Director, the Deputy Director shall act as Director. The Director and Deputy Director shall receive compensation at such rates as the President, consonant with law, may hereafter determine.

SEC. 2. *Powers and duties of the Director.* (a) The Director shall be responsible for the exercise of the powers and the discharge of the duties of the Office, and shall have the authority to direct and supervise all personnel and activities thereof. The Director shall take all actions as may be necessary to organize the Office so as to carry out the functions and to achieve the purposes set forth in this order.

(b) In addition to any other authority conferred upon him by this order, the Director is authorized, in carrying out his functions hereunder, to—

(1) appoint one or more advisory committees composed of such private citizens and officials of the Federal, State, and local governments as he deems desirable to advise him with respect to his functions. Members of such committees (including the Consumer Advisory Council established in section 5 of this order) other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Director, shall be entitled to receive compensation and travel expenses as authorized by law for persons serving intermittently;

(2) promulgate such rules, regulations, and procedures as may be necessary to carry out the functions vested in him or in the Office, and delegate authority for the performance of any function to any officer or employee under his direction and supervision;

(3) utilize, with their consent, the services, personnel, and facilities of other Federal, State, local and private agencies and instrumentalities with or without reimbursement thereof except as reimbursement may be required by law; and

(c) The Director shall report periodically to the President on significant developments affecting the interests of consumers together with such recommendations including legislative recommendations as he deems appropriate.

SEC. 3. *Functions.* (a) The Office shall advise the President as to all matters affecting the interest of consumers.

(b) The Office shall—

(1) with respect to consumer interests in Federal policies and programs, encourage and assist in development and implementation of consumer programs; coordinate and review policies and programs; seek resolution of conflicts; advise and make recommendations to Federal agencies with respect to policy matters, the effectiveness of their programs and operations, and the elimination of duplications;

(2) assure that the interests of consumers are presented and considered in a timely manner by the appropriate levels of the Federal Government in the formulation of policies and in the operation of programs that affect the consumer interest;

(3) conduct investigations, conferences, and surveys concerning the needs, interests and problems of consumers, except that it shall, where feasible, avoid duplicating activities conducted by other Federal agencies;

(4) submit recommendations to the President on how Federal programs and activities affecting consumers can be improved;

(5) take action with respect to consumer complaints to the extent authorized by section 4 of this order;

(6) perform the functions assigned to the President's Committee on Consumer Interests in Executive Order No. 11566 of October 26, 1970;

(7) encourage and coordinate the development of information of interest to consumers by Federal agencies and the publication and distribution of materials which will inform consumers of matters of interest to them in language which is readily understandable by the layman;

(8) encourage and coordinate research conducted by Federal agencies leading to improved consumer products, services, and consumer information;

(9) encourage, initiate, coordinate, evaluate, and participate in consumer education programs and consumer counseling programs;

(10) encourage, cooperate with, and assist State and local governments in the promotion and protection of consumer interests; and

(11) cooperate with and encourage private enterprise in the promotion and protection of consumer interests.

SEC. 4. *Consumer complaints.* (a) Whenever the Office receives from any source complaints or other information disclosing a possible violation of (1) any law of the United States or (2) any rule or order of any Federal agency concerning consumer interests, the Office shall promptly transmit such complaint or other information to the Federal agency charged with the duty of enforcing such law, rule, or order, for appropriate action.

(b) Whenever the Office receives complaints or other information disclosing any commercial or trade practice which it deems detrimental to the general interests of consumers within the United States, and which is not included within the category specified in subsection (a) of this section, the Office may transmit such complaint or other information promptly to the Federal, State, or local agency whose regulatory or other authority provides the most effective means to act upon them; the Office may in its discretion also refer such complaint or other information to the private persons or industry against whom the complaint is made.

SEC. 5. *Consumer Advisory Council.* (a) There is hereby established in the Office a Consumer Advisory Council to be composed of not more than 12 members appointed by the President. Members shall be appointed on the basis of their knowledge and experience in areas of interest to consumers and their demonstrated ability to exercise independent, informed, and critical judgment.

(b) (1) Members shall be appointed for two-year terms. Members of the Consumer Advisory Council, established pursuant to Executive Order No. 11136 of January 3, 1964, as amended, shall continue in office in accordance with the terms of their original appointments.

(2) Any member chosen to fill a vacancy shall be appointed for the unexpired term of the member he succeeds.

(3) A vacancy in the Council shall not affect its authority to act, and a majority of the members thereof shall constitute a quorum.

(c) The President shall designate the Chairman from among the members composing the Council. The Council shall meet at the call of the Director. The Director shall be an ex-officio member of the Council and its Executive Secretary.

(d) The Council shall advise the Director with respect to—

(1) policy matters relating to consumer interests; and

(2) the effectiveness of Federal programs and operations, which affect the interests of consumers; and

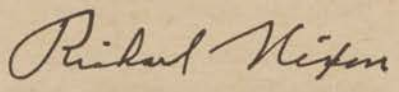
(3) problems of primary importance to consumers, and ways in which unmet consumer needs can appropriately be met through Federal Government action.

SEC. 6. *Consideration of the consumer interest in Federal agency determinations.* Every Federal agency in taking any action of a nature which can reasonably be construed as substantially affecting the interests of consumers of products and services, including, but not limited to, (1) the promulgation of rules, regulations, or guidelines, (2) the formulation of written policy decisions, or (3) the issuance of orders, decrees, or standards, shall, in taking such action, give due consideration to the valid interests of consumers.

SEC. 7. *Abolition of Committee and Council.* Except as otherwise provided herein, the President's Committee on Consumer Interests and the Consumer Advisory Council established under Executive Order No. 11136 of January 3, 1964, as amended by Executive Order No. 11349 of May 1, 1967, are abolished.

SEC. 8. *Construction.* Nothing in this order shall be construed as subjecting any function vested by law in, or assigned pursuant to law to, any Federal agency or the head thereof to the authority of any other agency or officer or as abrogating or restricting any such function in any manner.

SEC. 9. *Orders superseded.* Executive Order No. 11136 of January 3, 1964, and Executive Order No. 11349 of May 1, 1967, are hereby superseded.



THE WHITE HOUSE,
*February 24, 1971.*

[FR Doc.71-2715 Filed 2-24-71;1:30 pm]

# Rules and Regulations

## Title 49—TRANSPORTATION

### Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1062]

### PART 1033—CAR SERVICE

### Distribution of Gondola Cars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 10th day of February 1971.

It appearing that an acute shortage of plain unequipped general service gondola cars exists on the railroads named in paragraph (a)(1) herein; that shippers located on the lines of these carriers are being deprived of such cars required for loading, resulting in an emergency, forcing curtailment of their operations, and thus creating great economic loss and reduced employment of their personnel; that certain gondola cars, after being unloaded, are being appropriated and being retained in services for which they have not been designated by the car owners; that present rules, regulations, and practices with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of certain gondola cars owned by these railroads are ineffective. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

*It is ordered,* That:

§ 1033.1062 Service Order No. 1062.

(a) *Distribution of gondola cars.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) Return to owners empty all plain unequipped general service gondola cars which are listed in the Official Railway Equipment Register ICC R.E.R. 378 issued by E. J. McFarland, or reissues thereof, as having mechanical designations "GB" or "GT" with inside length 52 feet or longer owned by the following railroads:

Penn Central Transportation Co., George P. Baker, Richard C. Bond, Jervis Langdon, Jr., and Willard Wirtz, Trustees.
Reporting marks: PC, PRR, NYC, and NH.

The Pittsburgh and Lake Erie Railroad Co.
Reporting marks: P&LE.

Reading Co.
Reporting marks: RDG.

(2) Commencing twenty (20) calendar days from the effective date of this order, carriers named as beneficiaries in this order shall restrict the loading of plain unequipped gondola cars, as described herein and owned by railroads not listed in subparagraph (1) of this paragraph, to destinations on, via, or in the direction of the car owner. In the absence of any such loading, cars must be returned empty to the car owner. Backhauling of empties to obtain a load is prohibited.

(3) In determining distances to the car owner from the points of loading or unloading, tariff distances applicable via the lines of the carriers obligated under present Association of American Railroads Car Service Rules 1 and 2 to move the car, shall be used.

(4) For the purpose of improving car utilization and the efficiency of railroad operations, or alleviating inequities or hardships, modifications may be authorized by the Chief Transportation Officer of the car owner. Such modifications must be confirmed in writing to W. H. Van Slyke, Chairman, Car Service Division, Association of American Railroads, Washington, D.C., for submission to R. D. Pfahler, Director, Bureau of Operations, Interstate Commerce Commission.

(5) No common carrier by railroad subject to the Interstate Commerce Act shall accept from shipper any loaded gondola car, described in this order, contrary to the provisions of this order.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(c) *Effective date.* This order shall become effective at 12:01 a.m., February 13, 1971.

(d) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., March 31, 1971, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17 (2). Interprets or applies secs. 1(10–17), 15 (4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4) and 17 (2))

*It is further ordered,* That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-2649 Filed 2-25-71;8:51 am]

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[S.O. 1063]

### PART 1033—CAR SERVICE

### Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 22d day of February 1971.

It appearing, that there are acute shortages of freight cars throughout the country; that certain carriers are unable to furnish an adequate supply of freight cars to shippers located on their lines; that these shortages of freight cars are impeding the movement of agricultural, mineral, forest, and manufactured products, and other commodities; and that the existing car service rules, regulations, and practices of the railroads are ineffective with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of freight cars to meet the requirements of shippers. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

*It is ordered,* That:

§ 1033.1063 Service Order No. 1063.

(a) *Railroad operating regulations for freight car movement.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) *Application.* (i) The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(ii) This order shall apply to all loaded cars.

(iii) This order shall apply to all empty cars listed in the Official Railway Equipment Register, ICC R.E.R. No. 378, issued by E. J. McFarland, or reissues thereof, as having mechanical designations XL, XM, XP, RB, RBL, RP, RPL, RS, RSB, GA, GB, GD, GE, GH, GRA,

GS, GT, HD, HE, HF, HFA, HFB, HK, HM, HMA, HT, HTA, FM, LC, LO, or LP, including all such cars to which the suffix H, I, R, or S has been added to the mechanical designation to denote the addition of heaters, insulation, roofs, or other special modifications. Exception: Cars described in subdivisions (iv), (v), and (vi) of this subparagraph.

(iv) Empty cars with inside length 69 feet 0 inches and over, and empty flat cars having mechanical designation FM, with a carrying capacity of 200,000 pounds or more, are exempt from the provisions of this order.

(v) Empty cars of private ownership held pursuant to instructions of the car owner, or held awaiting instructions from the car owner, are exempt from the provisions of this order.

(vi) Empty cars, described in subdivision (iii) of this subparagraph, which are in general service and are not assigned to the exclusive use of a specified shipper, owned by and bearing the registered reporting marks assigned to the line holding the car, are subject to the provisions of this order only during periods that the car owner is the specifically named beneficiary of a service order or car distribution direction, issued by this Commission, applicable to the kind of car held.

(vii) This order shall apply to all empty cars, described in subdivision (iii) of this subparagraph, which are assigned to the exclusive use of a specified shipper.

(viii) Freight cars assigned to the exclusive use of a specified shipper may be removed from the provisions of subparagraph (2)(ii) of this paragraph: *Provided,* That assignee notifies, in writing, the originating railroad and the car owner (if different from originating railroad) one day in advance of his desire to release such cars from assignment on a permanent or temporary basis of not less than 15 days' duration. The carrier must remove cars from assignment in accordance with assignee's request.

(ix) (*a*) Cars assigned to the exclusive use of a specific shipper must be listed on assignment lists posted in the office of the Chief Transportation Officer of the serving carrier, the office of the Chief Transportation Officer of the car owner, and in the office designated to issue waybills and other shipping documents for loaded movements from the points of assignment. Assignment lists must specify initial and number of each assigned car, the shipper to whom assigned, and the date car assignment became effective.

(*b*) Requests for assignments of cars must be secured in writing, or confirmed in writing, by the carrier on whose lines the cars are assigned, not less than 10 days before the effective date of the car assignment. Freight cars in assigned service on February 28, 1971, shall be considered as having been in such assignments for 10 days or longer: *Provided,* That the assignment lists are prepared and posted, as required herein, not later than March 21, 1971.

(x) The mechanical designations of existing freight cars in subdivision (iii) of this subparagraph may not be changed to any mechanical designation other than those listed in subdivision (iii) of this subparagraph.

(xi) Actual placement means placing a car in an accessible position for loading or unloading, or placing on an industrial interchange track serving the consignor or consignee. If such placing is prevented by any cause attributable to consignor or consignee and car is placed on the private or other-than-public-delivery tracks serving the consignor or consignee, it shall be considered constructively placed without notice.

(xii) Holidays shall be those listed in Item 25 of Agent B. B. Maurer's Tariff ICC H–36, naming Car Demurrage Rules and Charges, supplements thereto, or successive issues thereof.

(2) *Placing of cars.* (i) Loaded cars shall be actually or constructively placed within 24 hours, exclusive of Sundays and holidays, following arrival at destination.

(ii) Empty cars which are in general service and are not assigned to the exclusive use of a specified shipper, described in subparagraph (1) (iii) and (iv) of this paragraph, which after placement will be subject to demurrage rules applicable to cars for loading, shall be actually or constructively placed within 48 hours, exclusive of Sundays and holidays, after arrival at the loading point.

(iii) (*a*) Empty cars described in subparagraph (1) (iii) and (vii) of this paragraph which are assigned to the exclusive use of a specified shipper shall be subject to a storage charge of $5 per car per day or fraction thereof from date placed in storage empty to date ordered placed for loading or date appropriated for loading, without free time allowance and without allowance for Saturdays, Sundays, or holidays.

(*b*) Carriers will place empty assigned cars on other-than-public-delivery tracks serving the assignee within 48 hours of arrival at the point of assignment, exclusive of Saturdays, Sundays, and holidays. If placement on other-than-public-delivery tracks serving assignee cannot be made because of any condition attributable to the assignee or if assignee normally loads such cars on public-delivery tracks a written notice of arrival shall be sent or given assignee within 24 hours of arrival of the empty car at the point of assignment, exclusive of Saturdays, Sundays, and holidays. Such notice shall contain the initial and numbers of each car held and shall state that each car is being held, subject to a car rental charge of $5 per car per day or fraction of a day, until ordered placed for loading or ordered released, in writing, from assignment.

(*c*) In computing car rental charges on cars subject to this part, detention shall begin at the first 7:00 a.m., exclusive of Saturdays, Sundays, and holidays, following either placement of the empty cars on the other-than-public-delivery tracks serving the assignee or following the sending or giving of written notice that the cars are being held, whichever occurs first.

(*d*) Empty cars released from car rental status by order or appropriation for loading shall be subject to all demurrage or detention charges published in tariffs applicable to cars held for loading, from time released from car rental charges.

(iv) When delivery of a car, either empty or loaded, consigned or ordered to an industrial interchange track or to an other-than-public-delivery track, cannot be made because of any condition attributable to the consignor or consignee, such car will be held at destination or, if it cannot reasonably be accommodated there, at any available hold point; and constructive placement notice shall be sent or given the consignor or consignee within 24 hours, exclusive of Saturdays, Sundays, and holidays, after arrival of car at destination or hold point, except that notice on cars subject to subdivision (ii) of this subparagraph shall be sent or given within 48 hours, exclusive of Sundays and holidays, following arrival of car at destination or hold point.

(v) Proper notice for cars placed on public delivery tracks shall be sent or given within 24 hours after placement, exclusive of Saturdays, Sundays, and holidays.

(vi) Cars held at destination for accessorial terminal services described in the applicable tariffs, such as holding for orders or inspection, shall be placed on unloading, hold, or inspection tracks; and proper notice shall be given within 24 hours, exclusive of Saturdays, Sundays, and holidays, after arrival at destination. On cars set off and held short of billed destination, or on cars held at destination for any cause attributable to the consignor or consignee, a written notice shall be sent or given to consignee or other party entitled to receive such notice, within 24 hours of arrival, exclusive of Saturdays, Sundays, and holidays, at the hold point. Time and charges shall be computed following such notice and demurrage or detention charges assessed in accordance with provisions of governing tariffs.

(3) *Removal of cars.* (i) Empty cars must be removed from point of unloading or interchange tracks of industrial plants within 24 hours, exclusive of Sundays and holidays, following unloading or release by consignee or shipper, unless such empty cars are ordered or appropriated by the shipper for reloading within such 24-hour period. Empty cars not ordered for loading at point where made empty must be forwarded, set aside for cleaning or repairs, or delivered to connecting lines within 24 hours, following removal of empty cars.

(ii) Outbound loaded freight cars must be removed from point of loading or interchange tracks of industrial plants within 24 hours, exclusive of Sundays and holidays, following acceptance by carrier of the shipping instructions covering the cars. Such cars must be forwarded, set aside for repairs, or delivered

to connecting lines within 24 hours, following release and removal.

(iii) Cars subject to subdivisions (i) and (ii) of this subparagraph, not made accessible to the carrier, shall be subject to demurrage until such time as they become, and remain, accessible to the carrier.

(4) *Forwarding of cars.* (i) Loaded cars and empty cars shall be forwarded within 24 hours, except cars described in subdivision (ii), (iii), or (iv) of this subparagraph, or cars described in subparagraph (2) (ii) of this paragraph.

(ii) Loaded cars held subject to instructions of consignee, consignor, or other qualified owner of the freight contained therein, while subject to applicable tariff charges.

(iii) Cars held for repairs or cleaning. (See subparagraph (5) of this paragraph.)

(iv) Cars held because no train or switch engine service is available between hold point and destination.

(5) *Cars held for repairs or cleaning.* (i) Cars of system, foreign, or private ownership which are held for light repairs or cleaning shall be placed on repair or cleaning tracks not later than the first 7 a.m., exclusive of Sundays and holidays, after time carded for repairs or cleaning, or after arrival at point where repairs or cleaning are performed. Light repairs or cleaning shall be accomplished on same calendar day, exclusive of Sundays and holidays, that cars are placed on repair or cleaning tracks; except that when necessary to order material from car owner to make the repairs to foreign or private cars, repairs to foreign or private cars held awaiting such material shall be completed prior to 11:59 p.m., of the calendar day which includes the first 7 a.m., inclusive of Sundays and holidays, after receipt of such material at the station at which the repair point is located.

(ii) Light repairs are defined as repairs requiring less than 20 man-hours by repair track forces to complete.

(6) *Railroad operating regulations for the movement of freight cars.* (i) No common carrier by railroad subject to the Interstate Commerce Act shall delay the movement of cars by holding such cars in yards, terminals, or sidings for the purpose of increasing the time in transit of such cars.

(ii) Cars shall not be set out between terminals except in cases of emergencies.

(iii) Back-hauling cars for the purpose of increasing the time in transit is prohibited.

(iv) Through cars shall not be handled on local or way freight trains for the purpose of increasing the time in transit of such cars.

(v) The use by any common carrier by railroad, for the movement of cars over its line, of any route other than its shortest available route or its usual and customary fast freight route from point of receipt of the car from consignor, or connecting line, to point of delivery to consignee, or to next connecting line, except for the purpose of according a lawfully established transit privilege (not including a diversion or reconsignment privilege) is hereby prohibited.

(b) *Rules and regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended.

(c) *Effective date.* This order shall become effective at 12:01 a.m., March 1, 1971.

(d) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1971, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

*It is further ordered,* That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71–2650 Filed 2–25–71;8:51 am]

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[Ex Parte Nos. MC–81, MC–37 (Sub-No. 4A)]

## PART 1048—COMMERCIAL ZONES

### Nashville and Davidson County, Tenn.

*Order.* At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 11th day of February 1971.

Ex Parte No. MC–81, interpretation of operating authorities—Nashville and Davidson County, Tenn.; Ex Parte No. MC–37 (Sub-No. 4A), commercial zones and terminal areas (Metropolitan Government of Nashville and Davidson County, Tenn., commercial zones); No. MC–C–6310, Marvin Hayes Lines, Inc., et al. v. Gateway Transportation Co., Inc.

It appearing, that in No. MC–C–6310, Hayes, Inc. v. Gateway Transportation Co., Inc., 111 M.C.C. 778, this Commission instituted the above-cited interpretation and rulemaking proceedings (1) to inquire into the present status of Nashville, Tenn., as a city; Davidson County, Tenn., as a county; and Metropolitan Government of Nashville and Davidson County, Tenn., as a municipality; (2) to interpret certificates, permits, and licenses authorizing service at Nashville and Davidson County, Tenn.; (3) to interpret certificates, permits, and licenses authorizing service within specified mileages of Nashville or Davidson County, Tenn.; (4) to define the limits of the commercial zone of the Metropolitan Government of Nashville and Davidson County, Tenn.; and (5) to take such other and further action as the facts and circumstances may justify or require;

It further appearing, that by joint petition filed June 4, 1970, Columbia Motor Express, Gallatin-Portland Freight Lines, Inc., and a Murfreesboro Freight Line Co. seek redefinition and extension in certain respects of the Nashville, Tenn., commercial zone limits;

It further appearing, that the proceeding in No. MC–C–6310 was held open pending the determinations in the above-cited Ex Parte proceedings;

And it further appearing, that investigation of the matters and things involved in these proceedings having been made, and the Commission having made and filed a report herein containing its findings of fact and conclusions thereon, which report is hereby made a part hereof:

*It is ordered,* That Part 1048 of Subchapter A of Chapter X of Title 49 of the Code of Federal Regulations be, and it is hereby, amended by adding a new § 1048.39, reading as follows:

**§ 1048.39 Metropolitan Government of Nashville and Davidson County, Tenn.**

The zone adjacent to and commercially a part of the Metropolitan Government of Nashville and Davidson County, Tenn., within which transportation by motor vehicle, in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, is partially exempt from regulation under section 203(b)(8) of the Interstate Commerce Act (49 U.S.C. 303(b)(8)) includes and is comprised of all points as follows:

(a) The Metropolitan Government of Nashville and Davidson County itself.

(b) All of any municipality wholly surrounded, or so surrounded except for a water boundary, by the Metropolitan Government of Nashville and Davidson County. (49 Stat. 543, as amended, 544, as amended, 546, as amended; 49 U.S.C. 302, 303, 304)

*It is further ordered,* That defendant, Gateway Transportation Co., Inc., of La Crosse, Wis., be, and it is hereby, notified and required to cease and desist forthwith, and hereafter refrain and abstain from all operations, in interstate or foreign commerce, of the character found in said report to be unlawful, unless and until appropriate authority therefor is obtained.

*It is further ordered,* That the statutory compliance date, after which defendant will be held to be in willful violation of this order shall be the 30th day following the service of a notice that this order has become effective.

*It is further ordered,* That this order shall become effective on April 8, 1971, and shall continue in effect until the further order of the Commission.

*And it is further ordered,* That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy thereof with the director, Office of the Federal Register.

By the Commission.

[SEAL] ROBERT L. OSWALD,
*Secretary.*

[FR Doc.71-2648 Filed 2-25-71;8:51 am]

# Title 50—WILDLIFE AND FISHERIES

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

### SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

### PART 17—CONSERVATION OF ENDANGERED SPECIES AND OTHER FISH OR WILDLIFE

### Reference to U.S. Tariff Schedules

In the FEDERAL REGISTER of Tuesday, June 2, 1970 (35 F.R. 8491), there was published a new Part 17 to Title 50, Code of Federal Regulations. Section 17.2 of that part is a section of definitions. Paragraph (j) of § 17.2 refers to the Tariff Schedules of the United States annotated as published in the U.S. Tariff Commission publication 304. That publication (TC publication 304) was for the year 1970. Schedules for 1971 are published in TC publication 344.

The purpose of this amendment is to remove from § 17.2(j) the reference to the TC publication number in order to avoid the necessity of amending this paragraph each time the publication is issued.

Accordingly, the first paragraph of § 17.2(j) is amended to read:

**§ 17.2 Definitions.**

* * * * *

(j) Except insofar as such items include any species or subspecies which appears on the Endangered Species List, "shellfish or fishery products imported for commercial purposes" shall mean the following items as further defined in the "Tariff Schedules of the United States Annotated," the most recent annual U.S. Tariff Commission Publication, under the TSUS numbers shown in parenthesis below.

* * * * *

Since this amendment makes no substantive changes, it is determined that notice and public procedure thereon are impracticable, unnecessary and contrary to the public interest and that this amendment will become effective on publication.

(16 U.S.C. 668cc-4 (d) and (e))

Effective date: Upon publication (2-26-71).

SPENCER H. SMITH,
*Acting Director, Bureau of Sport Fisheries and Wildlife.*

FEBRUARY 22, 1971.

[FR Doc.71-2603 Filed 2-25-71;8:47 am]

# Title 7—AGRICULTURE

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

[Grapefruit Reg. 37, Amdt. 2]

### PART 909—GRAPEFRUIT GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

### Limitation of Shipments

*Findings.* (1) Pursuant to marketing Order No. 909, as amended (7 CFR Part 909; 35 F.R. 13875), regulating the handling of the grapefruit grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The recommendation of the Administrative Committee reflects its appraisal of the current grapefruit crop and the current and prospective market conditions. This amendment relaxes the requirements so as to provide access to a larger quantity of marketable grapefruit due to freeze damage encountered in the production area.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date. The Administrative Committee held an assembled meeting on February 11, 1971, to consider recommendation for regulation; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such assembled meeting; necessary supplemental economic and statistical information upon which this recommended amendment is based were received February 16, 1971; information regarding the provisions of the regulation recommended by the committee has been disseminated to shippers of grapefruit, grown as aforesaid; this amendment, including the effective time thereof, is identical with the recommendation of the committee; it is necessary, in order to effectuate the declared policy of the act, to make this amendment effective on the date hereinafter set forth; and, compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed on or before the effective date hereof, and this amendment relieves restrictions on the handling of grapefruit.

*Order.* In § 909.337 (Grapefruit Reg. 37; 35 F.R. 15980; 36 F.R. 1087), the provisions of paragraph (a)(1) preceding subdivision are amended to read as follows:

**§ 909.337 Grapefruit Regulation 37.**

(a) *Order.* (1) Except as otherwise provided in subparagraph (2) of this paragraph, during the period February 23, 1971, through September 30, 1971, no handler shall handle from the State of California or the State of Arizona to any point outside thereof:

(i) Any grapefruit which do not meet the requirements of the U.S. No. 2 grade which for purpose of this regulation shall include the requirement that, as a part of the fairly well formed requirement, the fruit shall be free from peel that is more than 1 inch in thickness at the stem end (measured from the flesh to the highest point of the peel): *Provided,* That in lieu of the 10 percent tolerance provided for in the U.S. No. 2 grade, the following tolerances, by count, shall be allowed for the defects listed:

(*a*) 40 percent for grapefruit which fail to meet the requirements of the grade: *Provided,* That included in this amount not more than the following percentages shall be allowed for the defects listed:

(*1*) 10 percent for grapefruit which are not at least slightly colored;

(*2*) 10 percent for defects other than not being at least slightly colored; including therein not more than one-half of 1 percent for decay, and not more than 5 percent for any single defect caused by broken skins, sunburn, scars, peel that is more than 1 inch in thickness at the stem end, or very serious damage caused by dryness or mushy condition when it affects 40 percent or more of the pulp; except that in addition to the tolerances provided in this (2) the following shall be allowed:

(*i*) 15 percent for scars which are light colored, fairly smooth, with no depth and aggregate more than 25 percent of the individual fruit surface; and

(*ii*) 5 percent for serious damage caused by dryness or mushy condition: *Provided,* That the total tolerance for

very serious damage due to dryness or mushy condition, when it affects 40 percent or more of the pulp, does not exceed 5 percent; or

* * * * *

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

Dated: February 23, 1971.

FLOYD F. HEDLUND,
*Director, Fruit and Vegetable Division, Consumer and Marketing Service.*

[FR Doc.71–2665 Filed 2–25–71;8:52 am]

# Title 14—AERONAUTICS AND SPACE

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

[Docket No. 71–CE–1–AD; Amdt. 39–1159]

## PART 39—AIRWORTHINESS DIRECTIVES

### Beech Models A60, 99 and 99A Airplanes

It has been determined that the stall warning transducer installed on Beech Models A60, 99, and 99A airplanes approved for flight into known icing conditions is of such configuration that it does not meet the certification requirements of FAR 23.1301(a) and consequently these model airplanes are not in compliance with FAR 23.207. Specifically, the presently installed transducer utilizes a heated mounting plate but has no heating element installed in the movable vane that activates the aural stall warning device. When icing conditions are encountered, the unheated vane may become frozen in a fixed position thereby causing the stall warning system to become inoperative. To correct this condition, the manufacturer has obtained replacement transducer units that meet the certification requirements and are installing these units on current production aircraft. In order to assure that Beech models A60, 99, and 99A airplanes approved for flight into known icing conditions are equipped with the required stall warning system, an airworthiness directive is being issued requiring installation of the replacement transducer units. Until such time as these replacement units are installed, the AD will prohibit these model airplanes from being flown into known icing conditions and will require changing the operational placard to read:

This Airplane Not Approved for Flight Into Known Icing Conditions.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provisions of the Administrative Procedure Act is impractical and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

BEECH. Applies to Models A60 (Serial Nos. P123, P127 through P167), and 99, 99A (Serial Nos. U–1 through U–136) airplanes approved for flight into known icing conditions.

Compliance: Required as indicated, unless already accomplished.

To prevent operation under unsafe environmental conditions, accomplish the following:

(A) Effective immediately, operation of the airplane in known icing conditions is prohibited.

(B) Prior to further flight, modify the existing operating limitations placard located on the righthand side wall adjacent to the co-pilot oxygen outlet on Beech Model A60 airplanes and located on the overhead panel on Beech Models 99 and 99A airplanes to read as follows:

This Airplane is Not Approved for Flight in Known Icing Conditions.

(c) On Beech Model A60 airplanes, install transducer unit P/N 3E1793 in accordance with applicable manufacturer's instructions, or by the accomplishment of any equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

(D) On Beech Model 99 and 99A airplanes, install transducer unit P/N 795–1 in accordance with Beechcraft Service Instructions No. 0378–355, or by the accomplishment of any equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA Central Region.

(E) Upon accomplishment of the modifications provided in paragraphs C or D, compliance with the provisions of paragraphs A and B is no longer required.

NOTE: The Airplane Flight Manuals and Type Certificate Data Sheets for these model airplanes will be amended to reflect these changes.

This amendment becomes effective March 2, 1971.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, and 1423, sec. 6(c), Department of Transportation Act 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on February 18, 1971.

DANIEL E. BARROW,
*Acting Director, Central Region.*

[FR Doc.71–2631 Filed 2–25–71;8:50 am]

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[Airspace Docket No. 71–AL–2]

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

### Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to correct an inadvertent error of omission in Airspace Docket No. 70–AL–8 as published in the FEDERAL REGISTER, Volume 35, No. 219, Tuesday, November 10, 1970.

Airspace Docket No. 70–AL–8 altered the controlled airspace in the vicinity of Deadhorse, Alaska, by revoking the Prudhoe Bay control zone and transition area and designating the Deadhorse, Alaska, control zone and transition area.

The Prudhoe Bay transition area was described in Airspace Docket No. 70–AL–8 as follows:

PRUDHOE BAY, ALASKA

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Prudhoe Bay, Alaska, RBN (latitude 70°14′55″ N., longitude 148°23′28″ W.) 076° bearing, extending from the RBN to 16 miles northeast, and within 2 miles northwest and 4 miles southwest of the Prudhoe Bay RBN 256° bearing extending from the RBN to 24 miles southwest, and that airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at latitude 69°40′00″ N., longitude 153°00′00″ W.; to latitude 70°33′00″ N., longitude 150°45′00″ W.; thence east via 3 nautical miles offshore to latitude 70°14′00″ N., longitude 146°00′00″ W.; to latitude 69°-35′00″ N., longitude 146°00′00″ W.; to latitude 69°00′00″ N., longitude 148°00′00″ W.; to latitude 69°00′00″ N., longitude 153°00′00″ W.; thence to point of beginning.

The Deadhorse, Alaska, transition area was designated in Airspace Docket No. 70–AL–8 as follows:

DEADHORSE, ALASKA

That airspace extending upward from 700 feet above the surface within 5 miles south and 10 miles north and parallel to the 082° True (050° Magnetic) bearing of the Deadhorse RBN (latitude 70°11′49″ N., longitude 148°27′53″ W.) extending from the RBN to 24 miles northeast; within 5 miles south and 10 miles north and parallel to the 250° True (218° Magnetic) bearing of the RBN extending from the RBN to 25 miles southwest.

The 1,200-foot transition area was inadvertently omitted in the above designation of the Deadhorse, Alaska, transition area.

Since this amendment corrects an inadvertent error of omission by restoring previously designated controlled airspace in which certain air traffic control procedures are applicable and is in the interest of safety of aircraft flight operations, it has been determined that notice and public procedure hereon is impracticable and unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER (2–26–71), as hereinafter set forth.

Section 71.181 (36 F.R. 2140) Deadhorse, Alaska, is amended by adding:

That airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at latitude 69°40′00″ N., longitude 153°00′00″ W.; to latitude 70°-33′00″ N., longitude 150°45′00″ W.; thence east via 3 nautical miles offshore to latitude 70°14′00″ N., longitude 146°00′00″ W.; to latitude 69°35′00″ N., longitude 146°00′00″ W.; to latitude 69°00′00″ N., longitude 148°-00′00″ W.; to latitude 69°00′00″ N., longitude 153°00′00″ W.; thence to point of beginning.

Issued in Anchorage, Alaska, on February 11, 1971.

JACK G. WEBB,
*Director, Alaskan Region.*

[FR Doc.71–2632 Filed 2–25–71;8:50 am]

[Airspace Docket No. 71-SO-23]

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

### Revocation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the Campbellsville, Ky., transition area.

The Campbellsville transition area is described in §71.181 (36 F.R. 2140). The controlled airspace protection at Taylor County Airport is no longer required since the instrument approach procedure, utilizing Campbellsville NDB, was cancelled effective June 18, 1970. It is necessary to revoke the transition area which was established to provide required controlled airspace protection for IFR operations executing this approach. Since this amendment is less restrictive in nature, notice and public procedure hereon are unnecessary and action is taken herein to revoke the transition area.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In §71.181 (36 F.R. 2140), the Campbellsville, Ky., transition area is revoked.

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

Issued in East Point, Ga., on February 18, 1971.

GORDON A. WILLIAMS, Jr.,
*Acting Director, Southern Region.*

[FR Doc.71-2633 Filed 2-25-71;8:50 am]

[Airspace Docket No. 71-SO-24]

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

### Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Paducah, Ky., transition area.

The Paducah transition area is described in § 71.181 (36 F.R. 2140). In the description, reference is made to the "Paducah VORTAC." Since the name of the Paducah VORTAC will be changed to the "Cunningham VORTAC," effective May 27, 1971, it is necessary to alter the transition area description to reflect this change. Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and action is taken herein to alter the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 27, 1971, as hereinafter set forth.

In § 71.181 (36 F.R. 2140), the Paducah, Ky., transition area is amended as follows: "* * * Paducah VORTAC * * *" is deleted and "* * * Cunningham VORTAC * * *" is substituted therefor.

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

Issued in East Point, Ga., on February 18, 1971.

GORDON A. WILLIAMS, Jr.,
*Acting Director, Southern Region.*

[FR Doc.71-2634 Filed 2-25-71;8:50 am]

[Airspace Docket No. 70-SW-69]

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

### Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Waco, Tex., transition area.

On January 9, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 324) stating the Federal Aviation Administration proposed to alter this transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 29, 1971, as hereinafter set forth.

In § 71.181 (36 F.R. 2140), the Waco, Tex., transition area is amended in part by deleting "lat. 31°39'30" N., long. 96°43'50" W., to lat. 31°28'20" N., long. 96°55'40" W., to lat. 31°17'00" N., long. 96°56'00" W., to lat. 31°17'00" N., long. 97°13'00" W." and substituting "lat. 31°39'30" N., long. 96°43'50" W., to lat. 31°17'00" N., long. 96°47'00" W., to lat. 31°17'00" N., long. 97°13'00" W." therefor.

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

Issued in Fort Worth, Tex., on February 18, 1971.

R. V. REYNOLDS,
*Acting Director, Southwest Region.*

[FR Doc.71-2635 Filed 2-25-71;8:50 am]

[Airspace Docket No. 70-SW-73]

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

### Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter controlled airspace in the Hobbs, N. Mex., terminal area.

On January 9, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 324) stating the Federal Aviation Administration proposed to alter controlled airspace in the Hobbs, N. Mex., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. In response to the notice, a comment was received from the Air Transport Association of America (ATA) which stated that the proposed missed approach procedure, which specifies a climbing left turn and a return to the Hobbs VOR, would cause delays to other aircraft which might be holding at the Hobbs VOR awaiting an approach clearance into either Crossroads Intercontinental Airport or Lea County Airport. To permit greater flexibility in handling and sequencing of approaches in the Hobbs, N. Mex., terminal area, an alternate missed approach procedure for Crossroads Intercontinental Airport has been developed and will be utilized when traffic volume so dictates and as specified by air traffic control. The alternate missed approach procedure will provide for a climb to 5,700 feet on the Hobbs VOR 004° radial within 20 nautical miles. It will be indicated on the approach plate by the addition of the notation "or as directed by ATC."

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 29, 1971, as hereinafter set forth.

In § 71.171 (36 F.R. 2055), the Hobbs, N. Mex., control zone is amended to read:

HOBBS, N. MEX.

That airspace within a 5-mile radius of Lea County Airport (lat. 32°41'19" N., long. 103°13'01" W.), within a 5-mile radius of Crossroads Intercontinental Airport (lat. 32°46'00" N., long. 103°12'30" W.), and within 3.5 miles each side of the Hobbs VOR 222° radial, extending from the 5-mile-radius zone of the Lea County Airport to 10.5 miles southwest of the VOR.

In § 71.181 (36 F.R. 2140), the Hobbs, N. Mex., 700-foot transition area is amended to read:

HOBBS, N. MEX.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Lea County Airport (lat. 32°41'19" N., long. 103°13'01" W.), within a 9-mile radius of Crossroads Intercontinental Airport (lat. 32°46'00" N., long. 103°12'30" W.), and within 3.5 miles each side of the Hobbs VOR 222° radial extending from the 9-mile-radius area of the Lea County Airport to 11.5 miles southwest of the VOR.

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

Issued in Fort Worth, Tex., on February 18, 1971.

R. V. REYNOLDS,
*Acting Director, Southwest Region.*

[FR Doc.71-2636 Filed 2-25-71;8:50 am]

[Airspace Docket No. 70-SW-74]

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

### Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is

to designate the Artesia, N. Mex., 700-foot transition area.

On January 9, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 323) stating the Federal Aviation Administration proposed to designate a 700-foot transition area at Artesia, N. Mex., to provide controlled airspace for the proposed NDB instrument approach procedure to serve Artesia Municipal Airport.

The notice also stated that a reciprocal NDB approach procedure was being considered which would thus provide opposite direction approach capability for the airport. The reciprocal approach procedure would necessitate a northwesterly extension of the transition area similar to the southeasterly extension. Comments on this additional approach procedure were specifically solicited.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 27, 1971, as hereinafter set forth.

In § 71.181 (36 F.R. 2140), the following transition area is added:

ARTESIA, N. MEX.

That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of the Artesia Municipal Airport (lat. 32°50'58" N., long. 104°28'02" W.); and within 3.5 miles each side of the Artesia NDB (lat. 32°51'11" N., long. 104°27'34" W.) 152° bearing, extending from the 9.5-mile radius area to 12 miles south of the NDB; within 3.5 miles each side of the Artesia, N. Mex., NDB 296° bearing extending from the 9.5-mile radius area to 12 miles northwest of the NDB.

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

Issued in Fort Worth, Tex., on February 18, 1971.

R. V. REYNOLDS,
*Acting Director, Southwest Region.*

[FR Doc.71-2637 Filed 2-25-71;8:50 am]

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[Airspace Docket No. 70-SW-78]

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

### Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Dallas-Fort Worth, Tex., transition area.

On January 9, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 324) stating the Federal Aviation Administration proposed to alter the Dallas-Fort Worth, Tex., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 29, 1971, as hereinafter set forth.

In § 71.181 (36 F.R. 2140), the Dallas-Fort Worth, Tex., transition area is amended in part by deleting "lat. 32°32'00" N., long. 96°40'00" W.; to lat. 32°25'00" N., long. 97°29'00" W." and substituting "lat. 32°32'00" N., long. 96°40'00" W., to lat. 32°29'00" N., long. 97°01'00" W., to lat. 32°23'00" N., long. 97°05'00" W., to lat. 32°25'00" N., long. 97°29'00" W." therefor.

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

Issued in Fort Worth, Tex., on February 18, 1971.

R. V. REYNOLDS,
*Acting Director, Southwest Region.*

[FR Doc.71-2638 Filed 2-25-71;8:50 am]

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[Docket No. 10864; Amdt. 744]

## PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

### Miscellaneous Amendments

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (358 F.R. 5610).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20590. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, DC 20590, or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $125.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulation is amended as follows, effective on the dates specified:

1. Section 97.17 is amended by establishing, revising, or canceling the following ILS SIAPs, effective March 25, 1971:

Philadelphia, Pa.—Philadelphia International Airport; ILS-9, Amdt. 19; Revised.

2. Section 97.21 is amended by establishing, revising, or canceling the following L/MF SIAPs, effective March 25, 1971:

Delta Junction, Alaska—Allen AAF; LFR-A, Amdt. 10; Revised.

3. Section 97.23 is amended by establishing, revising, or canceling the following VOR-VOR/DME SIAPs, effective March 25, 1971:

Fayetteville, Ark.—Drake Field; VOR-A, Amdt. 10; Revised.
Delta Junction, Alaska—Allen AAF; VOR Runway 18, Amdt. 2; Revised.
Fort Lauderdale, Fla.—Fort Lauderdale-Hollywood International Airport; VOR Runway 27R, Amdt. 5; Revised.
Hilo, Hawaii—General Lyman Field; VOR Runway 26, Amdt. 1; Revised.
Jackson, Wyo.—Jackson's Hole Airport; VOR-1, Amdt. 4; Revised.
Las Vegas, Nev.—McCarran International Airport; VOR Runway 25, Amdt. 4; Revised.
Memphis, Tenn.—Memphis International Airport; VOR Runway 35R, Amdt. 24; Revised.
Monroe, La.—Monroe Municipal Airport; VOR Runway 4, Amdt. 12; Revised.
Riverton, Wyo.—Riverton Municipal Airport; VOR Runway 10, Amdt. 5; Revised.
Riverton, Wyo.—Riverton Municipal Airport; VOR Runway 28, Amdt. 5; Revised.
Winner, S. Dak.—Bob Wiley Field; VOR-A, Amdt. 1; Revised.
Hilo, Hawaii—General Lyman Field; VOR-TAC Runway 26, Amdt. 2; Revised.
Monroe, La.—Monroe Municipal Airport; VOR/DME Runway 22, Amdt. 3; Revised.
Winder, Ga.—Winder Airport; VOR/DME-A, Amdt. 3; Revised.

4. Section 97.25 is amended by establishing, revising, or canceling the following LOC-LDA SIAPs, effective February 25, 1971:

San Diego, Calif.—San Diego International/Lindbergh Field; LOC/DME (BC) Runway 27, Original; Canceled.

5. Section 97.25 is amended by establishing, revising, or canceling the following LOC-LDA SIAPs, effective March 25, 1971:

Memphis, Tenn.—Memphis International Airport; LOC (BC) Runway 17L, Amdt. 3; Revised.
Memphis, Tenn.—Memphis International Airport; LOC (BC) Runway 27, Amdt. 14; Revised.

6. Section 97.27 is amended by establishing, revising, or canceling the following NDB/ADF SIAPs, effective March 25, 1971:

Chicago, Ill.—Chicago O'Hara International Airport; NDB Runway 32R, Amdt. 8; Revised.

Fort Lauderdale, Fla.—Fort Lauderdale-Hollywood International Airport; NDB Runway 13, Amdt. 9; Revised.
Johnson City, Tex.—Johnson City Airport; NDB-A, Amdt. 9; Revised.
Kerrville, Tex.—Louis Schreiner Field/Kerrville Muncipal Airport; NDB-A, Amdt. 1; Revised.
Memphis, Tenn.—Memphis International Airport; NDB Runway 9, Amdt. 17; Revised.
Memphis, Tenn.—Memphis International Airport; NDB Runway 35R, Amdt. 10; Revised.
Monroe, La.—Monroe Municipal Airport; NDB Runway 4, Amdt. 8; Revised.
Newark, N.J.—Newark Airport; NDB Runway 4L, Amdt. 2; Revised.

7. Section 97.29 is amended by establishing, revising, or canceling the following ILS SIAPs, effective March 25, 1971:

Chicago, Ill.—Chicago O'Hare International Airport; Parallel ILS Runway 32L, Amdt. 3; Revised.
Chicago, Ill.—Chicago O'Hare International Airport; ILS Runway 32R, Amdt. 6; Revised.
Chicago, Ill.—Chicago O'Hare International Airport; Parallel ILS Runway 32R, Amdt. 1; Revised.
Hilo, Hawaii—General Lyman Field; ILS Runway 26, Amdt. 1; Revised.
Medford, Oreg.—Medford-Jackson County Airport; ILS Runway 14, Amdt. 2; Revised.
Memphis, Tenn.—Memphis International Airport; ILS Runway 9, Amdt. 14; Revised.
Memphis, Tenn.—Memphis International Airport; ILS Runway 35R, Amdt. 12; Revised.
Monroe, La.—Monroe Municipal Airport; ILS Runway 4, Amdt. 10; Revised.
Newark, N.J.—Newark Airport; ILS Runway 4L, Amdt. 2; Revised.
Newark, N.J.—Newark Airport; ILS Runway 22R, Amdt. 2; Revised.

8. Section 97.31 is amended by establishing, revising or canceling the following Radar SIAPs, effective March 25, 1971:

Memphis, Tenn.—Memphis International Airport; Radar-1, Amdt. 19; Revised.
Miami, Fla.—Miami International Airport; Radar-1, Amdt. 11; Revised.
Portland, Oreg.—Portland International Airport; Radar-1, Amdt. 16; Revised.

9. Section 97.33 is amended by establishing, revising, or canceling the following RNAV SIAPs, effective March 25, 1971:

Buffalo, N.Y.—Greater Buffalo International Airport; RNAV Runway 31, Original; Established.
Cleveland, Ohio—Cuyahoga County Airport; RNAV Runway 23, Original; Established.
Detroit, Mich.—Detroit Metropolitan-Wayne County Airport; RNAV Runway 9, Original; Established.
Erie, Pa.—Erie International Airport; RNAV Runway 24, Original; Established.
Leesburg, Va.—Leesburg Municipal/Godfrey Field; RNAV Runway 17, Original; Established.
Rochester, N.Y.—Rochester-Monroe County Airport; RNAV Runway 10, Original; Established.
Rochester, N.Y.—Rochester-Monroe County Airport; RNAV Runway 22, Original; Established.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c), 5 U.S.C. 552(a)(1))

Issued in Washington, D.C., on February 18, 1971.

JAMES F. RUDOLPH,
*Director,*
*Flight Standards Service.*

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 (35 F.R. 5610) approved by the Director of the Federal Register on May 12, 1969.

[FR Doc.71-2564 Filed 2-25-71;8:45 am]

# Title 21—FOOD AND DRUGS

## Chapter III—Environmental Protection Agency

## PART 420—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

### Methomyl

A petition (PP 0F0886) was filed with the Food and Drug Administration, DHEW, by E. I. du Pont de Nemours & Co., Wilmington, DE 19898, in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act as amended (21 U.S.C. 346a) proposing establishment of tolerances for negligible residues of the insecticide methomyl, (*S*-methyl N-[(methylcarbomoyl)oxy] thioacetimidate) in or on the raw agricultural commodity group root crop vegetables at 0.2 part per million.

The Reorganization Plan No. 3 of 1970 published in the FEDERAL REGISTER of October 6, 1970 (35 F.R. 15623), transferred (effective December 2, 1970) to the Administrator of the Environmental Protection Agency the functions vested in the Secretary of Health, Education, and Welfare for establishing tolerances for pesticide chemicals under sections 406, 408, and 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346, 346a, and 348). The functions vested in the Secretary of Agriculture and the Department of Agriculture under section 408(1) of that Act (21 U.S.C. 346a(1)) were also transferred to the Administrator of the Environmental Protection Agency. Part 120, Chapter I, Title 21, was redesignated Part 420 and transferred to Chapter III (36 F.R. 424).

Prior to December 2, 1970, the Secretary of Agriculture certified that this pesticide chemical is useful for the purposes for which tolerances are being established and the Fish and Wildlife Service of the Department of the Interior advised that it has no objection to these tolerances.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that the tolerances established by this order will protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator (35 F.R. 15623), and the authority delegated by the Administrator to the Commissioner or Acting Commissioner of the Pesticides Office of the Environmental Protection Agency (36 F.R. 1228), § 420.253 is amended to establish the new tolerance by revising the paragraph "0.2 part per million * * *" to read as follows:

**§ 420.253 Methomyl; tolerances for residues.**

* * * * *

0.2 part per million (negligible residue) in or on the commodity groups fruiting vegetables, leafy vegetables (except cabbage), and root crop vegetables.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Objections Clerk, Environmental Protection Agency, 1626 K Street NW., Washington, DC 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

*Effective date.* This order shall become effective on its date of publication in the FEDERAL REGISTER (2-26-71).

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: February 22, 1971.

RAYMOND E. JOHNSON,
*Acting Commissioner, Pesticides.*

[FR Doc.71-2619 Filed 2-25-71;8:48 am]

# Title 24—HOUSING AND HOUSING CREDIT

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

### SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

### PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

### List of Designated Areas

Section 1914.4 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

**§ 1914.4 List of designated areas.**

* * * * * * *

| State | County | Location | Map No. | State map repository | Local map repository | Effective date of authorization of sale of flood insurance for area |
|---|---|---|---|---|---|---|
| * * * | * * * | * * * | * * * | * * * | * * * | * * * |
| California | Marin | Novato | E 06 041 2469 01 through E 06 041 2469 11 | Department of Water Resources, Post Office Box 388, Sacramento, CA 95802. California Insurance Department, 107 South Broadway, Los Angeles, CA 90012, and 1407 Market St., San Francisco, CA 94103. | Office of the City Clerk, City Hall, Sherman and Delong Aves., Post Office Box 578, Novato, CA 94947. | Feb. 26, 1971. |
| Do | Orange | Sunnyvale | E 06 059 3791 01 through E 06 059 3791 06 | do | Office of the Director of Public Works, City Hall, 456 West Olive Ave., Sunnyvale, CA 94086. | Do. |
| Colorado | Arapahoe | Englewood | E 08 005 0740 01 E 08 005 0740 02 | Colorado Water Conservation Board, 1845 Sherman St., Denver, CO 80203. Colorado Insurance Department, 106 State Office Bldg., Denver, CO 80203. | Planning Office, City of Englewood, 3400 South Elati St., Englewood, CO 80110. | Do. |
| Indiana | Lake | Griffith | E 18 089 1970 01 E 18 089 1970 02 | Department of Natural Resources, 608 State Office Bldg., Indianapolis, IN 46204. Indiana Insurance Department, 509 State Office Bldg., Indianapolis, IN 46204. | Office of the Clerk Treasurer, Town of Griffith, 111 North Broad St., Griffith, IN 46319. | Do. |
| Kentucky | Perry | Hazard | E 21 193 1470 01 E 21 193 1470 02 | Division of Water, Kentucky Department of Natural Resources, Frankfort, Ky. 40601. Kentucky Insurance Department, Old Capitol Annex, Frankfort, Ky. 40601. | City Hall, City of Hazard, High St., Hazard, Ky. 41701. | Do. |
| New Jersey | Cape May | Cape May City | I 34 009 0530 05 through I 34 009 0530 08 | New Jersey Department of Environmental Protection, Division of Water Policy and Supply, Box 1390, Trenton, NJ 08625. Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625. | Office of the Building Inspector, Cape May City Hall, Cape May, N.J. 08240 | Do. |
| Do | do | Wildwood Crest | I 34 009 3680 03 I 34 009 3680 04. | do | Borough Hall, 6101 Pacific Ave., Wildwood Crest, NJ 08260. | Do. |
| New York | Suffolk | Westhampton Beach. | E 36 103 6610 01 | New York State Department of Conservation, State Campus, Albany, N.Y. 12226. New York State Insurance Department, 123 William St., New York, NY 10038, and 324 State St., Albany, NY 12210. | Village Office, Municipal Bldg., Sunset Ave., Westhampton Beach, N.Y. 11978. | Do. |
| South Carolina | Georgetown | Unincorporated areas. | E 45 043 0000 01 through E 45 043 0000 04 | South Carolina Water Resources Planning and Coordinating Committee, 1411 Barnwell St., Columbia, SC 29201. South Carolina Insurance Department, Federal Land Bank Bldg., 1401 Hampton St., Columbia, SC 29201. | County Court House, Prince and Screven Sts., Georgetown, SC 29440. | Do. |
| Tennessee | Anderson | Lake City | I 47 001 1340 05 I 47 001 1340 06 | Office of Federal and Urban Affairs, 321 7th Ave. North, Nashville, TN 37219. Tennessee State Planning Commission, Room C2-208, Central Services Bldg., Nashville, Tenn. 37219, and Upper East Tennessee Office, 323 West Walnut St., Johnson City, TN 37601. State Insurance Commission, R-114, State Office Bldg., Nashville, TN 37219. | City Hall, 1st St., Lake City, TN 37769. | Do. |
| Do | Claiborne | Tazewell | I 47 025 2375 03 | do | City Hall, Town of Tazewell, Tazewell, Tenn. 37879. | Do. |
| Do | Roane | Harriman | I 47 145 1060 04 through I 47 145 1060 11 | do | Office of the City Treasurer, Post Office Box 305, Harriman, TN 37748. | Do. |
| Texas | Kleberg | Kingsville | I 48 273 3700 04 through I 48 273 3700 06 | Texas Water Development Board, 301 West 2d St., Austin, TX 78711. Texas State Board of Insurance, 1110 San Jacinto St., Austin, TX 78701. | Office of the City Secretary, Box 1458, City Hall, 6th St., Kingsville, TX 78363. | Do. |
| Virginia | Dickenson | Haysi | E 51 051 1210 01 | Division of Water Resources, Department of Conservation and Economic Development, 911 East Broad St., Richmond, VA 23219. Virginia Insurance Department, 700 Blanton Bldg., Post Office Box 1157, Richmond, VA 23209. | Town Hall, Town of Haysi, Haysi, Va. 24256. | Do. |

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: February 26, 1971.

GEORGE K. BERNSTEIN,
*Federal Insurance Administrator.*

[FR Doc.71–2547 Filed 2–25–71;8:45 am]

## PART 1915—IDENTIFICATION OF FLOOD-PRONE AREAS

### List of Flood Hazard Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

**§ 1915.3 List of flood hazard areas.**

* * * * * * *

| State | County | Location | Map No. | State map repository | Local map repository | Effective date of identification of areas which have special flood hazards |
|---|---|---|---|---|---|---|
| * * * | * * * | * * * | * * * | * * * | * * * | * * * |
| California | Marin | Novato | T 06 041 2460 01 through T 06 041 2460 11 | Department of Water Resources, Post Office Box 388, Sacramento, CA 95802. California Insurance Department, 107 South Broadway, Los Angeles, CA 90012, and 1407 Market St., San Francisco, CA 94103. | Office of the City Clerk, City Hall, Sherman and Delong Aves., Post Office Box 578, Novato, CA 94947. | Feb. 26, 1971. |
| Do | Orange | Sunnyvale | T 06 059 3791 01 through T 06 059 3791 06 | do | Office of the Director of Public Works, City Hall, 456 West Olive Ave., Sunnyvale, CA 94086. | Do. |
| Colorado | Arapahoe | Englewood | T 08 005 0740 01 T 08 005 0740 02 | Colorado Water Conservation Board, 1845 Sherman St., Denver, CO 80203. Colorado Insurance Department, 106 State Office Bldg., Denver, CO 80203. | Planning Office, City of Englewood, 3400 South Elati St., Englewood, CO 80110. | Do. |
| Indiana | Lake | Griffith | T 18 089 1970 01 T 18 089 1970 02 | Department of Natural Resources, 608 State Office Bldg., Indianapolis, IN 46204. Indiana Insurance Department, 509 State Office Bldg., Indianapolis, IN 46204. | Office of the Clerk Treasurer, Town of Griffith, 111 North Broad St., Griffith, IN 46319. | Do. |
| Kentucky | Perry | Hazard | T 21 193 1470 01 T 21 193 1470 02 | Division of Water, Kentucky Department of Natural Resources, Frankfort, Ky. 40601. Kentucky Insurance Department, Old Capitol Annex, Frankfort, Ky. 40601. | City Hall, City of Hazard, High St., Hazard, Ky. 41701. | Do. |
| New Jersey | Cape May | Cape May City | H 34 009 0530 05 through H 34 009 0530 08 | New Jersey Department of Environmental Protection, Division of Water Policy and Supply, Box 1390, Trenton, NJ 08625. Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625. | Office of the Building Inspector, Cape May City Hall, Cape May, N.J. 08240. | July 10, 1970. |
| Do | do | Wildwood Crest | H 34 009 3680 03 H 34 009 3680 04 | do | Borough Hall, 6101 Pacific Ave., Wildwood Crest, NJ 08260. | Aug. 6, 1970. |
| New York | Suffolk | Westhampton Beach. | T 36 103 6610 01 | New York State Department of Conservation, State Campus, Albany, N.Y. 12226. New York State Insurance Department, 123 William St., New York, NY 10038, and 324 State St., Albany, NY 12210. | Village Office, Municipal Bldg., Sunset Ave., Westhampton Beach, NY 11978. | Feb. 26, 1971. |
| South Carolina | Georgetown | Unincorporated areas. | T 45 043 0000 01 through T 45 043 0000 04 | South Carolina Water Resources Planning and Coordinating Committee, 1411 Barnwell St., Columbia, SC 29201. South Carolina Insurance Department, Federal Land Bank Bldg., 1401 Hampton St., Columbia, SC 29201. | County Court House, Prince and Screven Sts., Georgetown, SC 29440. | Do. |
| Tennessee | Anderson | Lake City | H 47 001 1340 05 H 47 001 1340 06 | Office of Federal and Urban Affairs, 321 7th Ave. North, Nashville, TN 37219. Tennessee State Planning Commission, Room C2–208, Central Services Bldg., Nashville, Tenn. 37219, and Upper East Tennessee Office, 323 West Walnut St., Johnson City, TN 37601. State Insurance Commission, R–114, State Office Bldg., Nashville, Tenn. 37219. | City Hall, 1st St., Lake City, Tenn. 37769. | Oct. 23, 1970. |
| Do | Claiborne | Tazewell | H 47 025 2375 03 | do | City Hall, Town of Tazewell, Tazewell, Tenn. 37879. | Oct. 30, 1970. |
| Do | Roane | Harriman | H 47 145 1060 04 through H 47 145 1060 11 | do | Office of the City Treasurer, Post Office Box 305, Harriman, TN 37748. | Sept. 18, 1970. |

| State | County | Location | Map No. | State map repository | Local map repository | Effective date of identification of areas which have special flood hazards |
|---|---|---|---|---|---|---|
| Texas | Kleberg | Kingsville | H 48 273 3700 04 through H 48 273 3700 06 | Texas Water Development Board, 301 West 2d St., Austin, TX 78711. Texas State Board of Insurance, 1110 San Jacinto St., Austin, TX 78701. | Office of the City Secretary, Box 1458, City Hall, 6th St., Kingsville, TX 78363. | Oct. 9, 1970. |
| Virginia | Dickenson | Haysi | T 51 051 1210 01 | Division of Water Resources, Department of Conservation and Economic Development, 911 East Broad St., Richmond, VA 23219. Virginia Insurance Department, 700 Blanton Bldg., Post Office Box 1157, Richmond, VA 23209. | Town Hall, Town of Haysi, Haysi, Va 24256 | Feb. 26, 1971. |

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: February 26, 1971.

GEORGE K. BERNSTEIN,
*Federal Insurance Administrator.*

[FR Doc.71–2548 Filed 2–25–71;8:45 am]

# Title 29—LABOR

## Subtitle A—Office of the Secretary of Labor

## PART 20—OCCUPATIONAL TRAINING OF UNEMPLOYED PERSONS

### Subpart C—On-the-Job Training

WAIVER OF UNION AGREEMENT FOR ON-THE-JOB TRAINING PROGRAMS

On December 17, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 19121) with regard to waiver of union agreement for on-the-job training programs established pursuant to affirmative action plans approved as meeting the requirements of Executive Order 11246 (30 F.R. 12319) or title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000(e)). It is intended that the Secretary will normally exercise his judgment in favor of such a waiver in those instances where the effectiveness of an affirmative action plan imposed by any government would otherwise be substantially reduced by the refusal or failure of the collective bargaining agent to agree to any reasonable training program or wage scale. A waiver may also be given under similar circumstances in regard to any privately developed affirmative action plan. In either instance it is intended that the Secretary shall give due consideration to the effect of such a waiver upon the existing collective bargaining relationship.

Interested persons were given 30 days in which to submit written comments regarding the proposed amendment. After consideration of all relevant material submitted, the proposed amendment is hereby adopted without change and is set forth below.

*Effective date.* This amendment shall become effective immediately.

Signed at Washington, D.C., this 22d day of February 1971.

J. D. HODGSON,
*Secretary of Labor.*

Section 20.21(a) is amended to read as follows:

**§ 20.21 Requirements for agreements for on-the-job training.**

Prior to entering into an agreement with a training facility it shall first be determined that there is:

(a) Joint agreement to the training program and the wage scale by the training facility and the bargaining agent where there is a collective bargaining agreement applicable to the establishment and the occupation; provided, that the Secretary may waive the requirements of this paragraph when, in his judgment, such a waiver is reasonably necessary for the establishment of a training program pursuant to an affirmative action plan approved as meeting the requirements of Executive Order 11246 (30 F.R. 12319) or Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000(e)).

* * * * *

(Sec. 207, 76 Stat. 29; 42 U.S.C. 2587)

[FR Doc.71–2618 Filed 2–25–71;8:48 am]

# Title 31—MONEY AND FINANCE: TREASURY

## Chapter I—Monetary Offices, Department of the Treasury

## PART 91—REGULATIONS GOVERNING CONDUCT IN OR ON THE BUREAU OF THE MINT BUILDINGS AND GROUNDS

### Miscellaneous Amendments

These amendments revise §§ 91.7 and 91.8 of Part 91 regarding (1) gambling and (2) intoxicating beverages, narcotics, hallucinogenic or dangerous drugs, or marihuana, respectively. Section 91.7 is revised to conform with recent amendments to the Standards of Conduct for Treasury Employees (35 F.R. 16244) to make possession on Government property of certain gambling records prima facie evidence of participating in an illegal form of gambling on such property. Section 91.8 is revised to make the section applicable to marihuana. In accordance with 5 U.S.C. 553(a), notice and public procedure thereon are found to be impractical, unnecessary and not required since the amendments pertain to the management of public property.

1. Section 91.7 is redesignated paragraph (a) of the section and a new paragraph (b) is added to read as follows:

**§ 91.7 Gambling.**

* * * * *

(b) Possession in or on the property of any numbers slip or ticket, record, notation, receipt, or other writing of a type ordinarily used in any illegal form of gambling such as a tip sheet or dream book, unless explained to the satisfaction of the head of the bureau or his delegate, shall be prima facie evidence that there is participation in an illegal form of gambling in or on such property.

2. Section 91.8 is revised to read as follows:

**§ 91.8 Intoxicating beverages, narcotics, hallucinogenic and dangerous drugs.**

Entering or being on the property, or operating a motor vehicle thereon, by a person under the influence of intoxicating beverages, narcotics, hallucinogenic or dangerous drugs, or marihuana, or the consumption of sucn beverages or the use of such drugs or marihuana in or on the property is prohibited.

(5 U.S.C. 301)

*Effective date.* These amendments shall become effective upon publication in the FEDERAL REGISTER (2–26–71).

Dated: February 22, 1971.

[SEAL] MARY BROOKS,
*Director of the Mint.*

[FR Doc.71–2668 Filed 2–25–71;8:53 am]

# Title 32—NATIONAL DEFENSE

## Chapter VII—Department of the Air Force

SUBCHAPTER W—AIR FORCE PROCUREMENT

## PART 1001—GENERAL PROVISIONS

### Waiver of Qualification Requirement

Part 1001 of Subchapter W of Title 32 of the Code of Federal Regulations is amended by adding Subparts J and K to read as follows:

### Subpart J [Reserved]

### Subpart K—Qualified Products

**§ 1001.1108 Waiver of qualification requirement.**

Where products have been approved for inclusion on a Qualified Product List, waivers of the qualification requirement will be according to § 1.1108 of this title with an information copy to The Directorate of Engineering and Material Safety (MME), AFLC, and the Directorate of Systems Policy (SDM), Hq AFSC.

(10 U.S.C. Ch. 137, 10 U.S.C. 8012)

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, Jr.,
*Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.*

[FR Doc.71-2584 Filed 2-25-71;8:45 am]

## PART 1003—PROCUREMENT BY NEGOTIATION

### Subpart D—Types of Contracts

AUTHORITY TO NEGOTIATE

Part 1003 of Subchapter W of Title 32 of the Code of Federal Regulations is amended by adding a new section to Subpart D to read as follows:

**§ 1003.410-1 Authority to negotiate.**

(a) [Reserved]
(b) [Reserved]
(c) [Reserved]
(d) [Reserved]

(e) *Authority to negotiate.* Contracting Officers of AFSC ASD (PPI) are authorized to negotiate, write, and execute basic agreements, except with educational institutions. Contracting Officers of AFSC (PPFN) are authorized to negotiate, write and execute basic agreements with respect to educational institutions only. AF activities are encouraged to submit suggestions and recommendations to ASD (PPI) and/or AFSC (PPFN), as appropriate, for consideration in negotiating basic agreements.

(f) *List of approved basic agreements.* (1) AFSC ASD (PPP) will publish quarterly a list of all approved basic agreements and supplements issued by AFSC, ASD, and PPFN. Changes to the quarterly list will be published monthly until the succeeding quarterly list is issued.

(2) The quarterly list will indicate in alphabetical order, by contractor's name, the following information: (i) Contract or supplement number; (ii) date contract or supplement number assigned; (iii) type of contract covered by the basic agreement; (iv) date distributed; (v) procurement activity which negotiated the latest basic agreement.

(3) Request for copies of the list will be addressed to AFSC ASD (PPP).

(g) *Distribution of AFSC (PPFN) Basic Agreement.* Basic Agreements and supplements executed by PPFN with educational institutions will be distributed by PPFN. Request for copies will be addressed to PPFN.

(10 U.S.C. Ch. 137, 10 U.S.C. 8012)

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, Jr.,
*Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.*

[FR Doc.71-2585 Filed 2-25-71;8:45 am]

# Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

## Chapter 101—Federal Property Management Regulations

SUBCHAPTER E—SUPPLY AND PROCUREMENT

## PART 101-32—GOVERNMENT-WIDE AUTOMATED DATA MANAGEMENT SERVICES

### Subpart 101-32.4—Procurement and Contracting

PROCUREMENT OF ADPE AND RELATED ITEMS

This amendment provides policy on the use of GSA requirements type contracts for selected ADPE and dollar limitations applicable to the procurement of ADPE, software, and maintenance services.

Section 101-32.403-1 is amended and §§ 101-32.403-2 and 101-32.403-3 are revised to read as follows:

**§ 101-32.403-1 Automatic data processing equipment.**

GSA makes selected ADPE available to agencies through requirements type contracts when such contracts will provide for substantially lower equipment costs. Where ADPE is available from GSA requirements type contracts, this source shall be used by all agencies as the primary source to satisfy needs in accordance with the provisions of such contracts. However, when such contract provisions require prior authorization from GSA before placing orders, the agency involved shall notify the General Services Administration (FTP), Washington, D.C. 20406. This will permit GSA to allocate the distribution of available ADPE on such contracts. Copies of the contracts (not contractors' price lists) are distributed to recipients of the schedule FSC Group 74, Part VI. Additional copies are available from GSA regional offices or from the address shown above. Except for use of GSA requirements type contracts and as indicated in § 101-32.403-4 with respect to the potential use of the ADP Fund, agencies may procure ADPE without prior GSA approval provided:

(a) The procurement will occur by placing a purchase/delivery order against an applicable Federal Supply Schedule contract under the terms of the contract; or

* * * * *

(c) The value of the procurement does not exceed $50,000. This shall exclude attendant maintenance costs if purchase is the method of acquisition. If the equipment is to be leased, the annual basic rental costs will be used to determine the dollar limitation set forth.

NOTE: When telecommunications aspects are involved, irrespective of the authority to procure ADPE as indicated in (a), (b), or (c) of this section, agencies shall submit appropriate documentation as prescribed in Part 101-35.

**§ 101-32.403-2 Software.**

Agencies may procure software for use with ADPE without prior approval of GSA when:

(a) The procurement will occur by placing a purchase/delivery order against an applicable Federal Supply Schedule contract under the terms of the contract; or

(b) The procurement is from other sources provided the composition and structure of the software is such that the potential for substantial use elsewhere in the Government is not readily identifiable; or

(c) The total procurement for the specific software package does not exceed $7,500 annual lease cost, excluding maintenance, or $10,000 purchase cost.

**§ 101-32.403-3 Maintenance services.**

(a) Agencies may procure maintenance services without prior approval of GSA when:

(1) Such services are available from a Federal Supply Schedule contract under the terms of the contract; or

(2) The procurement does not exceed $25,000 annually.

(b) When approved by GSA, the ADP Fund may be used by agencies to obtain maintenance services for ADPE leased from GSA through the ADP Fund.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

*Effective date.* This regulation is effective upon publication in the FEDERAL REGISTER (2-26-71).

Dated: February 17, 1971.

ROBERT L. KUNZIG,
*Administrator of General Services.*

[FR Doc.71-2586 Filed 2-25-71;8:45 am]

# Title 47—TELECOMMUNICATION

## Chapter I—Federal Communications Commission

[FCC 71-165]

## PART 0—COMMISSION ORGANIZATION

## PART 1—PRACTICE AND PROCEDURE

### Designation for Hearing of Mutually Exclusive Aeronautical Advisory Station Applications

*Order.* In the matter of amendment of Parts 0 and 1 of the Commission's rules to authorize the staff to designate for hearing mutually exclusive aeronautical advisory station applications filed pursuant to Part 87.

1. During the past several years a number of mutually exclusive applications for aeronautical advisory stations filed pursuant to Part 87 have been designated for hearing. For safety reasons, only one aeronautical advisory station may be authorized at a landing area. The issues specified in the orders designating applications for these stations for hearing have become relatively standard. The Commission has concluded that it would be conducive to the orderly and expeditious handling of its business and would serve the public interest to authorize appropriate staff members to act in these matters, as reflected in the rules set forth below.

2. These amendments relate to internal Commission organization and practice, and hence, the prior notice, procedure, and effective date provisions of 5 U.S.C., section 553 are not applicable, authority for the promulgation of these amendments is contained in sections 4 (i), (j), 5(d), and 303(r) of the Communications Act of 1934, as amended.

3. *Accordingly, it is ordered,* Effective March 10, 1971, that Parts 0 and 1 of the rules and regulations are amended as set forth below.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303)

Adopted: February 18, 1971.

Released: February 23, 1971.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
*Secretary.*

A. Part 0, Commission Organization, is amended as follows:

In paragraph (b) of § 0.331, a new subparagraph (21) is added to read as follows:

**§ 0.331 Authority delegated.**

* * * * *

(b) * * *

(21) To designate for hearing all mutually exclusive applications for Aeronautical Advisory radio facilities filed pursuant to Part 87 of this chapter.

* * * * *

[1] Commissioner Bartley absent.

B. Part 1, Practice and Procedure, is amended as follows:

In § 1.953, subparagraph (5) of paragraph (b) is amended to read as follows:

**§ 1.953 How applications are processed.**

* * * * *

(b) * * *

(5) A petition has been filed to deny an application of the categories listed in § 1.962 except where the application has been designated for hearing pursuant to delegated authority.

[FR Doc.71-2640 Filed 2-25-71;8:50 am]

# Title 32A—NATIONAL DEFENSE, APPENDIX

## Chapter X—Oil Import Administration, Department of the Interior

[Oil Import Reg. 1 (Rev. 5), Amdt. 30]

## OI REG. 1—OIL IMPORT REGULATION

### Canadian Imports, Districts I–IV

There appeared in the FEDERAL REGISTER for November 28, 1970 (35 F.R. 18208), a proposal to establish an allocation system for imports of Canadian crude oil and unfinished oils for the allocation period January 1, 1971, through December 31, 1971. The amendment of section 23 of Oil Import Regulation 1 (Revision 5) set forth below adopts such a system. In formulating this amendment careful consideration was given to all of the comments on the proposal which were received. A number of points made in the comments are reflected in the amendment of section 23. All persons receiving allocations of Canadian imports under this section will be permitted to exchange up to 50 percent of their allocations (paragraph (1)). Persons who hold allocations under section 23 may utilize their allocations under section 9, 10, or 25 to obtain licenses for the importation of Canadian imports (paragraph (m)). As pointed out in paragraph (n) entries for consumption of crude oil and unfinished oils transported by pipeline may be made until midnight of January 15, 1972. Provision has been made for allocations with respect to new facilities coming on stream (subparagraph (e)(2)). In recognition of the needs, as pointed out in a number of the comments, of newcomers for access to Canadian imports, subparagraph (e)(1) of section 23 as amended provides for allocations on the basis of inputs to particular facilities. However, it has been determined that the provision made in paragraph (d) of section 23 for allocations is necessary to avoid disruption of operations which would result from major changes in patterns of supply and the lack of alternative supply sources. Some objections were made to the deduction of natural gas liquids imported from Canada in computing allocations provided in paragraph (d). This feature has been retained because natural gas liquids which may now be imported without restriction should not be a base for allocations.

Companies substantially dependent upon Canadian imports are faced with the cessation of their operations unless applications are promptly received and allocations made and licenses issued as quickly as possible. Therefore, it would not be in the public interest to delay the effective date of this amendment. Accordingly, this Amendment 30 shall become effective immediately.

Oil Import Regulation 1 (Revision 5) is amended as set forth below.

ROGERS C. B. MORTON,
*Secretary of the Interior.*

I concur: February 24, 1971.

DARRELL M. TRENT,
*Acting Director, Office of Emergency Preparedness.*

1. Section 23 of Oil Import Regulation 1 (Revision 5) (35 F.R. 5259) is amended to read as follows:

**Sec. 23 Canadian imports—Districts I–IV.**

(a) As used in this section, the term "Canadian imports" means imports from Canada of crude oil which has been produced in Canada and unfinished oils which have been derived from crude oil or natural gas produced in Canada and which have been transported into the United States by overland means or over waterways other than ocean waterways.

(b) To be eligible for an allocation of imports under paragraph (d) or (e) of this section, a person must have in Districts I–IV a facility capable of processing Canadian imports.

(c) The Administrator shall, in accordance with the terms of paragraphs (d) and (e) of this section, make allocations for the allocation period January 1, 1971 through December 31, 1971, of not to exceed 450,000 average barrels daily of Canadian imports into Districts I–IV. Licenses issued under such allocations shall permit the entry or withdrawal from warehouse for consumption of Canadian imports only.

(d)(1) The Administrator shall first make allocations of Canadian imports to eligible applicants who received allocations of such imports for the period July 1, 1970 through December 31, 1970, either from the Administrator under section 29 or from the Oil Import Appeals Board under section 21, or from both. Each such applicant shall be entitled to an allocation of Canadian imports equal to twice the total of allocations expressed in barrels, which he received under section 29 or section 21, or both sections, for the period July 1, 1970 through December 31, 1970, less twice the quantity expressed in barrels, of natural gas liquids which he imported from Canada during the period April 1, 1970 through September 30, 1970. As used in this subparagraph, "natural gas liquids" means natural gas products and other hydrocarbons, such as ethane, propane, and butanes, or mixtures thereof, recovered from Canadian natural gas by means other than refining.

(2) If an applicant entitled to an allocation under subparagraph (1) of this paragraph would receive a larger allocation under paragraph (e) of this sec-

tion, he shall be given the larger allocation in lieu of an allocation under subparagraph (1) of this paragraph.

(e) (1) Each eligible applicant shall be entitled to an allocation of Canadian imports equal to the total of the facility suballocations made to such person for each facility listed by the applicant in his application. The Administrator shall make a facility suballocation for a particular facility according to the following formula:

$$\frac{\text{Eligible applicant's qualified inputs to a particular facility}}{\text{Total qualified inputs to all facilities listed in applications of all eligible applicants}} \times \text{Quantity of Canadian imports not allocated under paragraph (d)}$$

As used in the formula, "qualified inputs" means refinery inputs to refinery capacity, and petrochemical plant inputs to facilities other than refinery capacity, made during the year ending September 30, 1970.

(2) With respect to new or reactivated refinery capacity, or petrochemical plants in Districts I–IV, the Administrator may make facility suballocations in accordance with, and subject to, the provisions of section 25 of this regulation, except that the facility suballocations shall be computed according to the formula set forth in subparagraph (1) of this paragraph (e). Subparagraphs (3) and (4) of paragraph (b) of section 25 shall have no application with respect to inputs estimated for the purposes of a facility suballocation. Paragraph (d) of section 25 shall be applicable only with respect to future allocations of Canadian imports.

(3) A person who receives an allocation under this paragraph (e) shall not receive an allocation under paragraph (d) of this section.

(f) Each allocation made to a person under paragraph (d) or (e) of this section shall be reduced by the amount of licenses issued under any interim allocation or partial allocation of Canadian imports made to that person for the allocation period.

(g) A person receiving an allocation under paragraph (d) of this section must process in his facilities a quantity of Canadian imports equal to at least 50 percent of that allocation. A person receiving an allocation under paragraph (e) of this section must process in each facility for which a facility suballocation is made a quantity of Canadian imports equal to at least 50 percent of that facility suballocation. For the purposes of this paragraph, blending by mechanical means does not constitute processing.

(h) If a person who receives an allocation of Canadian imports under this section fails to import the total quantity of imports specified in the allocation, or if he fails to process all such imports (and domestic oil received in exchange for such imports) in his facilities before March 1, 1972, or if he fails to meet the requirement of paragraph (g) of this section, then any allocation of Canadian imports, or any allocation for Districts I–IV to which such person may otherwise be entitled under section 9, 10, or 25 of this regulation, for the first allocation period beginning after January 1, 1972, shall be reduced by the Administrator by the amount of Canadian imports which such person has failed to import, or by the amount of Canadian imports and exchanged oil which such person has failed to process in his facilities before March 1, 1972, or by the amount of Canadian imports by which he failed to meet the requirements of paragraph (g), except that the Administrator need not make such a reduction to the extent that (1) such person demonstrates to the satisfaction of the Administrator that such failures were without such person's fault and were beyond his control, or (2) such person on or before May 1, 1971, in writing, relinquishes all or part of an allocation made under this section and returns to the Administrator licenses issued thereunder.

(i) A person to whom an allocation is made by the Administrator under this section shall report and certify in writing to the Administrator, Oil Import Administration, Department of the Interior, Washington, D.C. 20240, not later than March 15, 1971, (1) the total quantity of Canadian imports which that person imported during the period July 1, 1970 through December 31, 1970, pursuant to an allocation made under section 29 of this regulation, and (2) the quantity of such imports that were processed in his facilities before March 1, 1971. The amount so reported and certified shall be subject to verification by the Administrator. If a person to whom an allocation is made under this section fails to file by March 15, 1971, the written report and certification required by this paragraph, the Administrator shall suspend all licenses issued under an allocation made under this section until the written report and certification are received.

(j) If a person who received an allocation of Canadian imports under section 29 of this regulation failed to import the total quantity of imports specified in the allocation or (unless an exchange was approved) if he fails to process such imports in his facilities before March 1, 1971, then any allocation for Districts I–IV to which such person may otherwise be entitled under section 9, 10, or 25 of this regulation for the first allocation period beginning after March 1, 1971, shall be reduced by the Administrator by the amount of Canadian imports which such person failed to import or which such person has failed to process in his facilities before March 1, 1971, except that the Administrator need not make such a reduction to the extent that (1) such person demonstrates to the satisfaction of the Administrator that such failures were without such person's fault and were beyond his control, or (2) such person on or before August 1, 1970, in writing, relinquished all or part of the allocation made under section 29 and returned to the Administrator licenses issued thereunder.

(k) An allocation made pursuant to this section shall not be sold, assigned, or otherwise transferred. Each person who imports Canadian imports under an allocation made pursuant to this section shall process such imports (or oil received in an exchange) only in the facilities set forth in his application.

(l) A person who imports Canadian imports under an allocation made pursuant to this section may exchange not to exceed 50 percent of such imports for domestic crude oil or domestic unfinished oils. A proposed agreement for each such exchange must be reported to the Administrator before any action involved in the exchange is taken. Each such exchange must be effected on a ratio of not less than one barrel of domestic oil for each barrel of Canadian imports.

(m) If a person holds an allocation of Canadian imports under this section and if he also holds an allocation of imports under section 9, 10, or 25 for the period January 1, 1971, through December 31, 1971, he may obtain from the Administrator a license which will permit him to import Canadian imports in a quantity not exceeding two-thirds of the amount of the allocation made under section 9, 10, or 25. Such licenses shall be charged against the allocation made under section 9, 10, or 25.

(n) Under the provisions of section 1A of Proclamation 3279, as amended (35 F.R. 19392), "entries for consumption of crude oil or unfinished oils transported by pipeline may be made until midnight January 15, 1972, under any license authorizing such imports from Canada" into Districts I–IV for the period January 1, 1971, through December 31, 1971.

(o) An application for an allocation under this section shall be made by letter or telegram to the Administrator, Oil Import Administration, Department of the Interior, Washington, D.C. 20240. Applications must be received by the Administrator on or before March 5, 1971. An application must contain the following information, which shall be certified by an officer of the applicant:

(1) The nature of each of the applicant's facilities in which Canadian imports will be processed.

(2) The location of each such facility.

(3) The total barrels of natural gas liquids (see subparagraph (1) of paragraph (d)) imported from Canada during the period April 1, 1970 through September 30, 1970.

(4) The total barrels of qualified inputs (as defined in subparagraph (1) of paragraph (e)) for each such facility during the year ending September 30, 1970.

An officer of an applicant shall also certify in his application that, if an allocation of Canadian imports is made to the applicant under this section, the applicant will process all such imports (and all oil exchanged for such imports) in such facilities before March 1, 1972.

2. Section 29 (35 F.R. 10296, 18258) and section 29A (36 F.R. 775) of Oil Import Regulation 1 (Revision 5) are revoked. Licenses issued under partial allocations made pursuant to section 29A shall remain in force.

[FR Doc.71-2762 Filed 2-25-71;11:41 am]

# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

### Bureau of Customs

### [ 19 CFR Parts 11, 24, 133 ]

### TRADEMARKS, TRADE NAMES, AND COPYRIGHTS

### Extension of Time for Submission of Data, Views, or Arguments

FEBRUARY 18, 1971.

Notice of proposed revision of the Customs Regulations pertaining to trademarks, trade names, and copyrights, was published in the FEDERAL REGISTER of Saturday, December 19, 1970 (35 F.R. 19269). Sixty days from the date of publication of the notice were given for submission of data, views, or arguments pertinent to the proposed revision.

A number of requests have been received for extension of the time for the submission of comments. Therefore, the period for submission of data, views, or arguments relating to the revision is extended to April 19, 1971.

[SEAL] MYLES J. AMBROSE,
*Commissioner of Customs.*

[FR Doc.71-2617 Filed 2-25-71;8:48 am]

## DEPARTMENT OF THE INTERIOR

### Geological Survey

### [ 30 CFR Part 225 ]

### DISPOSAL OF GOVERNMENT ROYALTY OIL

### Notice of Proposed Rule Making

Notice is hereby given that it is proposed to revise § 225.8 of Title 30, Code of Federal Regulations, as set forth below.

The purpose of the proposed revision is to permit the Regional Oil and Gas Supervisors of the Geological Survey to terminate the sale of Government royalty oil on less than 30 days notice to lessees or operators in certain instances such as when a purchaser of royalty oil fails to make timely payment.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule-making process. Accordingly, interested parties may submit written comments, suggestions, or objections with respect to the proposed revision of 30 CFR 225.8, to the Director, U.S. Geological Survey, Washington, D.C. 20242, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

§ 225.8 Notices.

Prior to any requirement that royalty oil be delivered in kind the Supervisor shall notify each lessee or operator under the Federal oil and gas leases involved of the requirement at least 30 days in advance of the effective date of that requirement; where it is determined to cease taking royalty oil in kind the Supervisor shall, if practicable in his opinion, give any affected lessee or operator notice of the change in requirements at least 30 days in advance of the effective date of the cessation.

Dated: February 18, 1971.

ROGERS C. B. MORTON,
*Secretary of the Interior.*

[FR Doc.71-2629 Filed 2-25-71;8:49 am]

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

### [ 7 CFR Part 916 ]

### FRESH NECTARINES GROWN IN CALIFORNIA

### Container Marking and Pack Regulation

Consideration is being given to the following proposal submitted by the Nectarine Administrative Committee, established pursuant to the amended marketing agreement and Order No. 916, as amended (7 CFR Part 916), regulating the handling of fresh nectarines grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

It is proposed that the current container marking and pack regulation for California nectarines (§ 937.312 Nectarines Order 3; 24 F.R. 4208, 25 F.R. 4638) be replaced by a new container marking and pack regulation reading as follows:

§ 916.341 Nectarine Regulation 2.

(a) On and after May 1, 1971, no handler shall handle any package or container of any variety of nectarines except in accordance with the following terms and conditions:

(1) Such nectarines, when place-packed in packages or containers in rows, shall conform to the requirements of a standard pack: *Provided,* That whenever a regulation under this part prescribes the maximum number of nectarines of a specified variety that may be packed in a particular container, other than containers equipped with cell compartments, cardboard fillers, or molded trays, not to exceed 10 percent, by count, of such containers in any lot may contain a numerical count of such variety in excess of such maximum.

(2) Each package or container of nectarines shall bear in plain sight and in plain letters, on one outside end, the name of the variety, if known, or when the variety is not known, the words "unknown variety."

(3) Each package or container of nectarines shall bear on one outside end, in plain sight and in plain letters, the size description of the nectarines which description shall conform to the following, as applicable:

(i) When packed in four-basket crates, the size shall be indicated in accordance with the arrangement of the nectarines in the top layer of the baskets, such as "4 x 5", "3—4 x 5", etc.

(ii) When packed or filled in any package or container other than a four-basket crate the size shall be indicated in accordance with the number of nectarines in the package or container, or by the equivalent size designation for such nectarines when packed in a No. 22D standard lug box in accordance with the requirements of standard pack as set forth in the U.S. Standards for Grades of Nectarines (§ 51.3152 of this title), e.g. "88 size", "96 size", etc.

(b) When used herein "standard pack" shall have the same meaning as set forth in the U.S. Standards for Grades of Nectarines (§§ 51.3145-51.3160 of this title); the term "lot" shall mean the total number of containers of nectarines of a particular size and variety included in one shipment: "No. 22D standard lug box" shall have the same meaning as set forth in section 43601 of the Agricultural Code of California; and all other terms shall have the same meaning as when used in the marketing agreement and order.

(c) Nectarine Order 3 (24 F.R. 4208; 25 F.R. 4638) is hereby terminated at the effective time hereof.

All persons who desire to submit written data, views, or arguments, for consideration in connection with the proposed regulation shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 20th day after publication of this notice in the FEDERAL REGISTER. 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 23, 1971.

FLOYD F. HEDLUND,
*Director, Fruit and Vegetable Division, Consumer and Marketing Service.*

[FR Doc.71-2666 Filed 2-25-71;8:52 am]

### [ 7 CFR Part 1011 ]

### MILK IN APPALACHIAN MARKETING AREA

### Notice of Proposed Termination of Certain Provisions of Order

Notice is hereby given that, pursuant to the provisions of the Agricultural

Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the termination of certain provisions of the order regulating the handling of milk in the Appalachian marketing area is being considered.

All persons who desire to submit written data, views, or arguments in connection with the proposed termination should file the same with the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 7 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

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)).

The provisions proposed to be terminated are as follows:

1. Sections 1011.16 and 1011.17.
2. In § 1011.22(k)(2) ", or the uniform prices for base milk and excess milk".
3. In § 1011.30(a)(1) "and the aggregate quantities of base milk and excess milk".
4. In § 1011.32(a)(2) delete: ", including, for the months of April through July, the total pounds of base and excess milk".
5. In the preliminary text preceding paragraph (a) of § 1011.71 "for each of the months of August through March".
6. In § 1011.71(f) "in each of the months of August through March".
7. Section 1011.72.
8. In § 1011.73 paragraph (b).
9. In § 1011.73(c) "and 1011.72".
10. The subheading "Base Rating" following § 1011.73 and §§ 1011.80, 1011.81, 1011.82, and 1011.83.
11. In § 1011.90(d)(2) delete: ", including, for the months in which base and excess prices apply, the pounds of base and excess milk".
12. In § 1011.92(a) delete: "and the uniform price to be paid for base milk."
13. In § 1011.94(b)(1) "and 1011.72".

*Statement of consideration.* A cooperative association which represents 99 percent of the producers on the Appalachian market has requested termination of the base-excess plan of the order. The cooperative association recently adopted a base and excess method of paying producer members which differs considerably from the base and excess provisions currently in the order. It states that the order base-excess plan conflicts with the plan adopted and administered by the cooperative. The cooperative contends to keep the present base-excess plan in the order would not contribute to the orderly marketing of milk in the area.

Signed at Washington, D.C., on February 23, 1971.

JOHN C. BLUM,
*Deputy Administrator,*
*Regulatory Programs.*

[FR Doc.71–2667 Filed 2–25–71;8:53 am]

# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Food and Drug Administration

## [ 21 CFR Part 130 ]

## RADIOACTIVE NEW DRUGS

### New-Drug Application Requirements; Extension of Time for Filing Comments

The notice published in the FEDERAL REGISTER of January 27, 1971 (36 F.R. 1274), proposing § 130.____ *Requirements regarding certain radioactive drugs*, provided for filing comments within 30 days after said date.

The Commissioner of Food and Drugs has received a request to extend such time and, good reason therefor appearing, the time for filing comments regarding the subject proposal is hereby extended to March 28, 1971.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505, 701(a), 52 Stat. 1052–53, as amended, 1055; 21 U.S.C. 355, 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: February 19, 1971.

SAM D. FINE,
*Associate Commissioner*
*for Compliance.*

[FR Doc.71–2588 Filed 2–25–71;8:46 am]

# DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## [ 14 CFR Part 71 ]

[Airspace Docket No. 71–SO–19]

## TRANSITION AREA

### Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Gainesville, Ga., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 724, 3400 Whipple Street, East Point, GA.

The Gainesville transition area described in § 71.181 (36 F.R. 2140) would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Gainesville Municipal Airport (lat. 34°16'37" N., long. 83°49'42" W.); within 9.5 miles southeast and 4.5 miles northwest of the 216° bearing from Gainesville RBN (lat. 34°16'30" N., long. 83°49'56" W.), extending from the RBN to 18.5 miles southwest; excluding the portion within the Lawrenceville, Ga. transition area.

The application of Terminal Instrument Procedures (TERPs) and current airspace criteria to Gainesville terminal requires the following actions:

1. Increase the basic radius circle from 6 to 8.5 miles.
2. Increase the extension predicated on the 216° bearing from Gainesville RBN 10 miles in width and 10 miles in length.

The proposed alterations are required to provide controlled airspace protection for IFR operations in the Gainesville terminal.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on February 16, 1971.

GORDON A. WILLIAMS, JR.,
*Acting Director, Southern Region.*

[FR Doc.71–2630 Filed 2–25–71;8:49 am]

# ENVIRONMENTAL PROTECTION AGENCY

## [ 45 CFR Part 1201 ]

## 1975 EMISSION STANDARDS FOR HYDROCARBONS AND CARBON MONOXIDE APPLICABLE TO LIGHT-DUTY VEHICLES

### Notice of Proposed Rule Making

On November 10, 1970, 45 CFR Part 85 was revised to establish new hydrocarbon and carbon monoxide emission standards and test procedures for light duty vehicles, to establish new test vehicle and engine selection procedures, and to make various technical modifications. The standards and procedures so promulgated are applicable to model years beginning with 1972. Part 85 was redesignated Part 1201 on December 18, 1970 (35 F.R. 19181).

Section 202(b) of the Clean Air Act, as amended December 31, 1970 (Public

Law 91–604), directs the Administrator of the Environmental Protection Agency to establish emission standards, applicable to new light duty vehicles and engines, which require:

(a) With respect to 1975 and later model year vehicles and engines, at least a 90 per centum reduction in emissions of carbon monoxide and hydrocarbons from those allowable under the standards applicable to light duty vehicles and engines manufactured in model year 1970; and

(b) With respect to 1976 and later model year vehicles and engines, at least a 90 per centum reduction in emisisons of oxides of nitrogen from those actually measured from light duty vehicles manufactured during model year 1971 which are not subject to any Federal or State emission standard for oxides of nitrogen.

The Act further provides that emission standards to accomplish this reduction and the measurement techniques on which such standards are based, if such techniques were not promulgated prior to December 31, 1970, be prescribed within 180 days after such date, i.e., on or before June 29, 1971.

It is now proposed to amend the regulations in 45 CFR Part 1201 in order to establish the hydrocarbon and carbon monoxide emission standards for 1975 and later model year vehicles and engines in accordance with the Clean Air Act, as amended.

An oxides of nitrogen measurement procedure will be published shortly to implement the announced 1973 oxides of nitrogen standard (35 F.R. 2971, February 10, 1970). Proposed rule making for the 1976 oxides of nitrogen standard will be deferred pending proposal of the 1973 standard and test procedure.

The definition of a "light duty vehicle" for the purposes of this proposed rule making is that used in § 1201.1(a)(5) of the regulations applicable to 1972 and later model year new motor vehicles (35 F.R. 17288):

> "Light duty vehicle" means any motor vehicle either designed primarily for transportation of property and rated at 6,000 pounds GVW or less or designed primarily for transportation of persons and having a capacity of 12 persons or less.

The present exemption for motorcycles would be retained. No standard is proposed for light duty engines which are not chassis mounted, since no acceptable engine dynamometer test procedure for such engines presently exists.

The measurement procedure proposed is the procedure in Subpart H of the regulations applicable to 1972 and later model year vehicles. This procedure uses a closed, self-weighting test cycle, a true mass-measurement (constant volume sampler) exhaust gas sampling system, a flame-ionization-detector type analyzer (FID) for the determination of hydrocarbon emissions, and a nondispersive infrared analyzer (NDIR) for the determination of carbon monoxide emissions.

The proposed standards are based on 130 tests on 1970 model year vehicles to determine the equivalency between the test procedure to be used beginning with the 1972 model year and the test procedure actually used for the 1970 model year. Based upon these tests, it was determined that the 1970 standards of 2.2 grams per vehicle mile hydrocarbons and 23 grams per vehicle mile carbon monoxide were equivalent to 4.6 grams per vehicle mile hydrocarbons and 47 grams per vehicle mile carbon monoxide using the new test procedure. Therefore, a 90 per centum reduction using the new test procedure would produce the proposed standards set forth herein. It is emphasized that the higher numerical values reflect only the change in test procedure and not any decrease in stringency.

45 CFR Part 1201 as amended by the proposed standards would be effective on republication and would be applicable to 1975 and subsequent model year vehicles. The current regulations which appear at 45 CFR Part 1201 will remain in effect and applicable to earlier model year vehicles.

Interested persons may submit written data, views, or arguments (in quadruplicate) in regard to the proposed regulations to the Administrator, Environmental Protection Agency, Attention: Air Pollution Control Office, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20852. All relevant material received not later than 60 days after the publication of this notice will be considered.

This notice of proposed rule making is issued under the authority of section 202 of the Clean Air Act, as amended by section 6, Public Law 91–604; 84 Stat. 1690.

Dated: February 22, 1971.

WILLIAM D. RUCKELSHAUS,
*Administrator.*

Subpart C is proposed to be revised as follows:

## Subpart C—Exhaust Emissions and Fuel Evaporative Emissions (Gasoline Fueled Light Duty Vehicles)

### § 1201.20 Applicability.

The provisions of this subpart are applicable to new gasoline fueled light duty motor vehicles beginning with the 1975 model year, except motorcycles.

### § 1201.21 Standards for exhaust emissions.

(a) Exhaust emissions from new light duty vehicles shall not exceed:

(1) Hydrocarbons—0.46 grams per vehicle mile.

(2) Carbon monoxide—4.7 grams per vehicle mile.

(b) The standards set forth in paragraph (a) of this section refer to the exhaust emitted over a driving schedule as set forth in the applicable sections of "Test Procedures for Vehicle Exhaust and Fuel Evaporative Emissions (Gasoline Fueled Light Duty Vehicles)" of this part and measured and calculated in accordance with those procedures.

### § 1201.22 Standard for fuel evaporative emissions.

(a) Fuel evaporative emissions from new light duty vehicles shall not exceed:

(1) Hydrocarbons—2 grams per test.

(b) The standards set forth in paragraph (a) of this section refers to a composite sample of the fuel evaporative emissions collected under the conditions set forth in the "Test Procedures for Vehicle Exhaust and Fuel Evaporative Emissions (Gasoline Fueled Light Duty Vehicles)" of this part and measured in accordance with those procedures.

### § 1201.23 Test procedures.

Every manufacturer of new motor vehicles subject to the standards prescribed in this subpart shall, prior to taking any of the actions specified in section 203(a)(1) of the Act, test or cause to be tested such motor vehicles in accordance with test procedures in Subpart H of this part to ascertain that such test vehicles meet the requirements of §§ 1201.21 and 1201.22, as applicable. If, pursuant to § 1201.55(a), the Administrator issues a certificate of conformity for the class or classes of vehicles represented by such test vehicles, any new motor vehicle which is in all material respects of substantially the same construction as such test vehicles shall be deemed to be in conformity with the requirements of §§ 1201.21 and 1201.22, as applicable.

[FR Doc.71–2582 Filed 2–25–71;8:45 am]

# FEDERAL COMMUNICATIONS COMMISSION

## [ 47 CFR Part 73 ]

[Docket No. 19075]

## TELEVISION BROADCAST STATIONS

## Table of Assignments, Nogales and Tucson, Ariz.; Order Extending Time for Filing Reply Comments

In the matter of amendment of § 73.606, Table of Assignments, Television Broadcast Stations (Nogales and Tucson, Ariz.), RM–1645.

1. This proceeding was begun by notice of proposed rule making (FCC 70–1164) adopted October 28, 1970, released November 2, 1970, and published in the FEDERAL REGISTER on November 6, 1970 (35 F.R. 17121). The date for filing comments has expired and the date for filing reply comments is presently designated as February 18, 1971.

2. On February 18, 1971, counsel for I.B.C., Inc., a limited partnership (I.B.C.), the proponent in this proceeding filed a request for a 10 day extension of the filing date for reply comments.

Counsel states that due to a recent absence from the city and a current illness, the requested 10 days is necessary. All other parties to this proceeding, it is stated, have no objection to the extension.

3. We are of the view that the additional time is warranted and would serve the public interest. *Accordingly, it is ordered,* That the time for filing reply comments in Docket No. 19075 is extended to and including March 1, 1971.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934 as amended, and §0.281(d)(8) of the Commission's rules.

Adopted: February 18, 1971.

Released: February 22, 1971.

[SEAL] FRANCIS R. WALSH,
*Chief, Broadcast Bureau.*

[FR Doc.71-2639 Filed 2-25-71;8:50 am]

# Notices

## POST OFFICE DEPARTMENT

### BOARD OF GOVERNORS OF U.S. POSTAL SERVICE

#### Resolution

The Board of Governors of the U.S. Postal Service has adopted the following Resolution:

[Resolution No. 71–13]

Appointment of Officers and Employees; Effective Dates.

Resolved: Pursuant to section 15(a) of the Postal Reorganization Act (P.L. 91–375) the Board of Governors establishes effective dates of certain provisions of that Act as follows:

| *Provision of Postal Reorganization Act* | *Effective dates* |
|---|---|
| The following provisions contained in section 2: | |
| 39 U.S.C. §1001 | Mar. 1, 1971 |
| 39 U.S.C. §1002 | Mar. 1, 1971 |

By this resolution the Board of Governors determines that section 3311 of former title 39, United States Code, is no longer effective as of the effective date of section 1001(a) of revised title 39, United States Code, specified above.

The Secretary of the Board of Governors is directed to arrange for the publication of this resolution in the FEDERAL REGISTER. The foregoing resolution was adopted by the Board of Governors on February 23, 1971.

(39 U.S.C. section 202, as enacted by Public Law 91–375 and section 15(a) of Public Law 91–375)

DAVID A. NELSON,
*General Counsel, Post Office Department, Secretary to the Board of Governors, U.S. Postal Service.*

[FR Doc.71–2700 Filed 2–25–71;8:53 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

### PROPOSED COSUMNES RIVER DIVISION, CENTRAL VALLEY PROJECT, CALIF.

#### Notice of Availability of Draft Environmental Statement

Notice is hereby given that a draft of document entitled "Environmental Statement on Consumnes River Division, Central Valley Project, California, Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969" dated January 1971, has been prepared as required by the Act and is being placed for public examination in offices of the Bureau of Reclamation in Washington, D.C., and Sacramento, Calif. Persons wishing to examine a copy of the document may do so at either of the following offices:

Office of Information, Bureau of Reclamation, Room 7646, Department of the Interior, C Street between 18th and 19th Streets NW., Washington, DC 20240, telephone (202) 343–4662;

Office of the Regional Director, Bureau of Reclamation, Federal Office Building, 2800 Cottage Way, Sacramento, CA 95825, telephone (916) 481–2571.

Single copies of the draft statement may be obtained on request to the Commissioner of Reclamation or the Regional Director.

ELLIS L. ARMSTRONG,
*Commissioner of Reclamation.*

FEBRUARY 19, 1971.

[FR Doc.71–2628 Filed 2–25–71;8:49 am]

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### TAHOE NATIONAL FOREST, CALIF.

#### Order of Transfer of Administrative Jurisdiction of Land, Boca Reservation, Truckee Storage Project, Calif.

*Correction*

In F.R. Doc. 71–1964 appearing at page 2937 in the issue of Friday, February 12, 1971, in the Mount Diablo Meridian land description, the last line under section 20 reading "NE¼NW¼SE¼;" should be deleted.

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### National Park Service

### NATIONAL CAPITAL PARKS—CENTRAL

#### Notice of Intention To Extend Concession Permit

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Superintendent, National Capital Parks—Central, proposes to extend a concession permit to Buzzard Point Boatyard Corp., authorizing it to continue to provide marina services for the public at the foot of First Street SW., Washington, DC, for a period of 2 years from September 1, 1970, through August 31, 1972.

The foregoing concessioner has performed its obligations under an existing permit to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, is entitled to be given preference in extension of the existing permit. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within thirty (30) days after the date of publication of this notice.

Interested parties should contact the Superintendent, National Capital Parks—Central, 1100 Ohio Drive SW., Washington, DC 20242, for information as to the requirements of the proposed permit.

Dated: February 5, 1971.

WILLIAM R. FAILOR,
*Superintendent, National Capital Parks—Central.*

[FR Doc.71–2599 Filed 2–25–71;8:47 am]

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### Office of the Secretary

### INDIAN TRIBES PERFORMING LAW AND ORDER FUNCTIONS

#### Notice of Determination

The listing of Indian tribes performing law and order functions was published on page 5341 of the March 18, 1969, issue of the FEDERAL REGISTER (34 F.R. 5341). It was subsequently amended on page 10917 of the July 7, 1970, issue of the FEDERAL REGISTER (35 F.R. 10917). The listing is further amended as follows:

Add the phrase "Nebraska: Omaha Indian Reservation" immediately preceding the phrase "Nevada."

This notice shall be effective upon publication in the FEDERAL REGISTER (2–26–71).

ROGERS C. B. MORTON,
*Secretary of the Interior.*

FEBRUARY 19, 1971.

[FR Doc.71–2627 Filed 2–25–71;8:49 am]

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Service

[PPD 639]

### JAPANESE BEETLE AND CERTAIN OTHER PESTS

#### List of Approved Laboratories Authorized To Receive Interstate Shipments of Soil Samples for Processing, Testing, or Analysis

*Correction*

In F.R. Doc. 71–2340 appearing at page 3272 in the issue of Saturday, February 20, 1971, the second entry under the heading "MC" on page 3274 should be deleted and the following entry substituted: "McCelland Engineers, Inc., Houston, Tex.[3]"

## Packers and Stockyards Administration

### REED'S AUCTION ET AL.

### Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

| *Original name of stockyard, location, and date of posting* | *Current name of stockyard and date of change in name* |
|---|---|
| CALIFORNIA | |
| Reed's Livestock Co., Inc., Hayward, Apr. 19, 1961 | Reed's Auction, Nov. 17, 1970. |
| Silveira's Livestock Auction Yard, Modesto, Nov. 23, 1959. | "Silva-Haglund" Livestock Auction, Jan. 1, 1971. |
| GEORGIA | |
| Citizen Stock Yard, Arlington, May 21, 1959 | Citizens Stock Yard, Inc., Nov. 1, 1970. |
| Pierce County Stock Yard, Blackshear, May 16, 1959. | Pierce County Stockyard, Inc., July 1, 1970. |
| Seminole Hog & Cattle Co., Inc., Donalsonville, May 25, 1959. | Seminole Livestock, Inc., Jan. 1, 1971. |
| NEBRASKA | |
| Fullerton Livestock Market, Fullerton, Apr. 24, 1959. | Fullerton Livestock Market, Inc., Dec. 1, 1970. |
| NEW YORK | |
| Norwich Commission Sale, Inc., Norwich, July 12, 1960. | Lazy S Livestock Market, Dec. 28, 1970. |

Done at Washington, D.C., this 22d day of February 1971.

G. H. HOPPER,
*Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.*

[FR Doc. 71-2664 Filed 2-25-71;8:52 am]

# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Food and Drug Administration

[DESI 5714]

### AUROTHIOGLYCANIDE

### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following antirheumatic drug:

Lauron Suspension for injection, containing aurothioglycanide; Endo Laboratories, Inc., 1000 Stewart Ave., Garden City, New York 11533 (NDA 5-714).

The drug is regarded as a new drug. The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's report and concludes that aurothioglycanide is possibly effective for rheumatoid arthritis.

B. *Marketing status.* 1. Holders of previously approved new-drug applications and any person marketing any such drug without approval will be allowed 6 months from the date of publication of this announcement in the FEDERAL REGISTER to obtain and to submit in a supplemental or original new-drug application data to provide substantial evidence of effectiveness for the indication for which this drug has been classified as possibly effective. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a)(5) of the regulations published in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

2. At the end of the 6-month period, any such data will be evaluated to determine whether there is substantial evidence of effectiveness for such uses. After that evaluation, the conclusions concerning the drug will be published in the FEDERAL REGISTER. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to withdraw approval of the new-drug applications for such drugs, pursuant to the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act. Withdrawal of approval of the applications will cause any such drugs on the market to be new drugs for which an approval is not in effect.

The above-named holder of the new-drug application for this drug has been mailed a copy of the Academy's report. Any interested person may obtain a copy of these reports by request to the Food and Drug Administration, Press Relations Office (CE-200), 200 "C" Street SW., Washington, D.C. 20204.

Communications forwarded in response to this announcement should be identified with the reference number DESI 5714, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland, 20852:

Supplements (identity with NDA number): Office of Scientific Evaluation (BD-100), Bureau of Drugs.
Original new-drug applications: Office of Scientific Evaluation (BD-100), Bureau of Drugs.
All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: February 1, 1971.

SAM D. FINE,
*Associate Commissioner for Compliance.*

[FR Doc.71-2590 Filed 2-25-71;8:46 am]

[DESI 11560]

### CERTAIN DRUGS CONTAINING CARBETAPENTANE TANNATE

### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs containing carbetapentane tannate:

1. Reflexol Forte Cough Lozenges; Isodine Pharmacal Corp., Division of International Latex Corp., 350 Fifth Avenue, New York, New York 10001 (NDA 11-646).

2. Reflexol Cough Lozenges; Isodine Pharmacal Corp. (NDA 11-645).

3. Candette Cough Lozenges; Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, New York 10017 (NDA 11-560).

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's reports, as well as other available evidence, and concludes that these drugs are possibly effective for the temporary relief of coughs.

B. *Marketing status.* 1. Holders of previously approved new-drug applications and any person marketing any such drug without approval will be allowed 6 months from the date of publication of this announcement in the FEDERAL REGISTER to obtain and to submit in a supplemental or original new-drug application data to provide substantial evidence of effectiveness for those indications for which these drugs have been classified as possibly effective. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations

(identified for ready review) as described in § 130.12(a)(5) of the regulations published in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

2. At the end of the 6-month period, any such data will be evaluated to determine whether there is substantial evidence of effectiveness for such uses. After that evaluation, the conclusions concerning the drugs will be published in the FEDERAL REGISTER. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to withdraw approval of the new-drug applications for such drugs, pursuant to the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act. Withdrawal of approval of the applications will cause any such drugs on the market to be new drugs for which an approval in not in effect.

The above-named holders of the new-drug applications have been mailed a copy of the Academy's report. Any interested person may obtain a copy of these reports by writing to the office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 11560, directed to the attention of the following appropriate office, and addressed (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (BD–100), Bureau of Drugs.
Requests for NAS–NRC reports: Press Relations Office (CE–200), Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.
Original new-drug applications: Office of Scientific Evaluation (BD–100), Bureau of Drugs.
All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD–5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 28, 1971.

SAM D. FINE,
*Associate Commissioner for Compliance.*

[FR Doc.71–2595 Filed 2–25–71;8:46 am]

[DESI 12186]

## CERTAIN GASTROINTESTINAL DRUGS

### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs:

1. Oxaine Suspension, containing oxethazaine and aluminum hydroxide gel; Wyeth Laboratories, Division American Home Products Corp., Post Office Box 8299, Philadelphia, Pa. 19101 (NDA 12–186).

2. Oxaine M Suspension, containing oxethazaine, aluminum hydroxide gel, and magnesium hydroxide; Wyeth Laboratories (NDA 12–186).

Such drugs are regarded as new drugs (21 U.S.C. 321 (p)). The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's report, as well as other available evidence, and concludes that:

1. These drugs lack substantial evidence of effectiveness in the treatment of gastritis and the irritable colon syndrome.

2. The drugs are possibly effective for the treatment of esophagitis and peptic ulcer.

B. *Marketing status.* 1. Within 60 days after the date of publication of this announcement in the FEDERAL REGISTER, the holder of any approved new-drug application for which a drug is classified in paragraph A above as lacking substantial evidence of effectiveness is requested to submit a supplement to his application, as needed, to provide for revised labeling which deletes those indications for which substantial evidence of effectiveness is lacking. Such a supplement should be submitted under the provisions of § 130.9 (d) and (e) of the new-drug regulations (21 CFR 130.9 (d) and (e)) which permit certain changes to be put into effect at the earliest possible time, and the revised labeling should be put into use within the 60-day period. Failure to do so may result in a proposal to withdraw approval of the new-drug application.

2. If any such preparation is on the market without an approved new-drug application, its labeling should be revised if it includes those claims for which substantial evidence of effectiveness is lacking as described in paragraph A above. Failure to delete such indications and put the revised labeling into use within 60 days after the date of publication hereof in the FEDERAL REGISTER may cause the drug to be subject to regulatory proceedings.

3. The notice "Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study," published in the FEDERAL REGISTER July 14, 1970 (35 F.R. 11273), describes in paragraphs (d), (e), and (f) the marketing status of a drug labeled with those indications for which it is regarded as possibly effective.

A copy of the Academy's report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the Food and Drug Administration, Press Relations Office (CE–200), 200 C Street SW., Washington, D.C. 20204.

Communications forwarded in response to this announcement should be identified with the reference number DESI 12186, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (BD–100), Bureau of Drugs.
Original new-drug applications; Office of Scientific Evaluation (BD–100), Bureau of Drugs.
All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD–5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: February 1, 1971.

SAM D. FINE,
*Associate Commissioner for Compliance.*

[FR Doc.71–2597 Filed 2–25–71;8:46 am]

[DESI 1176]

## CERTAIN OVER-THE-COUNTER LOCAL IRRITANTS

### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs for topical use:

1. Infrarub Analgesic Cream, containing methyl nicotinate, histamine dihydrochloride, glycol salicylate, and capsicum oleoresin; Whitehall Laboratories, Inc., 685 Third Avenue, New York, New York 10017 (NDA 8–903).

2. Rubiguent Rubefacient Cream, containing methyl nicotinate, histamine dihydrochloride, glycol salicylate, and capsicum oleoresin; Ives Laboratories, Inc., 685 Third Avenue, New York, New York 10017 (NDA 8–550).

3. Imadyl Unction, containing histamine dihydrochloride, glycol acetyl salicylate, methyl salicylate, menthol, and

thymol; Roche Laboratories, Inc., Division of Hoffmann-LaRoche, Inc., 340 Kingsland Road, Nutley, New Jersey 07110 (NDA 9-416).

4. Chloro-Salicylate Ointment, containing chloral hydrate, menthol, and methyl salicylate; Kremers-Urban Co., 5600 West County Line Road, Mequon, Wisconsin 53201 (NDA 5-364).

5. Lembrose Ointment, containing methacholine chloride, menthol, thymol, eucalyptol, and methyl salicylate; Wyeth Laboratories, Inc., Post Office Box 8299, Philadelphia, Pennsylvania 19101 (NDA 1-176).

These drugs are regarded as new drugs. The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's reports, as well as other available evidence, and concludes that these drugs are possibly effective for use in relieving pain of arthritis, rheumatism, lumbago, neuralgia, neuritis, minor muscular aches, muscle injuries, sprains, strains, sore joints, stiff neck, pain due to exertion and fatigue, aches and pains associated with the common cold, and as a counterirritant or rubefacient.

B. *Marketing status.* 1. Holders of previously approved new-drug applications and any person marketing any such drug without approval will be allowed 6 months from the date of publication of this announcement in the FEDERAL REGISTER to obtain and to submit in a supplemental or an original new-drug application data to provide substantial evidence of effectiveness for those indications for which these drugs have been classified as possibly effective.

2. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12 (a)(5) of the regulations published in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

3. At the end of the 6-month period, any such data will be evaluated to determine whether there is substantial evidence of effectiveness for such uses. After that evaluation, the conclusions concerning the drugs will be published in the FEDERAL REGISTER. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to withdraw approval of the new-drug applications for such drugs, pursuant to the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act. Withdrawal of approval of the applications will cause any such drugs on the market to be new drugs for which an approval is not in effect.

The above-named holders of the new-drug applications for these drugs have been mailed the appropriate copy of the Academy's reports. Any interested person may obtain a copy of these reports by writing to the office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 1176, directed to the attention of the following appropriate office, and addressed (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (BD-100), Bureau of Drugs.

Original new-drug application: Office of Scientific Evaluation (BD-100), Bureau of Drugs.

Requests for NAS-NRC reports: Press Relations Office (CE-200), Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

All other communications concerning this announcement: Drug Efficacy Study Implementation Project Office (BD-5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: February 4, 1971.

SAM D. FINE,
*Associate Commissioner for Compliance.*

[FR Doc.71-2589 Filed 2-25-71;8:46 am]

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[DESI 11114]

## CERTAIN RECTAL SUPPOSITORIES CONTAINING HYDROCORTISONE ACETATE, BELLADONNA EXTRACT, AND EPHEDRINE SULFATE

### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drug:

Wyanoids HC Rectal Suppositories, containing hydrocortisone acetate, belladonna extract, ephedrine sulfate, zinc oxide, boric acid, bismuth iodide oxide, bismuth subcarbonate, and balsam peru; Wyeth Laboratories, Inc., Division American Home Products Corp., Post Office Box 8299, Philadelphia, Pennsylvania 19101 (NDA 11-114).

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's report, as well as other available evidence, and concludes that this drug is possibly effective for use in the treatment of acute and chronic nonspecific proctitis; radiation proctitis; proctitis accompanying ulcerative colitis; medication proctitis; acute internal hemorrhoids; cryptitis; postoperative scar tissue with inflammatory reaction; and anal pruritus.

B. *Marketing status.* Marketing of such drug with labeling which recommends or suggests its use for indications for which it has been classified as possibly effective may be continued for 6 months as described in paragraphs (d), (e), and (f) of the notice "Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study," published in the FEDERAL REGISTER July 14, 1970 (35 F.R. 11273).

A copy of the Academy's report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the Food and Drug Administration, Press Relations Office (CE-200), 200 C Street, SW., Washington, D.C. 20204.

Communications forwarded in response to this announcement should be identified with a reference number DESI 11114, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (BD-100), Bureau of Drugs.

Original new-drug applications: Office of Scientific Evaluation (BD-100), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: February 1, 1971.

SAM D. FINE,
*Associate Commissioner for Compliance.*

[FR Doc.71-2594 Filed 2-25-71;8:46 am]

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[DESI 10201]

## CHLORBETAMIDE

### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group on the following drug:

Pontalin Tablets containing chlorbetamide; Winthrop Products, Inc., 90 Park Avenue, New York, New York 10016 (NDA 10-201).

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's report, as well as other available evidence, and concludes that chlorbetamide is possibly effective for treatment of amebiasis.

B. *Marketing status.* Marketing of such drug with labeling which recommends or suggests its use for the indication for which it has been classified as possibly effective may be continued for 6 months as described in paragraphs (d), (e), and (f) of the notice "Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study," published in the FEDERAL REGISTER July 14, 1970 (35 F.R. 11273).

A copy of the Academy's report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the Food and Drug Administration, Press Relations Office (CE–200), 200 C Street SW., Washington, D.C. 20204.

Communications forwarded in response to this announcement should be identified with the reference number DESI 10201, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (BD–100), Bureau of Drugs.
Original new-drug applications: Office of Scientific Evaluation (BD–100), Bureau of Drugs.
All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD–5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 28, 1971.

SAM D. FINE,
*Associate Commissioner for Compliance.*

[FR Doc.71–2592 Filed 2–25–71;8:46 am]

[DESI 12568]

## CHLORDANTOIN AND BENZALKONIUM CHLORIDE LOTION

### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on Sporostacin Lotion, containing chlordantoin and benzalkonium chloride; Ortho Pharmaceutical Corp., Route 202, Raritan, New Jersey 08869 (NDA 12–568).

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's report, as well as other available evidence, and concludes that the drug is possibly effective for fungal infections of the skin.

B. *Marketing status.* Marketing of such drug with labeling which recommends or suggests its use for the indication for which it has been classified as possibly effective may be continued for 6 months as described in paragraphs (d), (e), and (f) of the notice "Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study", published in the FEDERAL REGISTER July 14, 1970 (35 F.R. 11273).

A copy of the Academy's report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the Food and Drug Administration, Press Relations Office (CE–200), 200 C Street SW., Washington, DC 20204.

Communications forwarded in response to this announcement should be identified with the reference number DESI 12568, directed to the attention of the appropriate office below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (BD–100), Bureau of Drugs.
Original new-drug applications: Office of Scientific Evaluation (BD–100), Bureau of Drugs.
All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD–5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–53, as amended: 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 28, 1971.

SAM D. FINE,
*Associate Commissioner for Compliance.*

[FR Doc.71–2598 Filed 2–25–71;8:47 am]

[DESI 11103]

## NEOMYCIN SULFATE-HYDROCORTISONE ACETATE RECTAL SUPPOSITORIES

### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on Protef Rectal Suppositories containing neomycin sulfate and hydrocortisone acetate; marketed by The Upjohn Co., 7171 Portage Road, Kalamazoo, Michigan 49001 (NDA 11–103).

The Food and Drug Administration concludes that rectal suppositories containing neomycin sulfate and hydrocortisone acetate are possibly effective for adjunctive treatment in cryptitis; papillitis; nonspecific localized proctitis and anusitis; radiation proctitis and sigmoiditis; and fissure in ano.

Preparations containing neomycin sulfate and hydrocortisone acetate are subject to the antibiotic certification procedures pursuant to section 507 of the Federal Food, Drug, and Cosmetic Act. To allow applicants to obtain and submit data to provide substantial evidence of the effectiveness of the drug in those conditions for which it has been evaluated as possibly effective, batches of preparations containing neomycin sulfate and hydrocortisone acetate which bear labeling with the possibly effective indications will be accepted for release or certification by the Food and Drug Administration for a period of six (6) months after publication of this announcement in the FEDERAL REGISTER.

At the end of the 6-month period any such data will be evaluated to determine whether there is substantial evidence of effectiveness for such uses. After that evaluation, the conclusions concerning the drug will be published in the FEDERAL REGISTER. If no studies have been undertaken, or if the studies do not provide substantial evidence of effectiveness, such drugs will no longer be acceptable for release or certification.

The Food and Drug Administration further concludes that there is a lack of substantial evidence that the drug is effective for use postoperatively following anal surgery. Batches of the drug with labeling bearing this claim will no longer be acceptable for release or certification after 40 days following the publication date of this announcement in the FEDERAL REGISTER.

Any person who would be adversely affected by deletion of the indication for which the drug lacks substantial evidence of effectiveness, as described in this announcement, may within 30 days after publication hereof in the FEDERAL REGISTER submit comments or pertinent data bearing on the effectiveness of the drug for such an indication.

To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a)(5) of the regulations published in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

A copy of the NAS–NRC report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the Food and Drug Administration, Press Relations Office (CE–200), 200 C Street SW., Washington, D.C. 20204.

Communications forwarded in response to this announcement should be identified with the reference number DESI 11103, directed to the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Amendments (identify with NDA number): Division of Anti-Infective Drugs (BD–140), Office of Scientific Evaluation, Bureau of Drugs.

Other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD–5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050–51, as amended; 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 28, 1971.

SAM D. FINE,
*Associate Commissioner for Compliance.*

[FR Doc.71–2593 Filed 2–25–71;8:46 am]

[DESI 10025]

## NYSTATIN VAGINAL TABLETS

### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on Mycostatin Vaginal Tablets containing nystatin; marketed by E. R. Squibb and Sons, Inc., Georges Road, New Brunswick, New Jersey 08903.

The Food and Drug Administration concludes that nystatin vaginal tablets are effective for the local treatment of vulvovaginal candidiasis.

Preparations containing nystatin are subject to the antibiotic certification procedures pursuant to section 507 of the Federal Food, Drug, and Cosmetic Act. Requests for certification of the drug in the dosage form described above should provide for labeling which is in accord with the reevaluation of the drug as stated in this announcement.

The above-named firm and any other holders of applications approved for a drug of the kind described above are requested to submit, within 60 days following publication of this announcement in the FEDERAL REGISTER, amendments to their antibiotic applications to provide for revised labeling. Such labeling should comply with all requirements of the Act and regulations, bear adequate information for safe and effective use of the drug, and be in accord with the guidelines for uniform labeling published in the FEDERAL REGISTER of February 6, 1970. The "Indications" section of the labeling should be as follows:

INDICATIONS

Nystatin vaginal tablets are indicated in the local treatment of vulvovaginal candidiasis.

A copy of the Academy's report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the appropriate office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 10025, directed to the attention of the following appropriate office, and addressed (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Amendment (identify with NDA number): Division of Anti-Infective Drug Products (BD–140), Office of Scientific Evaluation, Bureau of Drugs.

Requests for NAS–NRC report: Press Relations Office (CE–200), Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD–5), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050–51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357), and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 28, 1971.

SAM D. FINE,
*Associate Commissioner for Compliance.*

[FR Doc.71–2591 Filed 2–25–71;8:46 am]

[DESI 11926]

## TRICLOBISONIUM CHLORIDE VAGINAL PREPARATIONS

### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs containing triclobisonium chloride and marketed by Roche Laboratories, Division of Hoffmann-La Roche, Inc., 340 Kingsland Avenue, Nutley, New Jersey 07110.

1. Trib Vaginal Cream (NDA 11–926); and

2. Trib Vaginal Suppositories (NDA 12–523).

These drugs are regarded as new drugs. The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's reports and concludes that these triclobisonium chloride vaginal preparations are:

1. Probably effective as a deodorant for saprophytic infection which may occure after radiotherapy.

2. Possibly effective for trichomoniasis; vulvo-vaginal infections due to *Candida albicans, Haemophilus, vaginalis,* staphylococci, and streptococci; for preoperative use; postoperatively and after such procedures as cauterization and conization; for postpartum use; and in senile vaginitis to control secondary infections in conjunction with specific estrogen therapy.

B. *Marketing status.* 1. Those indications for which the drug is described in paragraph A above as probably effective may continue to be used for 12 months and the indications described as possibly effective may continue to be used for 6 months following the date of this publication to allow additional time within which holders of previously approved applications or persons marketing the drug without approval may obtain and submit to the Food and Drug Administration data to provide substantial evidence of effectiveness. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a)(5) of the regulations published in the FEDERAL REGISTER on May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

2. At the end of the 6-month and 12-month periods such data will be evaluated to determine whether there is substantial evidence of effectiveness of the drug for such uses. The conclusions concerning the drug will be published in the FEDERAL REGISTER. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to withdraw approval of the new drug application for the drug, pursuant to the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act. Withdrawal of approval of the applications will cause any such drugs on the market to be new drugs for which an approval is not in effect.

3. Within 60 days from publication hereof in the FEDERAL REGISTER, the holder of any approved new drug application for such drug is requested to submit a supplement to his application to provide for revised labeling as needed, which, taking into account the comments of the Academy, furnish adequate information for safe and effective use of the drug, is in accord with the guidelines for uniform labeling published in the FEDERAL REGISTER of February 6, 1970 (21 CFR 3.74), and recommends use of the drug for the probably effective indications as follows: (The possibly effective indications may also be included for 6 months.)

INDICATIONS

As a deodorant for saprophytic infection which may occur after radiotherapy.

The supplement should be submitted under the provisions of § 130.9 (d) and (e) of the new-drug regulations (21 CFR 130.9 (d) and (e)), which permit certain changes to be put into effect at the earliest possible time, and the revised labeling should be put into use within the 60-day period..

4. After 60 days following publication hereof in the FEDERAL REGISTER, any such

drug on the market without an approved new-drug application and shipped within the jurisdiction of the Federal Food, Drug, and Cosmetic Act should be labeled in accord with this notice.

The above-named holder of the new-drug applications for these drugs has been mailed a copy of the Academy's reports. Any interested person may obtain a copy of these reports by writing to the office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 11926, directed to the attention of the following appropriate office, and addressed (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (BD-100), Bureau of Drugs.

Original new-drug applications: Office of Scientific Evaluation (BD-100), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-5), Bureau of Drugs.

Requests for NAS-NRC reports: Press Relations Office (CE-200), Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: January 28, 1971.

SAM D. FINE,
*Associate Commissioner for Compliance.*

[FR Doc.71-2596 Filed 2-25-71;8:46 am]

## Social and Rehabilitation Service

## STATEMENT OF ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

Part 5 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (34 F.R. 1279, Jan. 25, 1969, as amended) is hereby further amended to reflect the reorganization of the Community Services Administration. For such purposes, Part 5-B is amended as follows:

By striking out all that follows under the heading "Community Services Administration" and inserting in lieu thereof the following:

OFFICE OF THE COMMISSIONER

Provides leadership in the planning, development, and coordination of those Social and Rehabilitation Service programs which provide services to improve the capability of disadvantaged families and individuals for self-support, including utilization of the WIN program (Work Incentive Program); provides services for the welfare of children; provides services to strengthen family life for disadvantaged families with children; furnishes assistance in family planning; and provides services for disadvantaged aged, blind, or permanently and totally disabled individuals to improve their social functioning. Within the authorities delegated to it, the Administration establishes program goals and objectives; develops standards, program policies, criteria and guidelines; provides professional consultation to the regional office staff and assists in the guidance and leadership of State and local agencies and groups; cooperates with the Office of Planning, Research and Training in the promotion of demonstration programs to evolve new and more effective approaches and methods in the organization and delivery of services; conducts administrative management activities, and coordinates its activities and programs with other concerned Social and Rehabilitation Service organizations, the Office of Child Development, and other Department of Health, Education, and Welfare agencies, as well as other public and private organizations.

Develops proposals for new service legislation and amendments to existing legislation in coordination with the Office of Legislative Affairs.

Develops Emergency Welfare Services policies and materials to provide capability in emergency preparedness to respond effectively to any emergency condition.

Through coordination with the Health, Education, and Welfare Migrant Project Group, develops and plans welfare services programs for migrant workers and their families.

OFFICE OF PLANNING AND EVALUATION

Responsible for program planning, analysis and evaluation of the Federal-State social services. Develops the long-range plans and a schedule for their accomplishment. Works closely with the Budget Office (Executive Office) in the development of a 5-year program and financial plan as well as the next year's program plans. Coordinates the establishment of goals and objectives, setting of program priorities and their translation (in collaboration with the executive and legislative liaison) into budget and legislative terms.

Collaborates and coordinates with other divisions, groups, and agencies dealing with planning and evaluation of social services programs and projects. Collaborates with the Office of Planning, Research and Training, the Office of Service Delivery and other appropriate units, in the development of research and demonstration strategy relating to social services and in review of all relevant social services project grants and contracts to determine their conformity with the strategy. Otherwise, promotes and cooperates in research and demonstration activities related to social services. Responsible for CSA participation in developing, implementing, and evaluating a manpower strategy for the social services. Determines needs and methods for securing information necessary for planning and evaluation of operations.

OFFICE OF SERVICE DELIVERY

Promotes and provides leadership to a nationwide development program to improve the organization and delivery of this Administration's services and related services provided by State and local agencies. Innovates, develops, and in cooperation with the Office of Planning, Research and Training tests models for the improvement of services on a comprehensive basis in different geographic and socio-economic settings, and in cooperation with other broad systems such as Model Cities, utilizing the authority and funds available under section 1115 of the Social Security Act and other sources. Coordinates with the Office of Planning and Evaluation, CSA, in the development of research strategy and in the evaluation, interpretation, and application of research findings to the service programs, and in the development and evaluation of training programs. Innovates and develops comprehensive service delivery systems and separation models.

Has responsibility for the community planning and development component of comprehensive public social services including such activities as developing collaborative strategies with other Federal departments and agencies for joint delivery of services, technical assistance to States, and maintenance of working relationships with pertinent national voluntary organizations.

OFFICE OF FIELD SUPPORT SERVICES AND STATE MANAGEMENT SERVICES

Serves as focal point of responsibility, on behalf of the Commissioner, for all Community Services Administration aspects of regional operation. Plans and participates in meetings and conferences of regional CSA staff. Acts as liaison with Office of Field Operations, SRS, and participates in the resolution of State problems. Coordinates the review of new State plans, plan amendments, policy questions, and State compliance issues.

Responsible for providing leadership and direction for formulating policies, standards, and procedures relating to efficient and effective administration of the community services programs, such as organization and management standards and practices of State agencies, fiscal accountability of State agencies, fiscal policy affecting financing of programs, administrative controls and procedures, State administrative supervision of local agencies, requirements for Federal participation in costs of administration, and technical aspects of Federal matching; and for maintaining liaison within the Department and with other organizations in these areas.

EXECUTIVE OFFICE

Assists the Commisioner in the coordination of Community Services Administration activities through work planning and management direction by preparing the budget and staffing plan and by coordinating and developing the operating plan. Participates in the development of overall program plans, PPBS, and the formulation, execution and eval-

uation of Community Services Administration policy. Plans and directs the development of projected resources for expansion or contraction of program activities. Directs administration, business management, staffing and budget, including responsibility for financial management of Community Services Administration and grants to the States for Child Welfare Services and Child Care under the WIN program.

OFFICE OF PROGRAM MANAGEMENT

Responsible for planning, directing and coordinating the activities of the three operating program divisions in carrying Community Services Administration's responsibility to provide assistance and guidance to State public welfare agencies in the development of social services programs.

Provides liaison with the Social and Rehabilitation Service, Office of Policy Coordination, as the single Community Services Administration focal point for communication clearance of all Community Services Administration regulations and policy matters.

COMMON SERVICES STAFF

Responsible for developing policy, procedures, and standards; giving consultation; writing papers and providing technical assistance to States and regional office staff within specified specialized areas of services that are common to all programs in the Community Services Administration and that cut across division lines, such as homemaker services, housing services, legal services, etc. Maintains liaison within the Department and with other organizations, public and private, in these areas of specialization.

PUBLIC AFFAIRS STAFF

Plans and conducts in coordination with the SRS Office of Public Affairs a public affairs program for social services including child welfare services, services to families receiving Aid to Families with Dependent Children (AFDC), and services to the aged and handicapped welfare recipients. Plans and supervises the Community Services Administration Public Information Program involving film production, video tapes, exhibits, pamphlets, printing, press releases, speeches, conference materials, etc. Provides liaison with national voluntary organizations, and civic, religious, professional, and other groups to further exchange of information, answers inquiries from Congress and the general public; services the press and other mass media; maintains a continuing survey of press and public welfare coverage and attitudes.

DIVISION OF CHILD AND FAMILY SERVICES

Plans, provides leadership, administers, and promotes the national program of comprehensive child and family services (title IV, parts A and B, of the Social Security Act), and formulates policies and guidelines for these services. Develops Federal regulations and policies for child and family services programs and develops and issues guidelines and program materials to assist the regional offices, States and localities in carrying out their responsibilties under the programs. Provides professional consultation and assistance to regional office staff and assists it in the guidance and leadership of State public welfare agencies and other public and voluntary agencies in development, extension, and improvement of quality programs offering social and related services for children and families. Participates in program analysis, evaluates practices and effectiveness of services, and takes action to promote improvement. Cooperates in the development of interdepartmental and intradepartmental programs relating to child and family services. Serves as Social and Rehabilitation Service liaison with the Office of Child Development on child welfare policies, regulations, and standards (except for day care standards).

DIVISION OF SERVICES TO THE AGED AND HANDICAPPED

Plans, provides leadership, administers, and promotes the national program of social services to the aged and the handicapped under the provisions of titles I, X, XIV, and XVI of the Social Security Act, and formulates policies and guidelines for these services. Develops Federal regulations and policies for aged and handicapped services and develops and issues, guidelines, and program materials to assist the regional offices, States and localities in carrying out their responsibilities under the programs. Provides professional consultation and assistance to the regional office staff in these areas, and assists it in the guidance and leadership of State agencies, and national, public and voluntary agencies in the development, implementation, extension and improvement of programs offering social services to the aged and the handicapped. Participates in program analysis including the evaluation of both its efficiency and effectiveness, and takes action to promote necessary improvements. Participates in the development of programs, both within the Department and with other governmental agencies which relate to aged and handicapped services. Maintains liaison with other Departmental offices and other governmental agencies on legislation, policy, regulations and standards.

DIVISION OF SELF-SUPPORT PROGRAMS

Plans, coordinates, directs and evaluates all related activities in carrying out departmental responsibilities in the Work Incentive Program (title IV, part C, Social Security Act), and other education and training programs authorized by the legislation. Develops Federal regulations and policies for self-support programs, and develops and issues guidelines and program materials to assist the regional offices, States and localities in carrying out their responsibilities under the programs. Maintains working relationship with Department of Labor and coordination and liaison with other agencies, public and private, in policy planning and program implementation. Provides technical assistance to other departments and agencies and to regional offices to assist them in maintaining effective Federal-State-local relationships and to encourage maximum realization of the Social and Rehabilitation Service objective to improve the capability of disadvantaged families and individuals to achieve self-support. Participates in program analysis and in development of research activities related to self-support programs. Cooperates in the development of interdepartmental and intradepartmental programs relating to individual and family services.

Approved: February 10, 1971.

ELLIOT L. RICHARDSON,
*Secretary.*

[FR Doc.71-2616 Filed 2-25-71;8:48 am]

# ATOMIC ENERGY COMMISSION

[Docket No. 50-341]

## DETROIT EDISON CO.

### Notice of Receipt of Application for Construction Permit and Operating License; Time for Submission of Views on Antitrust Matter

The Detroit Edison Co., 2000 Second Avenue, Detroit, MI 84226, pursuant to the Atomic Energy Act of 1954, as amended, has filed an application, dated April 29, 1969, for a permit to construct and license to operate a boiling water nuclear power reactor, having a gross electrical output of approximately 1,157 megawatts derived from a thermal capacity of approximately 3,293 megawatts.

The proposed reactor, designated by the applicant as the Enrico Fermi Atomic Power Plant, Unit No. 2, is to be located at the applicant's 915-acre site on the western shore of Lake Erie in Frenchtown Township, Monroe County, Mich., about 30 miles southwest of downtown Detroit, Mich. It will be adjacent to the nuclear facility owned and operated by the Power Reactor Development Co. and designated as the Enrico Fermi Atomic Power Plant, Unit No. 1.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within 60 days after February 19, 1971.

A copy of the application and the amendments thereto are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and the office of Delbert J. Hoffman, Supervisor, Frenchtown Township Hall, 2664 Vivian Road, Monroe, MI.

Dated at Bethesda, Md., this 11th day of February 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
*Director,*
*Division of Reactor Licensing.*

[FR Doc.71-2205 Filed 2-18-71;8:45 am]

[Docket No. 50-147]

## NORTH AMERICAN ROCKWELL CORP.

### Notice of Issuance of Facility License Amendment

The Atomic Energy Commission (the Commission) has issued, effective as of the date of issuance, Amendment No. 7 to Facility License No. CX-17. The license presently authorizes the North American Rockwell Corp. (NARC), Atomics International Division of Canoga Park, Calif., to possess, use and operate the Epithermal Critical Experiment Laboratory (ECEL) facility located in Ventura County, Calif., at power levels up to 200 watts (thermal). The amendment authorizes (1) an increase in the quantity of uranium-235 and plutonium NARC may receive, possess and use in connection with operation of the ECEL facility and (2) incorporates Technical Specifications for operation of the facility which include provisions for a change in the core makeup and the use of plutonium as fuel in the test region of the facility in accordance with NARC's application dated July 30, 1970, and supplement thereto dated December 17, 1970. The amendment also restates the license in its entirety to delete the recordkeeping, reporting requirements and certain operating conditions that are now contained in the Technical Specifications, and to consolidate in current licensing form all pertinent provisions of amendments previously issued.

The Commission has found that the application for the amendment complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations published in 10 CFR Chapter I. The Commission has made the findings required by the Act and the Commission's regulations which are set forth in the amendment, and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public. The Commission has also found that prior public notice of proposed issuance of this amended license is not required since the operation of the facility in accordance with the terms of the amended license does not involve significant hazards considerations different from those previously evaluated.

Within 15 days from the date of publication of the 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 Commission's rules of practice in 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) NARC's application dated July 30, 1970, and supplement thereto dated December 17, 1970, and (2) the amendment to the facility license, including the Technical Specifications, which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, DC. Copies of item (2) above may be obtained upon request sent to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 18th day of February 1971.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
*Assistant Director for Reactor Operations, Division of Reactor Licensing.*

[FR Doc.71-2625 Filed 2-25-71;8:49 am]

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[Dockets Nos. 50-338, 50-339]

## VIRGINIA ELECTRIC AND POWER CO.

### Notice of Issuance of Construction Permits

Notice is hereby given that, pursuant to the initial decision of the Atomic Safety and Licensing Board, dated February 9, 1971, the Director of the Division of Reactor Licensing has issued Construction Permits Nos. CPPR-77 and CPPR-78 to Virginia Electric and Power Co. for the construction of two pressurized water nuclear reactors on the applicant's site located near Mineral, in Louisa County, Va. The reactors, known as the North Anna Power Station, Units 1 and 2, are each designed for initial operation at approximately 2,652 thermal megawatts.

A copy of the initial decision is on file in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of Construction Permits Nos. CPPR-77 and CPPR-78 are also on file in the Commission's Public Document Room or may be obtained upon request addressed to Director, Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 19th day of February 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
*Director,*
*Division of Reactor Licensing.*

[FR Doc.71-2626 Filed 2-25-71;8:49 am]

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[Docket No. 50-271]

## VERMONT YANKEE NUCLEAR POWER CORP.

### Notice of Availability of Draft Detailed Statement and Request for Comments From State and Local Agencies

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that a document entitled "Draft Detailed Statement on the Environmental Considerations by the Division of Reactor Licensing, U.S. Atomic Energy Commission, Related to the Proposed Operation of the Vermont Yankee Nuclear Power Station by the Vermont Yankee Nuclear Power Corp." is being placed in the following locations where it will be available for inspection by members of the public: The Commission's Public Document Room, 1717 H Street NW., Washington, DC; and the Brooks Memorial Library, 224 Main Street, Brattleboro, VT.

The Commission hereby requests comments on the proposed action and the Draft Detailed Statement from State and local agencies of any affected State (with respect to matters within their jurisdiction), which are authorized to develop and enforce environmental standards. If the Commission is not provided with comments by any State or local agency within 60 days of the publication of this notice in the FEDERAL REGISTER, the Commission will presume that the agency has no comments to make.

A copy of the Draft Detailed Statement dated February 18, 1971, and available comments thereon of Federal agencies (whose comments are being separately requested by the Commission) will be supplied to any such State or local agency upon reqeust addressed to the Director, Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 24th day of February 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
*Director,*
*Division of Reactor Licensing.*

[FR Doc.71-2736 Filed 2-25-71;8:53 am]

# CIVIL AERONAUTICS BOARD

[Docket No. 22628; Order 71-2-88]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Regarding Passenger Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of February 1971.

Agreements adopted by Traffic Conference 1 of the International Air Transport Association relating to passenger fares; Docket 22628, Agreement CAB 22051,[1] Agreement CAB 22068.[2]

Agreements have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's eco-

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[1] Agreement CAB 22051, R-2 through R-7; R-9; R-12 through R-14; R-16 through R-19; R-26; R-27; R-29 through R-31.

[2] Agreement CAB 22068, R-13; R-17; R-19; R-20; R-24 through R-26.

nomic regulations, among air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA). The agreements, which were adopted at the Honolulu conference during September and October of 1970 and at subsequent meetings in Geneva, have been assigned the above-designated CAB agreement numbers.

The subject agreements encompass fares and related provisions to apply between the United States and other points within the Western Hemisphere. Of primary interest to the Board are those portions of the agreement which relate to United States-Caribbean/Bermuda markets [3] and which are intended for effectiveness from April 1, 1971, through March 31, 1972. Fare revisions proposed in this area generally result in upward adjustments, and a comparison of present vs. proposed fares, based on selected markets, is set forth in the appendix.[3a]

First-class fares to the Caribbean would generally be unchanged, and economy-class fares would be increased in the range of 5 to 8 percent. The pattern of excursion fares, available for first-class or economy travel of 21 days or less (with no minimum-stay requirement), would be significantly revised. First-class excursion fares, currently established with a midweek/weekend fare differential, would be replaced by a higher level fare, which would apply all year throughout the entire week and which would generally result in increases of about 30 percent for midweek passengers and approximately 13 percent for weekend travelers. For economy-class excursion travelers, midweek/weekend fare differentials would be maintained at higher fare levels, but the structure would be further differentiated by the establishment of still higher fares for application in the winter months. This restructuring results in increases generally in the range of 3 percent and 7 percent for respective midweek and weekend passengers in the summer period May through November,[4] and 10 percent and 14 percent for midweek and weekend passengers, respectively, traveling during the remainder of the year.

Group inclusive tour (GIT) fares for 15 or more passengers would generally remain at current fare levels, with travel restricted to the summer period and with no weekend travel permitted during July and August; the carriers also propose fares, at about the level of those for GIT travel, for groups of 20 or more passengers traveling under an incentive/own use program. This corresponds to similar provisions established for application on transatlantic and transpacific routes. Fares proposed for travel to/from Bermuda, although reversed with respect to seasonal application, would generally follow the same pattern as indicated for the Caribbean area.

In support of the agreement, Pan American contends it has sustained subnormal rates of return on investment in this area in recent years. With respect to the Caribbean, the carrier estimates that the proposed revisions to the fare structure will provide a 7.4-percent increase in revenues, or about $3.8 million, based on the level of traffic carried during the 12-month period ended November 30, 1970. Eastern estimates a $900,000 increase in revenues, based upon traffic carried on its routes during the year ended in June of 1970.

The Board has tentatively decided to approve, in some instances subject to conditions as applied in the past, the resolutions now before us, but will defer final action, pending receipt of comments, on those resolutions pertaining to Caribbean/Bermuda travel. The depressed earnings' situation of the carriers indicates a need for the additional revenues which would be provided by the agreements. The Board has generally approved carrier adjustments of discounted fares designed to improve their economic results, particularly in the Western Hemisphere where earnings have been chronically submarginal. It would appear that significant economic improvement could be also achieved by the establishment of reasonable minimum-stay requirements to minimize diversion of normal-fare passengers.

Since the Caribbean/Bermuda promotional fare resolutions were filed with the Board after it established a schedule for the receipt of comments on those agreements finalized at the Honolulu Conference,[5] we will, by our deferral of final action, provide a 10-day period for interested persons to comment on the carriers' fare agreements and the Board's proposed action thereon.

We will require that tariffs implementing the subject agreements be filed on at least 30 days' notice so as to provide the traveling public and travel agents reasonable notice of the fare changes.[6]

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. It is not found, on a tentative basis, that the following resolutions, which are incorporated in the agreement indicated, are adverse to the public interest or in violation of the Act:

| Agreement CAB | IATA No. | Title | Application |
|---|---|---|---|
| 22051: | | | |
| R-26 | 003 | Standard Rescission Resolution | 1 |
| R-27 | 070II | TC1 Excursion Fares (Amending) | 1 |
| R-29 | 076qII | TC1 Own Use and Incentive Group Fares (Bermuda and Caribbean) (Amending). | 1 |
| R-30 | 084III | TC1 14-Day Group Inclusive Tour Fares—Caribbean and Bermuda (Amending). | 1 |

2. It is not found that the following resolutions, which are incorporated in the agreements indicated, are adverse to the public interest or in violation of the Act:

| Agreement CAB | IATA No. | Title | Application |
|---|---|---|---|
| 22051: | | | |
| R-2 | 002 | Standard Revalidation | 1 |
| 22068: | | | |
| R-13 | 050 | First-Class Conditions of Service (Revalidating and Amending) | 1 |
| 22051: | | | |
| R-3 | 051 | TC1 First-Class Fares | 1 |
| R-4 | 060 | Economy-Class Conditions of Service (Revalidating and Amending) | 1 |
| R-5 | 060a | Mixed-Class Aircraft (Revalidating and Amending) | 1 |
| R-6 | 061 | TC1 Economy-Class Fares | 1 |
| R-7 | 070 | TC1 Excursion Fares (Revalidating and Ameding) | 1 |
| R-9 | 072 | TC1 Creative Fares (Revalidating and Amending) | 1 |
| R-14 | 080n | TC1 14-day Individual Inclusive Tours—USA/Canada and Mexico (new) | 1 |
| R-17 | 084I | TC1 14-Day Group Inclusive Tour Fares—Carribbean and Bermuda (Revalidating and Amending). | 1 |
| R-19 | 091 | TC1 Family Fares (Revalidatig and Amending) | 1 |
| 22068: | | | |
| R-19 | 150a | Fares for Round Trip (Revalidating) | 1 |
| R-20 | 151a | Circle-Trip Discount (Revalidating and Amending) | 1 |
| R-24 | 310 | Free Baggage Allowance (Revalidating and Amending) | 1 |
| R-25 | 311 | Baggage Excess Weight Charges (Revalidating and Amending) | 1 |
| R-26 | 311b | Charges for Snow Skiing Equipment (Revalidating and Amending) | 1 |

3. The Board does not find that the following resolutions, incorporated in the agreement indicated, are adverse to the public interest or in violation of the Act: *Provided*, That approval shall be subject to the conditions hereinafter stated:

[3] No agreement was consummated on fares to apply between the United States and Argentina / Brazil / Chile / Paraguay / Uruguay. Fares included in the instant agreements would generally be adjusted in conformity with the fare structures earlier approved by the Board in Order 71-1-54, dated Jan. 12, 1971, for early effectiveness and application on routes involving Panama/Colombia/Venezuela.

[3a] Appendix filed as part of original document.

[4] April through November in 1971 only.

[5] Order 70-12-62, dated Dec. 11, 1970.

[6] We will not preclude the filing of tariffs, subsequent to this order, which implement fares and provisions contained in the resolutions on which action is herein deferred; however, the Board reserves the right to reject such tariffs in the event action is not finalized prior to the marked effectiveness date.

| Agreement CAB | IATA No. | Title | Application |
|---|---|---|---|
| 22051: | | | |
| R-12 | 076a | TC1 Affinity, Own Use and Incentive Group Fares (new) | 1 |
| R-13 | 076g | TC1 Own Use and Incentive Group Fares (Bermuda and Caribbean) (new). | 1 |
| R-16 | 084e | TC1 Group Inclusive Tour Fares—South America (new) | 1 |
| R-18 | 084j | TC1 14-Day Group Inclusive Tour Fares—Venezuela (Readopting and Amending). | 1 |
| R-31 | 084jII | TC1 14-Day Group Inclusive Tour Fares—Venezuela (Amending) | 1 |
| | | Provided that: (a) Provisions which at departure would permit a lesser number of passengers than that prescribed by the resolutions to travel shall not be limited to situations caused by circumstances beyond the control of the passengers dropping out of the group, and the balance of the group may travel at no added costs. (b) In the event a passenger discontinues his journey en route for any reason, the amount of the fare paid may be applied as a credit toward the purchase of transportation at the applicable fare calculated from the original point of origin. (c) Full refund shall be made in the event of death or illness of the passenger or of a member of the passenger's immediate family prior to travel. (d) The amount of the forfeiture to be imposed in the event of cancellation by the group or member of the group at departure time for any reason shall not exceed 25 percent of the fare paid and after departure the forfeiture shall not exceed 25 percent of the excess of the price of the group-fare ticket over the cost of normal-fare transportation from point of origin to point of cancellation. | |
| 22068: | | | |
| R-17 | 092 | Student Fares (Revalidating and Amending) | 1 |
| | | Provided that fares shall continue to be inapplicable in air transportation as defined by the Act. | |

*Accordingly, it is ordered,* That:

1. Action on those portions of Agreement CAB 22051 set forth in finding paragraph 1 be and hereby is deferred, with a view toward eventual approval;

2. Those portions of Agreements CAB 22051 and 22068 set forth in finding paragraph 2 above be and hereby are approved;

3. Those portions of Agreements CAB 22051 and 22068 set forth in finding paragraph 3 above be and hereby are approved, subject to the conditions stated therein; and

4. Insofar as air transportation as defined by the Act is concerned, tariff filings to implement the subject agreements shall be marked to become effective on not less than 30 days' notice from the date of filing.

Any air carrier party to the agreements, or any interested person, may, within 10 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action stated herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
*Secretary.*

[FR Doc.71-2578 Filed 2-25-71;8:45 am]

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[Docket No. 22628; Order 71-2-91]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Regarding Fare Matters

Issued under delegated authority February 22, 1971.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA). The agreement, which was adopted pursuant to the provisions of Resolution 072 dealing with the establishment of special creative fares within the Western Hemisphere, has been assigned the above-designated CAB agreement number.

The agreement would permit the establishment of 8-day group inclusive tour (GIT) fares from points in the United States to Panama City for 15 or more passengers purchasing at least $70 in ground accommodations. Fares would initially be established from Miami, New York, and Los Angeles at the level earlier agreed for GIT travel to Barranquilla. Our proposed approval herein of the instant agreement will be subject to the Board's usual conditions relating to cancellations and refunds.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the subject agreement is adverse to the public interest or in violation of the Act: *Provided,* That tentative approval thereof is conditioned as hereinafter ordered.

*Accordingly, it is ordered,* That:

Action on Agreement CAB 22223 be and hereby is deferred with a view toward eventual approval. *Provided,* That approval shall be subject to the following conditions:

(a) The provision which at departure would permit a lesser number of passengers than that prescribed by the resolution to travel shall not be limited to situations caused by circumstances beyond the control of the passengers dropping out of the group and the balance of the group may travel at no added cost.

(b) In the event a passenger discontinues his journey en route for any reason, the amount of the fare paid may be applied as a credit toward the purchase of transportation at the applicable fare calculated from the original point of origin.

(c) Full refund shall be made in the event of death or illness of the passenger or of a member of the passenger's immediate family prior to travel.

(d) The amount of the forfeiture to be imposed in the event of cancellation by the group or member of the group at departure time for any reason shall not exceed 25 percent of the fare paid and after departure the forfeiture shall not exceed 25 percent of the excess of the price of the group-fare ticket over the cost of normal-fare transportation from point of origin to point of cancellation.

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

This order will be published in the FEDERAL REGISTER.

PHYLLIS T. KAYLOR,
*Acting Secretary.*

[FR Doc.71-2659 Filed 2-25-71;8:52 am]

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[Docket No. 22387]

## INVESTIGATION OF AIR EXPRESS RATES

### 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 March 23, 1971, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned examiner.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on November 4, 1970, 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 22, 1971.

[SEAL] MILTON H. SHAPIRO,
*Hearing Examiner.*

[FR Doc.71-2657 Filed 2-25-71;8:52 am]

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[Docket No. 23000]

## MITSUILINE TRAVEL SERVICE OF AMERICA (U.S.A.), INC.

### Notice of Hearing

Mitsui Air & Sea Service Co., Ltd. (Japan), doing business as Mitsuiline Travel Service of America (U.S.A.), Inc.

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 March 31, 1971, at 10 a.m., e.s.t., in Room 503, Universal Building, 1825 Connecticut

Avenue NW., Washington, DC, before the undersigned examiner.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the Report of Prehearing Conference served February 22, 1971, and all 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 23, 1971.

[SEAL] EDWARD T. STODOLA,
*Hearing Examiner.*

[FR Doc.71-2658 Filed 2-25-71;8:52 am]

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[Docket No. 23080 etc.; Order 71-2-92]

## PRIORITY AND NONPRIORITY DOMESTIC SERVICE MAIL RATES INVESTIGATION

### Order Reclassifying Stations

Issued under delegated authority February 22, 1971.

Priority and Nonpriority Domestic Service Mail Rates Investigation, Docket 23080; Domestic Service Mail Rate Investigation, Docket 16349; and Nonpriority Mail Rates, Docket 18381.

Order 70-6-38, dated June 5, 1970, and effective June 27, 1970, classified the stations for the purposes of the multielement service mail rate formulas applicable to the transportation of priority and nonpriority mail. Upon review of the originating revenue tons enplaned by stations for the year ended June 30, 1970, the Board finds that certain stations

The multielement service mail rate formulas,[1] which were designed to prolas,[1] which were designed to provide a uniform rate of pay for like service, are comprised of a line-haul rate and a terminal charge which varies by class of station.[2] The orders establishing these formulas made provision for three classes of stations (X, Y, and Z). These are applicable to both priority and nonpriority mail.

The orders fixing the multielement service mail rates provide for the reclassification of stations, without disturbing the overall rate and rate structure, when the revenue tons originated[3] at the stations in question bring such stations within a different class.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.16(c); it is found that:

(1) The present classification of stations should be amended because the volume of on-line revenue tonnage originated during the year ended June 30, 1970,[4] brings certain stations within the respective new classifications shown in the appendix hereto.[5]

(2) Such reclassifications should be made effective March 6, 1971, which date will be the first day of the next 28-day Post Office Department Postal Accounting Period.[6]

(3) In view of the foregoing, the lists of stations included in the Appendix to Order 70-6-38 for the station classes should be amended in order to reflect the new classifications designated herein.

Accordingly, pursuant to the delegated authority referred to above:

*It is ordered,* That:

1. Effective March 6, 1971, the stations included in each of the station classes shall be as specified in the appendix attached hereto,[5] provided that any station not listed in the appendix shall be classified as a Class Z station;

2. Effective March 6, 1971, the appendix to Order 70-6-38 shall be superseded by the appendix attached hereto; [5] and

3. This order be served upon all parties in Docket 23080.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 7 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

This order shall be published in the FEDERAL REGISTER.

[SEAL] PHYLLIS T. KAYLOR,
*Acting Secretary.*

[FR Doc.71-2660 Filed 2-25-71;8:53 am]

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[1] Domestic Service Mail Rate Investigation, Order E-25610, Aug. 28, 1967; and Nonpriority Mail Rates, Orders 70-4-9 and 70-4-10, Apr. 2, 1970. The rates for both priority and nonpriority mail established by these orders are now temporary pursuant to Order 70-12-48, Dec. 8, 1970 (Dockets 22671 and 22731), reopening those rates and instituting an investigation thereof, effective Dec. 12, 1970. On Feb. 8, 1971, Dockets 22671 and 22731 were consolidated in Docket 23080, Priority & Nonpriority Domestic Service Mail Rates Investigation.

[2] The line-haul rates based on nonstop great circle distances are as follows: for priority mail 24 cents per mail ton-mile (Order E-25610); for nonpriority mail 11.33 cents per mail ton-mile (Order 70-4-9). The terminal charges for priority mail and nonpriority mail are as set forth in the appendix which is filed as part of the original document.

[3] The multielement rates are based on online originating revenue traffic; reclassifications likewise are based on on-line originations.

[4] Traffic data for 12 months ended June 30, 1970, cover the most recent 12-month period for which an official compilation is available.

[5] Filed as part of the original document.

[6] Domestic Service Mail Rate Investigation, Order E-25610, Aug. 28, 1967; Nonpriority Mail Rates, Orders 70-4-9 and 70-4-10, Apr. 2, 1970.

# CIVIL SERVICE COMMISSION

## CORRECTIONAL OFFICER POSITIONS, WASHINGTON, D.C.

### Notice of Establishment of Minimum Rate and Rate Range

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has established special minimum salary rate and rate range as follows:

GS-007 CORRECTIONAL OFFICER

Geographic coverage: District of Columbia Government.
Effective date: First day of the first pay period beginning on or after February 21, 1971.

PER ANNUM RATES

| Grade | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|---|---|---|---|---|---|---|---|---|---|---|
| GS-6 | $7,985 | $8,243 | $8,501 | $8,759 | $9,017 | $9,275 | $9,533 | $9,791 | $10,049 | $10,307 |

All new employees in the specified occupational level will be hired at the new minimum rate.

As of the effective date, D.C. Government will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational level. An employee who immediately prior to the effective date was receiving basic compensation at one of the statutory rates shall receive basic compensation at the corresponding numbered rate authorized by this notice on or after such date. The pay adjustment will not be considered an equivalent increase within the meaning of 5 U.S.C. 5335.

Under the provisions of section 3-2b, Chapter 71, FPM, D.C. Government may pay the travel and transportation expenses to first post of duty under 5 U.S.C. 5723, of new appointees to positions cited.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
*Executive Assistant to the Commissioners.*

[FR Doc.71-2671 Filed 2-25-71;8:53 am]

# ENVIRONMENTAL PROTECTION AGENCY

## BLACK LEAF PRODUCTS CO.

### Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 1F1107) has been filed by Black Leaf Products Co., Post Office Box 868, Highland Park, IL 60035, proposing the establishment of a tolerance (21 CFR Part 420) for residues of the insecticide nicotine in or on the raw agricultural commodities eggs and poultry at 1 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is the method of Charles L. Ettinger, Meat Inspection Division, Methods Development Laboratory, U.S. Department of Agriculture, Beltsville, Md. entitled "Detection and Estimation of Nicotine in Animal Tissue".

Dated: February 22, 1971.

RAYMOND E. JOHNSON,
*Acting Commissioner, Pesticides.*

[FR Doc.71-2620 Filed 2-25-71;8:49 am]

## FMC CORP.

### Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 1F1117) has been filed by FMC Corp., Niagara Chemical Division, 100 Niagara Street, Middleport, NY 14105, proposing the establishment of a tolerance (21 CFR Part 420) for negligible residues of the fungicide 1-chloro-2-nitropropane in or on the raw agricultural commodity melons at 0.05 part per million.

The analytical method proposed in the petition for determining residues of the fungicide is a gas-liquid chromatographic procedure with electron-capture detection.

Dated: February 22, 1971.

RAYMOND E. JOHNSON,
*Acting Commissioner, Pesticides.*

[FR Doc.71-2621 Filed 2-25-71;8:49 am]

## TRICYCLOHEXYLTIN HYDROXIDE

### Notice of Establishment of Temporary Tolerance

The Dow Chemical Co., Midland, Mich. 48640, submitted to the Food and Drug Administration a petition requesting a temporary tolerance for residues of the insecticide tricyclohexyltin hydroxide in or on the raw agricultural commodities apples and pears.

The Reorganization Plan No. 3 of 1970 published in the FEDERAL REGISTER of October 6, 1970 (35 F.R. 15623), transferred (effective December 2, 1970) to the Administrator of the Environmental Protection Agency the functions vested in the Secretary of Health, Education, and Welfare for establishing tolerances for pesticide chemicals under sections 406, 408, and 409, of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346, 346a, and 348). The functions vested in the Secretary of Agriculture and the Department of Agriculture under Section 408(1) of that Act (21 U.S.C. 346a (1)), and under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135–135k) were also transferred to the Administrator.

The Fish and Wildlife Service, U.S. Department of Interior, advised that it has no objection to this temporary tolerance.

It has been determined that a temporary tolerance of 2.5 parts per million for residues of the insecticide in or on apples and pears is safe and will protect the public health. It is therefore established as requested on condition that the insecticide is used in accordance with the temporary permit which is being issued concurrently and which provides for distribution under the Dow Chemical Company name. This temporary tolerance will expire February 22, 1972.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and pursuant to Reorganization Plan No. 3 of 1970 (35 F.R. 15623) and under authority delegated to the Commissioner or Acting Commissioner, Pesticides Office of the Environmental Protection Agency (36 F.R. 1228).

Dated: February 22, 1971.

RAYMOND E. JOHNSON,
*Acting Commissioner, Pesticides Office.*

[FR Doc.71-2622 Filed 2-25-71;8:49 am]

# FEDERAL COMMUNICATIONS COMMISSION

[FCC 71-158]

## NATIONAL BROADCASTING CO., INC.

### Memorandum Opinion and Order; Partial Waiver of Prime Time Access Rules for NBC Affiliates

In the matter of petition of National Broadcasting Co., Inc. (NBC) for waiver of § 73.658(k)(1) of the Commission's rules.

1. The National Broadcasting Co. has petitioned the Commission for waiver of § 73.658(k)(1) of the Commission's rules to permit affiliates of the NBC television network in the top 50 markets to exhibit on Sunday evenings 3½ hours of network programing instead of 3 hours as required by the rule. Such affiliates in return would carry only 2½ hours of network programing on one evening other than Sunday during the same weeks.

2. NBC urges that its present Sunday schedule differs from other evenings (Monday through Saturday). It includes 4 instead of 3½ hours of network programing between 7 and 11 p.m. This schedule is of over 20 years duration. According to NBC, Sunday is the "all family" evening and the number of children in the audience is larger, especially in the early evening, than on other nights. NBC's Sunday evening schedule includes The Wonderful World of Disney (7:30 to 8:30 p.m.), a longstanding program, which, according to NBC, was designed for and has continuing and special appeal to children and young adults.[1] The schedule has been carefully constructed to provide a gradual transition from programing of particular interest to children to programing of progressively more adult appeal. NBC wishes to continue this practice.[2]

3. Westinghouse Broadcasting Co., Inc., an intervenor who supports the Commission's rules on the pending appeal, opposes grant of the requested waiver as premature and potentially very confusing to both affiliates and those independent producers who will be entering the prime time market for the first time next season. Westinghouse urges that it is important to know the exact time periods to be released by the network, and that consideration of the waiver request is premature without more complete information on the scheduling plans of the three networks. NBC filed a reply comment urging that NBC's reason for seeking the waiver now is to permit the early achievement of the scheduling certainty which Westinghouse seeks and that a postponment of decision would be undesirable.

4. The purpose of our rule is to correct an "unhealthy" concentration in the sources of television prime time programing by opening up at least a half hour of prime time to programs chosen by licensees from other than network sources. We concluded, after extensive consideration, that the public interest would be benefited by multiplying and

[1] NBC's research indicates that 7:30 to 8:30 p.m. on Sunday evening is a particularly useful time for a program designed with a view to special appeal to children and young people and that the Disney program attracts about half the children ages 2–11 years viewing television in the 7:30–8:30 p.m. period on Sunday. As long ago as 1962 Hugh M. Beyelle, Vice President of NBC, testifying in the enbanc hearings (Docket No. 12782), explained that The Wonderful World of Color was scheduled at 7:30 p.m. on Sunday after careful inquiry into its probable acceptance by young audiences and its ability to reverse a marked fall off of the children's audience (from 26 million to 17 million) at 8 p.m. on Sunday evenings. It has since succeeded in filling a need for all family programing of particular appeal to young people.

[2] The current Sunday night schedule of NBC is:

7:30 Wonderful World of Disney.
8:30 The Bill Cosby Show.
9:00 Bonanza.
10:00 The Bold Ones (three series—medicine, law, and politics).

diversifying sources of television programs so as to give the licensee something more than a "nominal choice" in selecting his prime time program fare. We do not believe that grant of the waiver herein will be inconsistent with that objective, and we think it highly desirable in the public interest to encourage the presentation by networks of programs designed to serve the special interest of children. As NBC's Sunday evening prime time schedule is presently one-half hour longer than that of other evenings, Sunday is the only night in the week which will be affected, and to add a half hour on that evening to the 3 hours allowable under the rule will still free a half hour presently filled by network programing for programs from nonnetwork sources.[3] The waiver will require NBC affiliates in major markets to give up a half hour of network programing on another night if they elect to carry an extra half hour on Sunday. Hence, there will be no change in the aggregate number of prime time hours each week which would have to be programed by the stations. The essential purpose of our rule will thus be served. Our grant of waiver for Sunday evening should not be considered a precedent for similar waivers affecting other nights of the week. We do not see the confusion to other parties that Westinghouse claims, since NBC will doubtless very shortly announce its 1971 fall schedule.

5. Our grant of waiver is specifically conditioned on each affiliate exhibiting only 2½ hours of network programing in prime time on another day in the same week it carries the 3½-hour NBC Sunday evening schedule. We have limited the waiver to October 1, 1972, so that we may observe its practical effect and, if requested to do so, then determine whether it should be continued. We would entertain such an application early in 1972.

6. Therefore, for the reasons stated herein: *It is ordered,* That § 73.658(k)(1) be and it is hereby waived to the extent necessary to permit NBC's television affiliates in the top 50 market as defined in the rule to broadcast 3½ hours of network programing between 7 and 11 p.m. (6 and 10 p.m. central time) on Sunday evenings, provided that each such affiliate shall broadcast not more than 2½ hours of network programs as defined by the rule between such hours on another day in the same week.

7. *It is further ordered,* That this waiver shall expire, unless renewed, on October 1, 1972.

[3] As is said in our order of May 7, FCC 70-466 (Vol. 35, No. 93 adopted May 4, 1970, released May 7, 1970) paragraph 22: "In view of the common practice of networks of offering only 3½ hours of network programs between 7 and 11 p.m. the rule we are adopting will open up one-half hour of additional time per evening for nonnetwork programs on affiliated stations."

Also paragraph 23: "It may be hoped that the diversity of program ideas [will] be encouraged by removing the three network funnel for this half hour of programing."

Adopted: February 18, 1971.

Released: February 19, 1971.

FEDERAL COMMUNICATIONS COMMISSION,[4]
[SEAL] BEN F. WAPLE,
*Secretary.*

[FR Doc.71-2641 Filed 2-25-71;8:50 am]

# FEDERAL HOME LOAN BANK BOARD

[H. C. 89]

## FRESNO GUARANTEE SAVINGS AND LOAN ASSOCIATION

### Notice of Receipt of Application for Permission To Acquire Control of Guarantee Savings and Loan Association of Visalia

FEBRUARY 23, 1971.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Fresno Guarantee Savings and Loan Association, Fresno, Calif., for approval of acquisition of control of the Guarantee Savings and Loan Association of Visalia, Visalia, Calif., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730a(e)), and § 584.4 of the Regulations for Savings and Loan Holding Companies, said control to be acquired by the purchase for cash of the outstanding shares of the guarantee stock of Guarantee Savings and Loan Association. Comments on the application should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL] GRENVILLE L. MILLARD, JR.,
*Assistant Secretary,*
*Federal Home Loan Bank Board.*

[FR Doc.71-2661 Filed 2-25-71;8:52 am]

[H. C. 89]

## GOLDEN WEST FINANCIAL CORP.

### Notice of Receipt of Application for Approval of Acquisition of Control of Santa Cruz Savings and Loan Association

FEBRUARY 23, 1971.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Golden West Financial Corp., Oakland, Calif., a unitary savings and loan holding company, for approval of acquisition of control of the Santa Cruz Savings and Loan Association, Santa Cruz, Calif., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730a(e)), and § 584.4 of the Regulations for Savings and Loan Holding Companies, said acquisition to be effected by exchange of shares of Golden West Financial for the acquisition of the assets of Santa Cruz Savings and Loan Association by Golden West Savings and Loan Association, an insured subsidiary of the applicant. Golden West Savings and Loan Association will also assume the liabilities and obligations of Santa Cruz Savings and Loan Association. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL] GRENVILLE L. MILLARD, JR.,
*Assistant Secretary,*
*Federal Home Loan Bank Board.*

[FR Doc.71-2662 Filed 2-25-71;8:52 am]

[4] Commissioner Bartley absent; Commissioners Johnson and H. Rex Lee dissenting.

# FEDERAL MARITIME COMMISSION

## JAPAN LINE, LTD., ET AL.

### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Japan Line, Ltd.; Kawasaki Kisen Kaisha, Ltd.; Mitsui O.S.K. Lines, Ltd.; and Yamashita-Shinnihon Steamship Co.

Notice of agreement filed by:

Charles Warren, Esquire, 1100 Connecticut Avenue NW., Washington, DC 20036.

Under Agreement No. 9718 as presently approved, each of the four carriers listed

above has contributed one containership for the parties' four vessel service between Japan and California. Also Agreement No. 9718 is scheduled to expire by its terms on October 23, 1971, "or 3 years after the first container vessel" entered the trade.

As the four carriers intend to supplement their service with two new vessels, each to be owned by two groups of two carriers each, Agreement No. 9718–1 has been filed to reflect this development as it would affect the intraservice space chartering permitted by Article 5; and the accountings between the lines outlined in Article 6. Further, Article 10 is to be amended so that Agreement No. 9718 can continue in effect until canceled by the mutual assent of the parties.

Dated: February 23, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
*Secretary.*

[FR Doc.71–2644 Filed 2–25–71;8:51 am]

## RED SEA AND GULF OF ADEN/U.S. ATLANTIC AND GULF RATE AGREEMENT

### Notice of Petition Filed

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the current contract form and of the petition, reflecting the changes proposed to be made in the language of said contract, at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed changes and the petition, including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, DC 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed modification of the contract form and/or the approved contract system shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the petition (as indicated hereinafter), and the statement should indicate that this has been done.

Notice of petition to extend the termination date of a dual rate system filed by:

William L. Hamm, Secretary, Red Sea and Gulf of Aden/U.S. Atlantic and Gulf Rate Agreement, 25 Broadway, New York, NY 10004.

Notice is hereby given that the member lines of the Red Sea and Gulf of Aden/U.S. Atlantic and Gulf Rate Agreement, Agreement No. 8558–4, have filed with the Commission, pursuant to section 14(b) of the Shipping Act, 1916, a petition to extend the dual rate system on Coffee now scheduled to terminate on March 14, 1971, for a period of 3 months, through June 14, 1971, in the agreement trade. The trade area covered is from Red Sea and Gulf of Aden ports to U.S. Atlantic and Gulf ports.

The 3-month extension is requested in order to give the parties the time needed to prepare more detailed justification for permanent extension of the dual rate system.

Dated: February 23, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
*Secretary.*

[FR Doc.71–2645 Filed 2–25–71;8:51 am]

## SOUTH AND EAST AFRICA RATE AGREEMENT

### Notice of Petition Filed

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the current contract form and of the petition, reflecting the changes proposed to be made in the language of said contract, at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed changes and the petition, including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, DC 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed modification of the contract form and/or the approved contract system shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act of detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the petition (as indicated hereinafter), and the statement should indicate that this has been done.

Notice of petition to extend the termination date of a dual rate system filed by:

William L. Hamm, Secretary, South and East Africa Rate Agreement, 25 Broadway, New York, NY 10004.

Notice is hereby given that the member lines of the South and East Africa Rate Agreement, Agreement No. 8054–8, as amended, have filed with the Commission, pursuant to section 14(b) of the Shipping Act, 1916, a petition to extend the dual rate system on General Cargo (Except Coffee), now scheduled to terminate on March 14, 1971, for a period of 3 months, through June 14, 1971, in the agreement trade. The trade area covered is from ports in Southwest, South, Southeast and East Africa as well as islands in the Indian Ocean including Madagascar, Reunion, Mauritius, the Comores and Seychelles, and the islands of Ascension and St. Helena to U.S. Atlantic and Gulf ports.

The 3-month extension is requested in order to give the parties the time needed to prepare more detailed justification for permanent extension of the dual rate system.

Dated: February 23, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
*Secretary.*

[FR Doc.71–2646 Filed 2–25–71;8:51 am]

## TRANS-PACIFIC PASSENGER CONFERENCE

### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, DC 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Ronald C. Lord, General Manager, Trans-Pacific Passenger Conference, 2 Pine Street, San Francisco, CA 94111.

Agreement No. 131–252 modifies the Conference's self-policing provisions to comply with General Order 7 (Revised) published in the FEDERAL REGISTER on October 28, 1970.

Dated: February 23, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
*Secretary.*

[FR Doc.71–2647 Filed 2–25–71;8:51 am]

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[Independent Ocean Freight Forwarder License 1146]

## WATSON TRANSFER & STORAGE CO., INC.

### Order of Revocation

By letter dated January 29, 1971, Watson Transfer & Storage Co., Inc., 7019 Katy Road, Houston, TX 77024 was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1146 would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before February 20, 1971.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid surety bond on file.

Watson Transfer & Storage Co., Inc., has failed to file the required surety bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) section 7.04(g) (dated September 29, 1970):

*It is ordered,* That the Independent Ocean Freight Forwarder License No. 1146 be returned to the Commission. Revocation of License No. 1146 is effective February 20, 1971.

*It is further ordered,* That a copy of this order be published in the FEDERAL REGISTER and served upon Watson Transfer & Storage Co., Inc.

AARON W. REESE,
*Managing Director.*

[FR Doc.71–2643 Filed 2–25–71;8:51 am]

# FEDERAL POWER COMMISSION

[Docket No. G–6311 etc.]

## AMERADA HESS CORP. ET AL.

### Findings and Order

FEBRUARY 17, 1971.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, terminating proceedings, substituting respondent, making successor co-respondent, redesignating proceedings, making rate change effective, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce or for permission and approval to abandon service or a petition to amend an order issuing a certificate, all as more fully set forth in the applications and petitions, as supplemented and amended.

Applicants have filed related FPC gas rate schedules or supplements thereto and propose to initiate, abandon, add to or discontinue in part natural gas service in interstate commerce as indicated in the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61–1, as amended, or involve sales for which permanent certificates have been previously issued; except that initial sales from areas for which area rates have been determined are authorized to be made at or below the applicable area base rates adjusted for quality of the gas, and under the conditions prescribed in the orders determining said rates.

Robert W. O'Meara (Operator) et al., applicant in Docket No. CI60–469, proposes to continue the sale of natural gas heretofore authorized in Docket No. CI60–430 to be made pursuant to Getty Oil Co. FPC Gas Rate Schedule No. 100. Said rate schedule will be redesignated as that of applicant. Getty filed a change in rate under said rate schedule which change is suspended in Docket No. RI67–41. Therefore, applicant will be substituted in lieu of Getty as respondent in said proceeding and the proceeding will be redesignated accordingly.

Texas Oil & Gas Corp., applicant in Docket No. CI67–385, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Atlantic Richfield Co. FPC Gas Rate Schedule No. 581. Said rate schedule will be redesignated as that of applicant. The present rate under said rate schedule is 16.5619 cents per Mcf at 14.65 p.s.i.a., effective subject to refund in Docket No. RI70–666. Concurrently with its certificate application applicant filed a motion to be made a co-respondent in said proceeding. On May 15, 1969, Atlantic Richfield filed with the Commission a notice of change in rate to 17.5 cents per Mcf at 14.65 p.s.i.a. under its FPC Gas Rate Schedule No. 581. By order issued June 5, 1969, in Docket No. RI69–786 et al., the Commission suspended the proposed change in Docket No. RI69–787 until November 15, 1969, and thereafter until made effective. The notice of change was designated as Supplement No. 2 to said rate schedule. Concurrently with its certificate application applicant filed a motion to be made a co-respondent in said proceeding and to make the rate of 17 cents per Mcf at 14.65 p.s.i.a., reflected in a letter agreement between Applicant and purchaser herein accepted as Supplement No. 5 to the subject rate schedule, effective subject to refund. By letter of December 10, 1970, Applicant modified its request to request an effective rate of 17.0638 cents per Mcf at 14.65 p.s.i.a. Therefore, applicant will be made a co-respondent in the proceedings pending in Dockets Nos. RI69–787 and RI70–666; said proceedings will be redesignated accordingly; and the change in rate suspended in Docket No. RI69–787 will be made effective subject to refund. Applicant has heretofore filed a general undertaking to assure the refunds of amounts collected in excess of amounts determined to be just and reasonable in proceedings under section 4(e) of the Natural Gas Act.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER, Philadelphia Gas Works Division of UGI Corp. filed a petition to intervene in Docket No. CI71–283, and indicates that it has no objection to issuance of a certificate consistent with Opinion No. 546. No other petitions to intervene, notices of intervention or protests to the granting of the applications have been filed.

At a hearing held on February 12, 1971, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and petitions, as supplemented and amended, and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of the Natural Gas Act upon the commencement of service under the authorizations hereinafter granted.

(2) The sales of natural gas hereinbefore described, as more fully described in the applications in this proceeding, will be made in interstate commerce subject to the jurisdiction of the Commission; and such sales by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and

the requirements, rules and regulations of the Commission thereunder.

(4) The sales of natural gas by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefor should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates of public convenience and necessity in various dockets involved herein should be amended as hereinafter ordered and conditioned.

(6) The sales of natural gas proposed to be abandoned as hereinbefore described and as more fully described in the applications and in the tabulation herein are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(7) The abandonments proposed by applicants herein are permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued to applicants relating to the abandonments hereinafter permitted and approved should be terminated or that the orders issuing said certificates should be amended by deleting therefrom authorization to sell natural gas from the subject acreage.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the rate proceedings pending in Dockets Nos. RI63–382 and RI67–223 should be terminated.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the rate proceeding pending in Docket No. RI68–443 should be terminated only with respect to sales made pursuant to Sun Oil Co. FPC Gas Rate Schedule No. 305.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Robert W. O'Meara (Operator) et al., should be substituted in lieu of Getty Oil Co. as respondent in the proceeding pending in Docket No. RI67–41 and that said proceeding should be redesignated accordingly.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Texas Oil & Gas Corp. should be made a co-respondent in the proceedings pending in Dockets Nos. RI69–787 and RI70–666, that said proceedings should be redesignated accordingly, and that the change in rate filed under Atlantic Richfield Co. FPC Gas Rate Schedule No. 581 and suspended in Docket No. RI69–787 should be made effective subject to refund.

(13) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the FPC gas rate schedules and supplements related to the authorizations hereinafter granted should be accepted for filing.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing sales by applicants of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the applications and in the tabulation herein.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder and is without prejudice to any findings or orders which have been or which may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the contracts, particularly as to the cessation of service upon termination of said contracts as provided by section 7(b) of the Natural Gas Act. The grant of the certificates aforesaid shall not be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The certificates issued herein and the amended certificates are subject to the following conditions:

(a) The rates for sales authorized in Dockets Nos. G–12260, CI70–904, CI71–147, CI71–275, CI71–283, CI71–286, CI71–292, CI71–325, CI71–330, CI71–365, CI71–385, CI71–388, CI71–425, and CI71–438 shall be the applicable area base rates prescribed in Opinion No. 546, as modified by Opinion No. 546–A, and Opinion No. 586, whichever are applicable, as adjusted for quality of gas, or the contract rates, whichever are lower.

(b) The authorizations granted in Dockets Nos. G–12609 and CI62–891 shall be subject to Opinion No. 586.

(c) Within 90 days from the date of initial delivery applicants in Dockets Nos. CI70–904, CI71–147, CI71–275, CI71–283, CI71–325, CI71–388, CI71–425, and CI71–438 shall file three copies of a rate schedule quality statement in the forms prescribed in Opinion No. 546 and Opinion No. 586, whichever are applicable.

(d) Within 90 days from the date of this order Applicants in Dockets Nos. G–12609, CI62–891, CI71–286, CI71–292, CI71–330, CI71–365, and CI71–385 shall file three copies of a rate schedule quality statement in the form prescribed in Opinion No. 586.

(e) If the quality of the gas delivered by applicants in Dockets Nos. G–12260, CI70–904, CI71–147, CI71–275, CI71–283, CI71–286, CI71–292, CI71–325, CI71–330, CI71–365, CI71–385, CI71–388, CI71–425, and CI71–438 deviates at any time from the quality standards set forth in Opinion No. 546, as modified by Opinion No. 546–A, and Opinion No. 586, whichever are applicable, so as to require a downward adjustment of the existing rates, notices of changes in rates shall be filed pursuant to section 4 of the Natural Gas Act: *Provided, however,* That adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charged without the filing of notices of changes in rates.

(f) In the event that any amounts are collected in excess of the applicable area rates, as adjusted for quality of the gas, applicants in Dockets Nos. CI70–904, CI71–325, CI71–425, and CI71–438 shall refund to the buyers, with interest at the rate of 7 percent per annum, all excess amounts so collected from the date of initial delivery.

(g) Issuance of the certificate in Docket No. CI71–438 shall not be construed as constituting approval of the advance payment provisions of the contract and any such payments shall be subject to future orders of the Commission concerning the propriety of such payments.

(h) The authorizations granted in Dockets Nos. CI71–283, CI71–388, and CI71–425 are conditioned upon any determination which may be made in the proceeding pending in Docket No. R–338 with respect to the transportation of liquefiable hydrocarbons.

(i) The acceptance for filing of the rate schedules for the sales authorized in Dockets Nos. CI67–822, CI68–498, CI71–283, CI71–347, CI71–388, and CI71–398 are subject to any determination which may be made in the proceeding pending in Docket No. R–400 with regard to provisions in rate schedules relating to minimum take provisions.

(j) Issuance of the certificate in Docket No. CI68–498 is subject to any Commission findings in this proceeding or any other proceeding and ultimate disposition thereof concerning the issue of a charge by the pipeline purchaser for transportation of liquids (oil or condensate) and/or liquefiable hydrocarbons, separated or removed by or for applicant, but such charge, if any, shall be part of applicant's refund obligation and not an additional refund obligation.

(k) Sales from the added acreage in Docket No. G–15424 shall be made at a rate subject to refund in Docket No. RI70–52.

(l) The rates for sales authorized in Dockets Nos. CI64–670, CI70–915, and CI71–347 shall be 15 cents per Mcf at 14.65 p.s.i.a. including tax reimbursement; and the rate for the sale authorized in Docket No. CI71–398 shall be 15 cents per Mcf at 14.65 p.s.i.a. including

tax reimbursement and subject to B.t.u. adjustment.

(m) The rate for the sale authorized in Docket No. CI67–822 shall be 13 cents per Mcf at 15.025 p.s.i.a.

(n) The initial rate for the sale authorized in Docket No. CI71–120 shall be 30 cents per Mcf at 15.325.

(o) The initial rate for the sales authorized in Dockets No. CI71–330 shall be 12.5 cents per Mcf at 14.65 p.s.i.a., with respect to sales pursuant to FPC Gas Rate Schedule Nos. 3, 4, and 5.

(p) The initial rate for the sale authorized in Docket No. CI71–368 shall be 18.75 cents per Mcf at 15.025 p.s.i.a. Within 30 days from the date of this order applicant shall file three copies of a billing statement as required by the regulations under the Natural Gas Act.

(E) Within 30 days from the date of this order applicant in Docket No. CI71–349 shall file three copies of a billing statement as required by the regulations under the Natural Gas Act.

(F) The orders issuing certificates in Dockets Nos. G–6311, G–7193, G–11952, G–12004, G–12260, G–12910, G–15424, CI64–670, CI65–916, CI67–822, CI68–498, CI70–298, CI70–469, and CI70–915 are amended by adding thereto or deleting therefrom authorization to sell natural gas as described in the tabulation herein.

(G) The authorization granted in Docket No. G–12910 in paragraph (F) above shall not be construed to relieve applicant of any refund obligations in the rate proceedings pending in Dockets Nos. RI65–375 and RI70–1306.

(H) The order issuing a certificate in Docket No. CI60–469 is amended to include the sale of natural gas heretofore authorized in Docket No. CI60–430 and the certificate heretofore issued in Docket No. CI60–430 is terminated.

(I) The order issuing a certificate in Docket No. CI66–536 is amended to include the interests of additional parties and the certificate and related rate schedule are redesignated from Texaco, Inc., to Texaco, Inc. (Operator), et al.

(J) The orders issuing certificates in Dockets Nos. G–12609, CI62–891, CI66–956, CI67–385, CI68–512, and CI69–678 are amended to reflect the successors in interest as certificate holders as described in the tabulation herein.

(K) The orders issuing certificates in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

| *Amend to delete acreage* | *New certificate and/or amendment to add acreage* |
|---|---|
| G–3111 | CI70–298 |
| G–5362 | CI71–292 |
| G–6124 | CI71–349 |
| G–11090 | CI71–385 |
| G–12663 | CI71–330 |
| G–16224 | CI71–330 |
| CI61–1238 | CI71–330 |
| CI61–1620 | CI71–275 |
| CI62–1503 | CI71–275 |
| CI63–781 | CI71–365 |
| CI63–1040 | CI71–419 |
| CI64–157 | CI71–286 |
| CI64–1521 | CI71–365 |
| CI65–257 | CI71–365 |
| CI67–1772 | CI71–420 |
| CI68–502 | CI68–498 |
| CI69–1109 | CI71–330 |

(L) Permission for and approval of the abandonment of service by applicants, as hereinbefore described, all as more fully described in the applications and in the tabulation herein are granted.

(M) Permission for and approval of the abandonment in Docket No. CI71–416 shall not be construed to relieve applicant of any refund obligations in the proceeding pending in Docket No. RI68–100; and applicant is not relieved of any refunds that may be ordered in the proceeding in Docket No. G–11115.

(N) Permission for and approval of the abandonment in Docket No. CI71–449 shall not be construed to relieve applicant of any refund obligations in the proceeding pending in Docket No. RI68–100.

(O) The certificates heretofore issued in Dockets Nos. G–6834, G–8825, G–11115, G–19067, CI63–524, and CI67–331 are terminated and the related rate schedules are canceled.

(P) The rate proceedings pending in Dockets Nos. RI63–382 and RI67–223 are terminated.

(Q) The rate proceeding pending in Docket No. RI68–443 is terminated only with respect to sales made pursuant to Sun Oil Co. FPC Gas Rate Schedule No. 305.

(R) Robert W. O'Meara (Operator) et al., is substituted in lieu of Getty Oil Co. as respondent in the proceeding pending in Docket No. RI67–41 and said proceeding is redesignated accordingly.

(S) Texas Oil & Gas Corp. is made a co-respondent in the proceedings pending in Dockets Nos. RI69–787 and RI70–666, and said proceedings are redesignated accordingly. The rates, charges, and classifications set forth in Supplement No. 2 to Texas Oil & Gas Corp. FPC Gas Rate Schedule No. 76) formerly Atlantic Richfield Co. FPC Gas Rate Schedule No. 581) shall be effective subject to refund in Docket No. RI69–787 as of November 12, 1970. Texas Oil & Gas Corp. shall charge and collect the rate of 16.5619 cents per Mcf at 14.65 p.s.i.a. for sales from May 1, 1970, through November 11, 1970, subject to refund in Docket No. RI70–666 and the rate of 17.0638 cents per Mcf at 14.65 p.s.i.a. for sales from November 12, 1970, subject to refund in Docket No. RI69–787. Texas Oil & Gas Corp. shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(T) The rate schedules and rate schedule supplements related to the authorizations granted herein are accepted for filing or are redesignated, all as described in the tabulation herein.

By the Commission.

[SEAL] KENNETH F. PLUMB,
*Acting Secretary.*

| Docket No. and date filed | Applicant | Purchaser, field, and location | FPC rate schedule to be accepted: Description and date of document | No. | Supp. |
|---|---|---|---|---|---|
| G–6311 D 11–19–70 | Amerada Hess Corp. (Operator) et al. | Northern Natural Gas Co., Monument Field, Lea County, N. Mex. | Notice of partial cancellation 11–17–70.[1 2] | 30 | 28 |
| G–7193 D 10–24–69 | Union Oil Co. of California. | Mobil Oil Corp., West Gueydan Field, Vermilion Parish, La. | Notice of partial cancellation 10–21–69.[2 3] | 104 | 42 |
| G–11952 D 12–2–70 | Mobil Oil Corp | United Gas Pipe Line Co., Cabeza Creek Area, De Witt, Goliad, and Karnes Counties, Tex. | Notice of partial cancellation 11–30–70.[2 4] | 59 | 17 |
| G–12004 D 8–19–69 | Mobil Oil Corp. (Operator) et al. | Transcontinental Gas Pipe Line Corp., West Gueydan Field, Vermilion Parish, La. | Notice of partial cancellation 8–18–69.[2 3] | 16 | 31 |
| G–12260 C 7–8–70 | Kerr-McGee Corp | Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Mocane Field, Beaver County, Okla. (Casinghead gas). | Amendment 4–27–70<br>Amendment 6–29–70<br>Amendment 9–1–70.[5 6] | 49<br>49<br>49 | 4<br>5<br>6 |
| G–12609 E 10–26–70 | Shenandoah Oil Corp. (successor to James Davis, Jr., d.b.a. Solar Oil Co. | Northern Natural Gas Co., Harper Ranch Pool, Clark County, Kans. | James Davis, Jr., d.b.a. Solar Oil Co., FPC GRS No. 1.<br>Supplements Nos. 1–4<br>Notice of Succession 10–21–70.<br>Assignment 6–30–70<br>Effective date: 6–1–70 | 14<br>14<br>14<br>(7) | ----<br>1–4<br>----<br>5<br>---- |
| G–12910 D 10–19–70 | Continental Oil Co. (Operator) et al. | Cities Service Gas Co., acreage in Alfalfa County, Okla. | Notice of partial cancellation 9–29–70.[1 2] | 148 | 7 |
| G–15424 C 10–29–70 [8] | Sun Oil Co | West Lake Natural Gasoline Co.,[9] South Lake Trammell and Nena Lucia Fields, Nolan County, Tex. | Supplemental agreement 6–1–70.[6] | 100 | 13 |

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

| Docket No. and date filed | Applicant | Purchaser, field, and location | FPC rate schedule to be accepted | | |
|---|---|---|---|---|---|
| | | | Description and date of document | No. | Supp. |
| G-19067 [10] | BTA Oil Producers (Operator) et al. | El Paso Natural Gas Co., South Andrews Devonian Field, Andrews County, Tex. | ([10a 2]) | 4 | |
| | | | | 4 | 1-5 |
| CI60-469 (CI60-430) C 10-12-70 [11] | Robert W. O'Meara (Operator) et al. | Tennessee Gas Pipeline Co., a division of Tenneco Inc., Caillou Island Field, Terrebonne Parish, La. | Getty Oil Co., FPC GRS No. 100. | 3 | |
| | | | Supplements Nos. 1-3 | 3 | 1-3 |
| | | | Assignment 7-15-69 [12] | 3 | 4 |
| | | | Ratified 10-15-69 [13] | 3 | 5 |
| | | | Effective date: 7-15-69 | | |
| CI62-891 E 10-26-70 | Shenandoah Oil Corp. (successor to James Davis, Jr., d.b.a. Solar Oil Co.). | Northern Natural Gas Co., Harper Ranch North Morrow Field, Clark County, Kans. | James Davis, Jr., Solar Oil Co., d.b.a. FPC GRS No. 3. | 15 | |
| | | | Supplements Nos. 1-3 | 15 | 1-3 |
| | | | Notice of succession 10-22-70. | | |
| | | | Assignment 6-30-70 | 15 | 4 |
| | | | Effective date: 6-1-70 | ([14]) | |
| CI63-524 [15] | Afroma Oil & Gas Co., Inc. (Operator). | United Gas Pipe Line Co., Cabeza Creek Area, Goliad County, Tex. | ([1 2]) | 3 | |
| CI64-670 C 9-8-70 [16] | Marathon Oil Co | Arkansas Louisiana Gas Co., Wilburton Field, Haskell, Latimer, Le Flore, and Pittsburg Counties, Okla. | Assignment 7-21-69 [17] | 88 | 12 |
| | | | Assignment 9-8-69 [17] | 88 | 13 |
| | | | Assignment 6-1-70 [17] | 88 | 14 |
| | | | Conveyance 6-1-70 [6 17] | 88 | 15 |
| CI64-670 C 9-22-70 | do [18] | Arkansas Louisiana Gas Co., Wilburton Field, Pittsburg County, Okla. | Amended 8-19-70 [6] | 88 | 17 |
| CI64-670 C 10-30-70 | do [18a] | do | Amended 10-6-70 [6] | 88 | 16 |
| CI65-916 (CS68-1) D [19] | Amerada Hess Corp | Northern Natural Gas Co., Ozona Area, Crockett County, Tex. | Assignment 7-8-70 [2 19a] | 126 | 9 |
| CI66-536 C 10-28-70 [20] | Texaco, Inc. (Operator) et al. | Columbia Gulf Transmission Co., West Gueydan Field, Vermilion Parish, La. | ([2 20a]) | 364 | |
| CI66-956 E 10-28-70 | Clark Oil Producing Co. (successor to Clark Oil & Refining Corp.). | Mountain Fuel Supply Co., Ace Unit Area, Moffat County, Colo. | Clark Oil & Refining Corp., FPC GRS No. 2. | 2 | |
| | | | Notice of succession 10-28-70. | | |
| | | | Assignment 10-7-70 | 2 | 1 |
| | | | Effective date: 10-7-70 | | |
| CI67-385 E 11-12-70 | Texas Oil & Gas Corp. (successor to Atlantic Richfield Co.). | El Paso Natural Gas Co., North Cox Field, Crockett County, Tex. | Atlantic Richfield Co., FPC GRS No. 581. | 76 | |
| | | | Supplements Nos. 1-3 | 76 | 1-3 |
| | | | Notice of succession 11-12-70. | | |
| | | | Assignment 5-1-70 | 76 | 4 |
| | | | Effective date: 5-1-70 | | |
| | | | Letter agreement 7-15-70 | 76 | 5 |
| | | | Effective date: 7-15-70 | | |
| | | | Quality statement 7-15-70 | 76 | 6 |
| | | | Effective date: 8-12-70 | | |
| CI67-822 C 11-13-70 [21] | Texas Pacific Oil Co., Inc. | Southern Union Gathering Co., Basin Dakota Field, San Juan County, N. Mex. | Amended 2-16-70 [21a] | 90 | 3 |
| | | | Amended 8-27-70 [21b] | 90 | 4 |
| | | | Amended 9-30-70 [6 21c] | 90 | 5 |
| CI68-498 (CI68-502) C 11-16-70 [22] | Cabot Corp | United Gas Pipe Line Co., Block 773, Mustang Island Area, Nueces County, Tex. | Amended 10-22-70 [22a] | 94 | 4 |
| | | | Assignment (various dates). [22b] | 94 | 5 |
| | | | Effective date: 5-7-69 | | |
| CI68-512 E 11-17-70 | Bradley H. Keyes (successor to George E. Willett). | El Paso Natural Gas Co., Pinon Fruitland Field, San Juan County, N. Mex. | George E. Willett, FPC GRS No. 2. | 7 | |
| | | | Supplement No. 1 | 7 | 1 |
| | | | Notice of succession 11-10-70. | | |
| | | | Assignment 11-1-70 | 7 | 2 |
| | | | Effective date: 11-1-70 | | |
| CI69-678 E 11-16-70 | L. S. Benge (Operator), agent for Howard G. Nichols et al. (successor to William M. Wiseman). | Trunkline Gas Co., Maetze Field, Goliad County, Tex. | William M. Wiseman, FPC GRS No. 1. | 1 | |
| | | | Notice of succession 11-12-70. | | |
| | | | Assignment 12-27-68 [23] | 1 | 1 |
| | | | Assignment 12-27-68 [23a] | 1 | 2 |
| | | | Assignment 12-27-68 [23b] | 1 | 3 |
| | | | Assignment 1-31-69 [23c] | 1 | 4 |
| | | | Assignment 1-28-69 [23d] | 1 | 5 |
| | | | Order granting probate 3-9-70 [23e]. | 1 | 6 |
| | | | Assignment 5-5-69 [23f] | 1 | 7 |
| | | | Assignment 4-1-70 [23g] | 1 | 8 |
| | | | Effective date: 5-1-70 | | |
| CI70-298 (G-3111) C 11-4-70 | Lyons Petroleum | United Gas Pipe Line Co., Houma Field, Terrebonne Parish, La. | Assignment 6-1-69 [6 24] | 9 | 6 |
| (G-3111) [25] | Humble Oil & Refining Co. | United Gas Pipe Line Co., Houma Field, Terrebonne Parish, La. | Notice of partial cancellation 4-30-70. [24] | 245 | 9 |
| | | | Effective date: 6-5-70 | | |
| CI70-469 D 4-6-70 | Gulf Oil Corp. (Operator) et al. | Kansas-Nebraska Natural Gas Co., Inc., West Reydon Field, Roger Mills County, Okla. | Notice of partial cancellation 4-3-70. [2 26] | 415 | 5 |
| CI70-904 A 4-6-70 as amended 9-18-70 [27] | do | Wheeler Gas Co. (formerly Wm. W. Wiley), West Reydon Field, Roger Mills County, Okla. | Contract 2-25-70 [27a] | 420 | |
| | | | Assignment 8-26-70 [6 27b] | 420 | 1 |
| CI70-915 C 12-1-70 | Eason Oil Co. [28] | Arkansas Louisiana Gas Co., Kinta Field, Pittsburg County, Okla. | Amendment 11-6-70 [6] | 26 | 4 |
| CI71-120 A 8-10-70 | Commonwealth Gas Corp. | United Fuel Gas Co., acreage in Jackson County, W. Va. | Contract 7-30-70 [6 29] | 19 | |
| CI71-147 A 8-19-70 | Woods Petroleum Corp. (Operator) et al. | Michigan Wisconsin Pipe Line Co., acreage in Woodward County, Okla. | Contract 5-12-70 | 24 | |
| CI71-275 (CI62-1503) F 9-21-70 [30] | Wessely Petroleum, Ltd. (Operator) et al. (successor to Samedan Oil Corp. et al. | Natural Gas Pipeline Co. of America, Putnam Field, Dewey County, Okla. | Contract 5-11-62 [31] | 10 | |
| | | | Contract 4-1-61 | 10 | 1 |
| | | | Assignment 2-6-70 [32] | 10 | 2 |
| | | | Supplement 10-6-70 [6 33] | 10 | 3 |
| CI71-275 (CI61-1620) F 9-21-70 [30] | Wessely Petroleum, Ltd. (Operator) et al. (successor to Union Oil Co. of California). | do | Contract 4-1-61 [34] | 11 | |
| | | | Amendment 7-23-62 | 11 | 1 |
| | | | Assignment 4-13-70 [35] | 11 | 2 |
| | | | Supplement 10-6-70 [6 33] | 11 | 3 |
| CI71-283 A 9-28-70 [36] | Ashland Oil, Inc | Southern Natural Gas Co., Fish Island Field, Iberia Parish, La. | Contract 9-16-70 [6] | 201 | |
| CI71-284 A 9-30-70 | Commonwealth Gas Corp. | United Fuel Gas Co., Grant District, Jackson County, W. Va. | Contract 8-21-70 | 20 | |
| CI71-286 (CI64-157) F 9-28-70 | LVO Corp. (successor to Skelly Oil Co). | Kansas-Nebraska Natural Gas Co., Inc., Bradshaw Area, Hamilton County, Kans. | Contract 5-28-63 [37] | 27 | |
| | | | Amendment 4-1-64 | 27 | 1 |
| | | | Supplemental agreement 2-1-65. | 27 | 2 |
| | | | Amendment 4-8-65 | 27 | 3 |
| | | | Assignment 7-14-70 [37a] | 27 | 4 |
| | | | Assignment 8-20-70 [37b] | 27 | 5 |
| | | | Effective date: 7-1-70 | | |
| CI71-292 (G-5362) F 9-30-70 | Anadarko Production Co. (successor to Skelly Oil Co.). | Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Greenwood Field, Morton County, Kans. | Contract 6-3-54 [38] | 153 | |
| | | | Supplement 11-5-63 | 153 | 1 |
| | | | Assignment 7-9-70 [38a] | 153 | 2 |
| | | | Effective date: 7-1-70 | | |
| CI71-325 A 10-12-70 | Texaco, Inc | Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Keyes Field, Cimarron County, Okla. | Contract 9-17-70 [6] | 450 | |

| Docket No. and date filed | Applicant | Purchaser, field, and location | FPC rate schedule to be accepted: Description and date of document | No. | Supp. |
|---|---|---|---|---|---|
| CI71-330 (G-12663) F 10-9-70 | The Shallow Water Refining Co. (successor to Herman Geo. Kaiser). | Northern Natural Gas Co., Hugoton Field, Finney County, Kans. | Contract 5-6-57 [39] | 2 | |
| | | | Agreement 9-2-60 | 2 | 1 |
| | | | Assignment 7-15-70 [39a] | 2 | 2 |
| | | | Effective date: 8-1-70 | | |
| CI71-330 (CI61-1238) F 10-9-70 [40] | do | do | Contract 9-2-60 [41] | 3 | |
| | | | Supplemental agreement 9-10-63. | 3 | 1 |
| | | | Amended 11-14-68 | 3 | 2 |
| | | | Assignment 7-15-70 [41a] | 3 | 3 |
| | | | Effective date: 8-1-70 | | |
| CI71-330 (CI69-1109) F 10-9-70 [40] | do | do | Contract 2-9-56 [42] | 4 | |
| | | | Amended 8-22-58 | 4 | 1 |
| | | | Amended 6-23-69 | 4 | 2 |
| | | | Assignment 7-15-70 [41a] | 4 | 3 |
| | | | Effective date: 8-1-70 | | |
| CI71-330 (G-16224) F 10-9-70 | The Shallow Water Refining Co. (successor to Skelly Oil Co.). | do | Contract 7-21-58 [43] | 5 | |
| | | | Contract 2-9-56 | 5 | 1 |
| | | | Amended 1-23-57 | 5 | 2 |
| | | | Amended 8-22-58 | 5 | 3 |
| | | | Agreement 10-3-60 | 5 | 4 |
| | | | Assignment 7-27-70 [38a] | 5 | 5 |
| | | | Effective date: 8-1-70 | | |
| CI71-347 A 10-19-70 | Ferguson Oil Co., Inc., et al. | Lone Star Gas Co., Cruce Field, Stephens County, Okla. | Contract 9-22-70 | 6 | |
| | | | Compliance 12-17-70 [6] [44] | 6 | 1 |
| CI71-349 (G-6124) F 10-14-70 | Garfield Gas Gathering Co. (successor to Harper Oil Co.). | Cities Service Gas Co., acreage in Oklahoma County, Okla. | Contract 2-15-63 [45] | 1 | |
| | | | Assignment 8-10-70 [45a] | 1 | 1 |
| | | | Effective date: 8-10-70 | | |
| CI71-365 (CI63-781) F 10-23-70 | Imperial-American Management Co. (successor to Pan American Petroleum Corp.). | Northern Natural Gas Co., Northeast Six Mile Field, Beaver County, Okla. | Contract 11-2-62 [46] | 13 | |
| | | | Amendment 3-19-64 | 13 | 1 |
| | | | Assignment 6-10-70 [45a] | 13 | 2 |
| | | | Assignment 9-1-70 [47] | 13 | 3 |
| | | | Effective date: 9-1-70 | | |
| CI71-365 (CI65-257) F 10-23-70 | Imperial-American Management Co. (successor to Texaco, Inc.). | do | Contract 8-12-64 [48] | 14 | |
| | | | Assignment 7-25-70 [48a] | 14 | 1 |
| | | | Assignment 9-1-70 [47] | 14 | 2 |
| | | | Effective date: 9-1-70 | | |
| CI71-365 (CI64-1521) F 10-23-70 | Imperial-American Management Co. (successor to Phillips Petroleum Co.). | do | Contract 6-10-64 [49] | 15 | |
| | | | Assignment 7-13-70 [49a] | 15 | 1 |
| | | | Assignment 9-1-70 [47] | 15 | 2 |
| | | | Effective date: 9-1-70 | | |
| CI71-368 A 10-26-70 | Lamar Hunt [50] (Operator) et al. | Arkansas Louisiana Gas Co., Sugar Creek Field, Claiborne Parish, La. | Contract 10-13-70 [6] | 13 | |
| CI71-385 (G-11090) F 10-29-70 | Aprapahoe Production Co. (successor to Gulf Oil Corp.). | Panhandle Producing Co., West Panhandle Field, Hutchinson County, Tex. | Contract 7-26-56 [51] | 4 | |
| | | | Assignment 5-29-69 [51a] | 4 | 1 |
| | | | Effective date: 6-1-69 | | |
| CI71-388 A 11-5-70 | Anadarko Production [52] Co. (Operator) et al. | Michigan Wisconsin Pipe Line Co., acreage in Major County, Okla. | Contract 9-30-70 [6] | 155 | |
| CI71-398 A 11-9-70 | Gulf Oil Corp.[53] (Operator) et al. | United Gas Pipe Line Co., Willow Springs Field, Gregg County, Tex. | Contract 9-25-70 [6] | 421 | |
| CI71-416 (G-11115) B 11-17-70 | Sun Oil Co | United Fuel Gas Co., Northeast Rayne Field, Acadia Parish, La. | Notice of cancellation 11-12-70.[1] [2] | 75 | 16 |
| CI71-419 (CI63-1040) F 11-12-70 | Consolidated Production Corp. (Operator) et al. (successor to R. J. Caraway (Operator) et al.). | Arkansas Louisiana Gas Co., Manziel Field, Wood County, Tex. | Contract 2-4-63 [54] | 3 | |
| | | | Contract 2-25-60 [54a] | 3 | 1 |
| | | | Amended 11-13-63 | 3 | 2 |
| | | | Amended 9-22-64 | 3 | 3 |
| | | | Amended 4-28-65 | 3 | 4 |
| | | | Assignment 2-25-70 [54b] | 3 | 5 |
| | | | Assignment 2-25-70 [54b] | 3 | 6 |
| | | | Effective date: 11-1-69 | | |
| CI71-420 (CI67-1772) F 11-13-70 | Consolidated Production Corp. (Operator) et al. (successor to Texota Oil Co. (Operator) et al.). | Arkansas Louisiana Gas Co., acreage in Le Flore County, Okla. | Contract 3-30-64 [55] | 4 | |
| | | | Assignment 4-9-70 [55a] | 4 | 1 |
| | | | Effective date: 1-1-70 | | |
| CI71-425 A 11-19-70 | Pan American Petroleum Corp.[56] | Panhandle Eastern Pipe Line Co., Richfield Field, Morton County, Kans. | Contract 10-16-70 [6] | 558 | |
| CI71-436 (CI67-331) B 11-20-70 | Cabot Corp | El Paso Natural Gas Co., The X Bar (Canyon) Field, Schleicher County, Tex. | Notice of cancellation 11-17-70.[1] [2] | 87 | 4 |
| CI71-437 (G-8825) B 11-20-70 | Sun Oil Co | Tennessee Gas Pipe Line Co., a division of Tenneco Inc., El Panal Field, Starr County, Tex. | Notice of cancellation 11-19-70.[1] [2] | 305 | 9 |
| CI71-438 A 11-28-70 | Texaco, Inc.[58] | Natural Gas Pipeline Co. of America, Balko Field, Beaver County, Okla. | Contract 11-9-70 [6] | 451 | |
| CI71-449 (G-6834) B 11-30-70 | Sun Oil Co | United Gas Pipe Line Co., East Gibson Field, Terrebonne Parish, La. | Notice of cancellation 11-17-70.[1] [2] | 63 | 18 |

[1] Source of gas depleted.
[2] Effective date: Date of this order.
[3] Uneconomical to install the facilities to deliver the gas; buyer and seller has agreed to delete the Zwan RA SUA and Zwan RA SUB created by Louisiana Department of Conservation No. 52M. By letters dated Oct. 16, 1969 and Aug. 4, 1969, Union and Mobil, respectively, authorized Texaco, Inc., to sell their gas. Texaco filed for authorization to sell applicants' share of the gas in Docket No. CI66-536.
[4] Deletes three nonproducing leases (No. T-28463, T-28464, and T-30934) in Karnes County which have expired.
[5] Filed Sept. 8, 1970. Complies with temporary certificate issued July 22, 1970. Amendment provides for measurement of gas on wet basis. Applicant has filed a rate schedule quality statement in compliance with Opinion No. 586, applicable to additional acreage.
[6] Effective date: Date of initial delivery (applicant shall advise the Commission as to such date).
[7] Rate of 16-cent subject to proceedings in Dockets Nos. RI63-382 and RI67-223; no refunds due per Opinion No. 586, therefore, the proceedings pending in said dockets will be terminated.
[8] By letter filed Dec. 10, 1970, applicant requests that the 9.5-cent rate be made subject to its existing rate proceeding pending in Docket No. RI70-52.
[9] West Lake resells the gas to El Paso Natural Gas Co. under its FPC GRS No. 1.
[10] No filing submitted; termination of the certificate and cancellation of the related rate schedule on the Commission's own motion.
[10a] Shell Oil Co. acquired all of BTA's subject interest but was treated as a partial successor-in-interest, leaving BTA's FPC GRS No. 4 and certificate in Docket No. G-19067 outstanding. Shell was certificated in Docket No. CI64-1483 under Shell Oil Co. FPC GRS No. 305.
[11] Applicant is filing to amend his certificate in Docket No. CI60-469 to include acreage acquired from Getty Oil Co. in Docket No. CI60-430. Getty's certificate in Docket No. CI60-430 will be terminated.
[12] Assigns acreage from Getty Oil Co., to Robert W. O'Meara.
[13] O'Meara ratified contract dated Mar. 21, 1960 between Tennessee Gas Pipeline Co. (formerly Tennessee Gas Transmission Co.) and Getty Oil Co. (formerly Tidewater Oil Co.).
[14] Rate of 17-cent subject to proceedings in Docket No. RI67-223; no refunds due per Opinion No. 586, therefore, the proceeding in said docket will be terminated.
[15] No filing made by producer, therefore, the certificate will be terminated and the related rate schedule canceled on the Commission's own motion since all efforts to obtain 7(b) filings were unsuccessful and buyer states that deliveries ceased under the rate schedule as of Nov. 2, 1965.
[16] Contract provides for rate of 16 cents, but by letter dated Oct. 22, 1970, applicant states willingness to accept permanent authorization at 15 cents per Mcf including tax reimbursement.
[17] Acreage assigned from Humble Oil & Refining Co., Atlantic Richfield Co., and Pan American Petroleum Corp. to applicant. Acreage not previously dedicated.
[18] Contract provides for rate of 16 cents, but by letter dated Oct. 22, 1970, applicant states willingness to accept permanent authorization at 15 cents per Mcf including tax reimbursement.
[18a] Contract provides for rate of 16 cents, however, applicant in its certificate application stated willingness to accept permanent authorization at 15 cents per Mcf including tax reimbursement.
[19] No certificate filing made or necessary, however, the certificate in Docket No. CI65-916 will be amended to reflect the transfer of interest to the small producer.
[19a] Assigns acreage to Amini Oil Corp., formerly K. K. Amini (Operator) et al., who was issued a small producer certificate in Docket No. CS68-1.
[20] Applicant to amend the certificate to include the interest of W. E. Walker, Mobil Oil Corp., Union Oil Co. of California, and Union Texas Petroleum, a division of Allied Chemical Corp. in the Zwan RA Sand Unit "A" and the Zwan RA Sand Unit "B" created by Louisiana Department of Conservation.
[20a] No rate filings submitted, letters authorizing Texaco to cover the interests of the "et al." parties made an exhibit to the rate schedule with a copy of an interest statement.
[21] By letter filed Dec. 9, 1970, applicant indicated only gas well gas was to be sold from additional acreage and that said authorization shall be subject to the proceeding in Docket No. R-400.
[21a] Dedicates additional acreage to terms of basic contract.
[21b] Eliminates indefinite pricing terms for sales from the additional acreage.
[21c] Extends make-up-period for prepaid gas from additional acreage.
[22] Application to amend the certificate to include the interest acquired from Texas Gas Exploration Corp., Coastal Production Co., Greenbrier 66 Limited, Harbert Construction Corp., H. C. Price Co., and States Marine Lines, Inc. Acreage previously covered by Texas Gas Exploration Corp. (Operator) et al., FPC GRS No. 20.

[20a] Dedicates acquired acreage to Cabot's contract with United; all contracts are identical.
[22b] Transfers acreage to applicant.
[23] Assigns 3/16 interest in acreage from William M. Wiseman to Howard G. Nichols.
[23a] Assigns 1/8 interest in acreage from Wiseman to W. H. Sorenson.
[23b] Assigns 1/8 interest in acreage from Wiseman to Robert A. Mann.
[23c] Assigns 1/8 interest in acreage from Robert A. Mann to Robert A. Mann, Trustee.
[23d] Assigns 1/4 interest in acreage from Wiseman to B. P. Wagley.
[23e] Appoints Juanita Wagley as Executrix of The Estate of Burl P. Wagley, Deceased.
[23f] Assigns 1/20 (5%) interest in acreage from Wiseman to Earl Hooks.
[23g] Assigns 26.25% interest in acreage from Wiseman to TWC Producers, Inc.
[24] Assigns acreage from Humble Oil & Refining Co. (FPC GRS No. 245) to Lyons Petroleum.
[25] No certificate filing made or necessary; rate filing submitted.
[26] Partially abandons sale to Kansas-Nebraska to permit the sale of a minimum of 5,000 Mcf and a maximum of 100,000 Mcf per year to Wm. W. Wiley for transportation and resale in interstate commerce.
[27] Amendment to the application filed to add interest of co-owner, Lone Star Producing Co.
[27a] Contract is between Gulf Oil Corp. and Wm. W. Wiley.
[27b] Assignment of purchasing rights from Wm. W. Wiley to Wheeler Gas Co., filed Sept. 11, 1970.
[28] Contract rate is 16 cents, however, applicant is willing to accept permanent authorization at a rate of 15 cents.
[29] Limited to gas produced from the Newburg Sand.
[30] By letter dated Oct. 6, 1970, applicant states willingness to accept a permanent certificate conditioned to the applicable area rate of 18.5 cents.
[31] Currently on file as Samedan Oil Corp. et al., FPC GRS No. 14.
[32] From Samedan Oil Corp. to applicant.
[33] Provides for a 5-year makeup period for gas paid for but not taken.
[34] Currently on file as Union Oil Co. of California (Operator) et al., FPC GRS No. 58.
[34a] From Union Oil Co. of California to applicant.
[35] By letters filed Oct. 15, 1970, Nov. 20, 1970, and Dec. 3, 1970, applicant agreed to accept a permanent certificate conditioned to the rate levels determined in Opinion No. 546, limiting buyers take-or-pay obligation, and subject to the outcome of the proceeding in Docket No. R-338.
[37] Currently on file as Skelly Oil Co. FPC GRS No. 190.
[37a] From Skelly to S & G Oil Co., Inc.
[37b] From S & G Oil Co., Inc., to LVO Corp.
[38] Currently on file as Skelly Oil Co. FPC GRS No. 65.
[38a] From Skelly Oil Co. to applicant.
[39] Currently on file as Herman Geo. Kaiser (Operator) et al., FPC GRS No. 5.
[39a] From Herman Geo. Kaiser, et al., to applicant.
[40] By letter dated Dec. 4, 1970, applicant states willingness to accept a permanent certificate conditioned to the applicable area rate of 12.5 cents with respect to sales covered by said rate schedule.
[41] Currently on file as Herman George Kaiser FPC GRS No. 6.
[41a] From Herman George Kaiser, et al., to applicant.
[42] Currently on file as Herman George Kaiser FPC GRS No. 11.
[43] Currently on file as Skelly Oil Co. FPC GRS No. 132.
[44] Complies with temporary certificate issued Dec. 3, 1970. Applicant is willing to accept a permanent certificate conditioned as the temporary certificate.
[45] Currently on file as Harper Oil Co., FPC GRS No. 31.
[45a] Conveys interest from Harper Oil Co. to applicant.
[46] Currently on file as Pan American Petroleum Corp. FPC GRS No. 355.
[46a] From Pan American Petroleum Corp. to John H. Hill.
[47] From John H. Hill to applicant.
[48] Currently on file as Texaco, Inc., FPC GRS No. 342.
[48a] From Texaco, Inc., to applicant.
[49] Currently on file as Phillips Petroleum Co. FPC GRS No. 403.
[49a] From Phillips Petroleum Co. to applicant.
[50] Contract provides for rate of 19.9 cents, however, by letter dated Dec. 7, 1970, applicant states willingness to accept a permanent certificate conditioned to 18.75 cents.
[51] Currently on file as Gulf Oil Corp. FPC GRS No. 126. Contract covers casinghead gas.
[51a] From Gulf Oil Corp. to applicant.
[52] Contract provides for rate of 23 cents per Mcf, however, applicant requests a permanent certificate at 20 cents per Mcf, the area ceiling rate prescribed by Opinion No. 586.
[53] Contract provides for rate of 19 cents per Mcf, plus Btu adjustment, however, applicant states willingness to accept a permanent certificate conditioned to an initial rate of 15 cents. By letter dated Dec. 7, 1970, applicant states willingness to accept the certificate limiting buyers take-or-pay obligations.
[54] Between R. J. Caraway and buyer; also on file as R. J. Caraway (Operator) et al., FPC GRS No. 3. Adopts terms of contract dated Feb. 25, 1960.
[54a] Between Shell Oil Co. and buyer.
[54b] From Caraway to applicant covering Rogers and Hudson Units (Supp. No. 5) and Noe Unit (Supp. No. 6).
[55] Between Steve Gose and buyer; also on file as Texota Oil Co. (Operator) et al., FPC GRS No. 2.
[55a] From Texota Oil Co. to applicant.
[56] Contract provides for rate of 22 cents, however, applicant has expressed willingness to accept a permanent certificate conditioned to the area ceiling rate of 17.5 cents (casinghead gas) and conditioned to the outcome of the proceeding pending in Docket No. R-338.
[57] Rate of 17.0638 cents effective subject to refund in Docket No. RI68-443. No monies have been collected since 1966, therefore, the rate proceeding pending in said docket will be terminated only with respect to sales made pursuant to applicant's FPC GRS No. 305.
[58] By letter dated Dec. 18, 1970, applicant states willingness to accept a permanent certificate with conditions as to advance payments.

[FR Doc.71-2529 Filed 2-25-71;8:45 am]

[Docket No. RI71-103 etc.]

## CRYSTAL OIL CO. ET AL.

### Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

FEBRUARY 17, 1971.

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 7, 1971.

By the Commission.

[SEAL] KENNETH F. PLUMB,
*Acting 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 | Cents per Mcf* Proposed increased rate | Rate in effect subject to refund in dockets Nos. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| RI71-703 | Crystal Oil Co. | 23 | [3] 11 | Transcontinental Gas Pipe Line Corp. (Oakville Field, Live Oak County, Tex., RR. District No. 2). | ---------- | 1-22-71 | 2-22-71 | [36] Accepted | ---------- | ---------- | |
| | | | 12 | do | $14,400 | 1-22-71 | 2-22-71 | 7-22-71 | [1 2] 13.0 | [5] 19.0 | |
| RI71-704 | Lyons Petroleum et al. | 1 | 4 | American Louisiana Pipe Line Co. (Southwest Lake Arthur Field, Cameron Parish) (Southern Louisiana). | 3,270 | 1-25-71 | ---------- | [11] 3-10-71 | 20.625 | [6] 21.625 | |
| RI71-705 | William G. Darsey, III | 1 | 1 | Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Deep Bayou Field, Cameron Parish, Southern Louisiana). | 22,656 | 1-22-71 | ---------- | [11] 3- 7-71 | [34] 20.0 | [6 34] 26.0 | |
| RI71-706 | Phillips Petroleum Co. | 301 | [9] 12 | Southern Natural Gas Co. (Breton Sand Block 32) (Offshore Louisiana). | 689 | 1-22-71 | ---------- | [11] 3- 7-71 | [34] 23.675 | [6 34] 25.0 | G-15596. |
| RI71-707 | Hydrocarbon Production Co., Inc. | 1 | [10 16] 20 | Transcontinental Gas Pipe Line Corp. (Lacy Field, Hidalgo et al. Counties, Tex., RR. District No. 4). | 9,541 | 1-22-71 | 2-22-71 | 7-22-71 | [1 2 7 8] 13.0488 | [4] 21.0 | |
| RI71-708 | Continental Oil Co. | 102 | [3] 19 | Transcontinental Gas Pipe Line Corp. (Harris Field, Live Oak County, Tex., RR. District No. 2). | ---------- | 1-25-71 | 2-25-71 | [36] Accepted | ---------- | ---------- | |
| | | | [12] 20 | do | 247,163 | 1-25-71 | 2-25-71 | 7-25-71 | [13] 11.0407<br>[14] 12.0444<br>[15 16] 13.0481<br>18.5<br>[34] 20.0 | [5] 19.0<br>[17] 21.0<br>[16 18] 25.0<br>[7 34] 26.0 | |
| RI71-709 | Union Oil Co. of California. | 205 | 1 | Transcontinental Gas Pipe Line Corp. (Fresh Water Bayou Field) (Vermilion Parish) (Southern Louisiana). | 97,200 | 1-22-71 | ---------- | [11] 3- 7-71 | | | |
| RI71-710 | An-Son Corp. | 4 | 2 | Southern Natural Gas Co. (Bayou Postillion Field) (Iberia Parish) (Southern Louisiana). | 8,775 | 1-27-71 | ---------- | [11] 3-12-71 | [34] 21.25 | [7 20 34] 22.375 | |
| RI71-711 | Suburban Propane Gas Corp. | 7 | 9 | Florida Gas Transmission (Napoleonville Field) (Assumption Parish) (Southern Louisiana). | [19] | 1-28-71 | ---------- | [11] 3-13-71 | [34] 20.75 | [7 34] 21.75 | RI65-475. |
| RI71-712 | Austral Oil Co., Inc. | 14 | 6 | Natural Gas Pipeline Co. of America (Northeast Thompsonville Field, Jim Hogg and Webb Counties, Tex., RR. District No. 4). | 278,661 | 1-27-71 | 2-27-71 | 7-27-71 | 18.06750 | 22.28325 | RI70-1420. |
| RI71-713 | Continental Oil Co. | 77 | [3] 22 | Transcontinental Gas Pipe Line Corp. (Driscoll Field, Duval County, Tex., RR. District No. 4). | ---------- | 1-27-71 | 2-27-71 | [36] Accepted | ---------- | ---------- | |
| | | | [12] 23 | do | [21] 109,039 | 1-27-71 | 2-27-71 | 7-27-71 | [13] 11.0407<br>[14] 12.0444<br>[15 16] 13.0481 | [5] 19.0<br>[17] 21.0<br>[16 18] 25.0 | |
| RI71-714 | Jerome P. McHugh | 8 | 6 | El Paso Natural Gas Co. (Basin Dakota Field) (San Juan County) (New Mexico) (San Juan Basin Area). | ---------- | 1-18-71 | 2-18-71 | [22] Accepted | ---------- | ---------- | |
| | | 8 | [23 7] | do | 1,136 | 1-25-71 | 2-25-71 | 7-25-71 | [34] 14.0536 | [34] 15.0 | RI60-460. |
| RI71-715 | Warren Petroleum Corp. | 58 | 3 | Natural Gas Pipeline Co. of America (Bough Plant, Lea County) (New Mexico, Permian Basin). | 965,124 | 1-25-71 | 2-25-71 | 7-25-71 | [25] 17.17 | [26 25] 30.09 | |
| RI71-716 | The Superior Oil Co. | 8 | 13 | El Paso Natural Gas Co. (Levelland Plant, Hockley County, Tex., RR. District No. 8-A) (Permian Basin). | 15,115 | 1-25-71 | 2-25-71 | 7-25-71 | 14.2733 | 25.0 | RI70-673. |
| RI71-717 | Cleary Petroleum Corp. et al. | 23 | 3 | Lone Star Gas Co. (W. Velma Field, Stephens County) (Oklahoma other area). | 7,070 | 1-27-71 | 2-27-71 | 7-27-71 | 15.0 | 16.01 | |
| RI71-718 | Anadarko Production Co. | 106 | 4 | Arkansas Louisiana Gas Co. (Gragg Field, Sebastian County, Ark.). | ---------- | 1-22-71 | 2-22-71 | [35] Accepted | ---------- | ---------- | |
| | | | 5 | do | 2,370 | 1-22-71 | 2-22-71 | 7-22-71 | [27] 15.0 | [28] 16.0 | |
| RI71-719 | Midwest Oil Corp. | 51 | 5 | Arkansas Louisiana Gas Co. (Bonanza Field, Sebastian County, Ark.). | 9,078 | 1-25-71 | 2-25-71 | 7-25-71 | 15.0 | 16.015 | |
| RI71-720 | Marathon Oil Co. et al. | 66 | 16 | Arkansas Louisiana Gas Co. (Greenwood Area, Caddo Parish, Northern Louisiana). | 7,864 | 1-22-71 | 2-22-71 | 7-22-71 | [29 30 34] 15.75 | [29 30 34] 16.05 | RI71-488. |
| | | | | | 1,388 | 1-22-71 | 2-22-71 | 7-22-71 | [29 30 34] 15.75 | [29 30 34] 16.05 | RI71-488. |
| RI71-721 | Bruce A. Wilbanks | [32] | [32] | Transwestern Pipeline Co. (Chenot (Wolfcamp) Field) (Pecos County) (Texas) (Permian Basin). | 4,643 | 1-27-71 | 2-27-71 | 7-27-71 | 14.5 | 18.0788 | |

* Unless otherwise stated, the pressure base is 14.65 p.s.i.a.
[1] For gas compressed by seller.
[2] Subject to a 0.21931 cent per Mcf dehydration charge by buyer.
[3] Agreements dated Dec. 17, 1970 and Dec. 31, 1970, provide among other things, for an extension of contract term until Apr. 1, 1981, and for 19 cents for gas from reservoirs discovered prior to Sept. 28, 1960, 21 cents for gas discovered from Sept. 28, 1960 to June 17, 1970, and 25 cents for gas discovered on or after June 17, 1970, or any higher area ceiling price.
[4] For gas produced from reservoirs discovered after Sept. 28, 1960, and prior to June 17, 1970.
[5] For gas discovered prior to Sept. 28, 1960.
[6] Increase resulting from termination of moratorium in Southern Louisiana issued Oct. 27, 1970, in Order No. 413.
[7] Less 1 cent for gas compressed by buyer, the facilities to be maintained and operated by seller.
[8] Less 2 cents for gas not requiring compression or which is compressed by buyer.
[9] Applies only 5600' Sand Reservoir discovered on Jan. 5, 1969.
[10] Applies only to the J-2 Sand Reservoir discovered on July 15, 1963.
[11] The date from Jan. 10, 1971, corresponding to the number of days filed after Nov. 27, 1970.
[12] As corrected.
[13] For gas not requiring compression or compressed by buyer.
[14] For gas presently compressed by buyer if seller takes over operation of buyer's compressor.
[15] For gas requiring compression if seller installs and operates compression facilities.
[16] Subject to a 0.21931 cent dehydration charge by buyer.
[17] For gas discovered from Sept. 28, 1960 to June 17, 1970.
[18] For gas discovered on or after June 17, 1970.
[19] No current production.
[20] Increased rate limited to the rate level prescribed in the Dec. 24, 1970 order issued in Docket No. R-394.

[21] Increase from 13.0481 cents to 19 cents per Mcf.
[22] Agreement dated Jan. 6, 1971, which provides for delivery into low pressure casinghead system (15 pounds) and for new schedule of rates.
[23] Pertains to sales from the Oneda No. 1 well.
[24] 24.25 cents base rate plus 5.84 cents upward B.t.u. adjustment for 1,241 B.t.u. per cubic foot.
[25] Subject to 2.4 cents per Mcf compression charge by buyer if buyer compresses the gas.
[26] Not used.
[27] Subject to a deduction of 0.75 cent for compression paid by seller to buyer.
[28] Subject to a deduction of 3.25 cents for compression paid by seller to buyer.
[29] Includes 1-cent tax reimbursement and 0.5-cent gathering charge paid by buyer.
[30] Buyer deducts 0.75-cent compression charge from rate shown.
[31] Buyer deducts 1.5 cents compression charge from rate shown. (Applicable to Woolf A-1, Oakville A-1 and S. L. Harold 1-6 Wells).
[32] No rate schedule on file.
[33] Pertains to contract dated Jan. 10, 1960.
[34] Pressure base is 15.025 p.s.i.a.
[35] Accepted to become effective on the dates shown in the "Effective Date" column.
[36] Accepted, effective as of the date set forth in the "Effective Date Unless Suspended" column, subject to the conditions prescribed herein.

The agreements filed by Crystal and Continental in addition to providing for the proposed increased rates also provide for future escalations to any higher area ceiling or settlement rate prescribed by the Commission. The provisions relating to the area rate do not conform with § 154.93(b–1) of the Commission's regulations. Consistent with Commission action taken on similar filings not in conformity with § 154.93(b–1), the agreements are accepted for filing upon expiration of statutory notice with the condition that the provisions relating to the area rate will only apply upon the Commission's approval of a just and reasonable rate, or settlement rate, in an applicable area rate proceeding, for gas of comparable quality and vintage.

The Southern Louisiana increases involved here were filed after the November 27, 1970, deadline. In view of the action taken in the procedural order in Docket No. AR69–1 accompanying Order No. 413, we believe it appropriate to suspend and permit an increase filed after November 27, 1970, to become effective subject to refund on the date from January 10, 1971 that corresponds to the number of days that the filing was made after November 27, 1970. This order so provides.

The proposed increases of Anadarko Production Co. and Midwest Oil Corp. are for sales of gas in the Arkoma Area of Arkansas where no formal rate ceilings have been established. The proposed rates exceed the 11-cent increased rate ceiling for the adjacent Oklahoma Other Area which has previously been applied to this area of Arkansas.

Certain respondents request effective dates for which adequate notice was not given. Good cause has not been shown for granting these requests and they are denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61–1, as amended (18 CFR 2.56).

[FR Doc.71–2526 Filed 2–25–71;8:45 am]

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[Docket No. AR61–2, etc.]

## AREA RATE PROCEEDING (SOUTHERN LOUISIANA AREA)

### Order Denying Motion for Reconsideration

FEBRUARY 17, 1971.

On January 22, 1971, Mobil Oil Corp. filed an application for rehearing and reconsideration of the Commission's order of December 24, 1970, reopening the proceeding in Docket No. AR61–2 et al. and consolidating it with the proceeding in Docket No. AR69–9–1).[1] The order also incorporated and made a part of the record in the consolidated proceedings the settlement proposal which was filed in these dockets on November 6, 1970, by the United Distribution Companies Group. Mobil objects to such incorporation and requests the December 24 order be modified so as to incorporate into the record all answers, comments, responses, or other pleadings filed with respect to the settlement proposal, or in the alternative to strike the settlement proposal from the record.

The order of December 24 incorporated the settlement proposal in the record in these consolidated proceedings so that all parties were aware of its filing and could develop the record in such manner as they might deem appropriate. The motion filed by the United Distribution Companies Group was not incorporated in the record nor is there any reason to incorporate the various comments or answers, filed with respect thereto. The motion, answers, and comments will be fully considered when the proceedings are before the Commission for decision.

The Commission orders: The motion of Mobil Oil Corp. for reconsideration of the order of the Commission issued herein on December 24, 1970, as amended, is denied.

By the Commission.

[SEAL] KENNETH F. PLUMB,
*Acting Secretary.*

[FR Doc.71–2612 Filed 2–25–71;8:48 am]

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[Docket No. RI71–702]

## GEORGE MITCHELL & ASSOCIATES, INC.

### Order Providing for Hearings on and Suspension of Proposed Changes in Rates [2]

FEBRUARY 18, 1971.

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 8, 1971.

By the Commission.

[SEAL] KENNETH F. PLUMB,
*Acting Secretray.*

[1] The interlocutory order of Dec. 24 is not subject to an application for rehearing. Pursuant to Mobil's request, its filing will be considered as a motion for reconsideration.

[2] 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 | |
| RI71-702.. | George Mitchell & Associates, Inc. | 38 | 1 | Transwestern Pipeline Co. (Barstow (Fusselman) Field, Ward County, Tex.) (R.R. District No. 8) (Permian Basin). | $49,700 | 1-19-71 | 2-19-71 | 7-19-71 | [1] [2] 22.0 | 26.5 | |

* The pressure base is 14.65 p.s.i.a.
[1] Initial rate authorized by temporary certificate issued Jan. 14, 1971 in Docket No. CI71-268.
[2] Subject to upward and downward B.t.u. adjustment pursuant to Opinion No. 468, as amended.
[3] Subject to upward or downward B.t.u. adjustment as provided by contract.

George Mitchell & Associates, Inc. have submitted a proposed increase to the initial contract rate of 26.5 cents per Mcf for a sale to Transwestern Pipeline Co. in the Permian Basin area of Texas.

The sale was authorized by a temporary certificate issued in Docket No. CI71-268 at an initial rate of 22 cents per Mcf at 14.65 p.s.i.a., subject to B.t.u. adjustment pursuant to Opinion No. 468, as amended. The temporary certificate advised applicant that any increased rate would be subject to the outcome of the rulemaking proceeding in Dockets Nos. R-389 and R-389A and if such increased rate exceeds the rate finally determined in the rulemaking proceeding, the increased rate will be prospectively reduced to the rate determined in such proceeding with refunds not being required below the rate initially authorized by the temporary certificate. Applicant was also advised that such rate will also be subject to prospective modification at the conclusion of the Permian Basin Area Rate Proceeding in Docket No. AR70-1.

[FR Doc.71-2611 Filed 2-25-71;8:48 am]

[Docket No. CP66-179]

## SECRETARY OF THE ARMY AND ATLANTIC SEABOARD CORP.

### Notice of Extension of Time

FEBRUARY 18, 1971.

The Secretary of the Army, Applicant, and Atlantic Seaboard Corp., Respondent.

On February 16, 1971, applicant filed a request for an extension of time to and including February 26, 1971, within which to file briefs on exceptions to the Presiding Examiner's initial decision issued on January 20, 1971, in the above-designated matter. The applicant states that the other parties have no objection to the requested extension.

Upon consideration, notice is hereby given that the time is extended to and including February 26, 1971, within which briefs on exceptions may be filed by all participants.

KENNETH F. PLUMB,
*Acting Secretary.*

[FR Doc.71-2613 Filed 2-25-71;8:48 am]

[Project 67]

## SOUTHERN CALIFORNIA EDISON CO.

### Notice of Extension of Time

FEBRUARY 19, 1971.

On February 3, 1971, Southern California Edison Co. filed a motion for an extension of time to and including March 1, 1971, within which to file answers to the petitions to intervene in the above-designated matter.

Upon consideration, notice is hereby given that the time is extended to and including March 1, 1971, within which to file answers to the petitions to intervene in the above-designated matter.

KENNETH F. PLUMB,
*Acting Secretary.*

[FR Doc.71-2614 Filed 2-25-71;8:48 am]

[Project 120]

## SOUTHERN CALIFORNIA EDISON CO.

### Notice of Extension of Time

FEBRUARY 19, 1971.

On February 3, 1971, Southern California Edison Co. filed a motion for an extension of time to and including March 1, 1971, within which to file answers to the petitions to intervene in the above-designated matter.

Upon consideration, notice is hereby given that the time is extended to and including March 1, 1971, within which to file answers to the petitions to intervene in the above-designated matter.

KENNETH F. PLUMB,
*Acting Secretary.*

[FR Doc.71-2615 Filed 2-25-71;8:48 am]

# GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.; Temporary Reg. F-88]

## SECRETARY OF DEFENSE

### Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the Federal Government in an electric service rate proceeding.

2. *Effective date.* This regulation is effective February 17, 1971.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Federal Power Commission in a proceeding (Docket No. E-7595) involving an application of the New England Power Co. for increased rates.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: February 17, 1971.

ROBERT L. KUNZIG,
*Administrator of General Services.*

[FR Doc.71-2587 Filed 2-25-71;8:46 am]

# OFFICE OF EMERGENCY PREPAREDNESS

## OREGON

### Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744); notice is hereby given that on February 13, 1971, the President declared a major disaster as follows:

I have determined that the damages in those areas of the State of Oregon, adversely affected by storms and flooding, beginning on or about January 14, 1971, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Oregon. Areas eligible for Federal assistance will be determined by the Director of the Office of Emergency Preparedness.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606) I hereby appoint Mr. Creath A. Tooley, Regional Director, OEP Region 8, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of Oregon to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of February 13, 1971:

The Counties of:

Clatsop. Tillamook.

Dated: February 22, 1971.

G. A. LINCOLN,
*Director*
*Office of Emergency Preparedness.*

[FR Doc.71-2600 Filed 2-25-71;8:47 am]

# SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

## AMERICAN ENVIRONMENTAL CONTROL CORP.

### Order Suspending Trading

FEBRUARY 19, 1971.

It appearing to the Securities and Exchange Commission that the summary suspension or trading in common stock of American Environmental Control Corp. (a New York corporation), and all other securities of American Environmental Control Corp. being traded otherwise than on a national securities exchange is required in the public interest 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, 1971, 2 p.m., e.s.t., through February 28, 1971, both dates inclusive.

By the Commission.

ORVAL L. DUBOIS,
*Secretary.*

[FR Doc.71-2604 Filed 2-25-71;8:47 am]

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[File No. 1-3421]

## CONTINENTAL VENDING MACHINE CORP.

### Order Suspending Trading

FEBRUARY 19, 1971.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10-cent par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, 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 20, 1971, through March 1, 1971.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[FR Doc.71-2605 Filed 2-25-71;8:47 am]

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[812-2893]

## EVERYMAN FUND, INC.

### Notice of Application and Order Granting Temporary Relief

FEBRUARY 19, 1971.

Notice is hereby given that Everyman Fund, Inc. (Applicant), 1949 East 105th Street, Cleveland, OH 44106, a management, open-end, diversified investment company registered under the Investment Company Act of 1940 (Act) has filed an application for an order pursuant to section 22(e)(3) of the Act permitting (a) suspension of the right of redemption of its outstanding redeemable securities, and (b) suspension of payment for shares already submitted for redemption for which payment has not been made as of the date and time of the requested order, until either:

(1) 10 days after Applicant gives the Commission notice of intention to resume redemptions and payments therefor, or

(2) The Commission on its own initiative rescinds the order applied for herein.

All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

Applicant states that on December 1, 1970, its directors authorized the liquidation of Applicant subject to shareholder approval. Management of Applicant proposes to solicit proxies to be voted in favor of the liquidation at a special meeting in lieu of annual meeting of shareholders, scheduled for March 2, 1971. Applicant states that the liquidation should be completed within a few months, and before April 30, 1971.

Applicant states that its liquidation will involve certain expenses, including legal and accounting fees, but because these expenses of liquidation have not yet been incurred, they do not yet appear on Applicant's books as a liability. Applicant therefore asserts that any shareholder who redeems his shares would not pay a pro rata portion of the expenses of liquidation, and in effect would receive a preference over the remaining shareholders. While it might be possible to establish a reserve for the expenses of liquidation as a current liability, this would be no more than a rough estimate. Applicant states that as a matter of fairness, it is essential that all shareholders be treated alike in the liquidation, and that any delay in redemption will not be substantial.

Applicant states, in addition, if the Fund is required to continue redemptions, it will result in additional expense to the Fund, and therefore a reduction of the amount to be distributed to shareholders in liquidation. Applicant has not had an investment adviser since April 6, 1969, and its distributor is in liquidation. Thus there are no clerical personnel competent to compute the daily net asset value. Applicant states that if redemptions are required, its independent public accountants will have to do the computations, and this will result in additional accounting charges.

Section 22(e)(3) of the Act provides that the Commission may by order, for the protection of the security holders of the company, permit a registered investment company to suspend the right of redemptions or postpone the date of payment or satisfaction upon redemption of any redeemable security in accordance with its terms for more than 7 days after the tender of such security to the company or its agent designed for that purpose.

This matter having been considered, it is hereby found, on the basis of the information stated in the application, that an emergency exists as a result of which it is not reasonably practicable for Applicant to determine the value of its net assets. Furthermore, it is necessary for the protection of security holders of Applicant that there be issued concurrent with the notice of the Applicant a temporary order permitting the suspension of the right of redemption and postponement of payment until a further order.

*Accordingly, it is ordered,* Pursuant to section 22(e)(3) of the Act, that Applicant be and is hereby permitted (1) to suspend the right of redemption of its outstanding redeemable securities, effective immediately, and (2) to suspend payment for shares already submitted for redemption and on which payment has not been made prior to this time, both suspensions to continue pending further order of the Commission.

Notice is further given that any interested person may not later than March 12, 1971, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the application as described above, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should 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 point of mailing) upon the 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 O-5 of the rules and regulations promulgated under the Act, an order disposing of the 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) any postponements thereof.

For the Commission, by the Division of Corporate Regulations, pursuant to delegated authority.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[FR Doc.71-2606 Filed 2-25-71;8:47 am]

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[File No. 24 SF-3599]

## KINGS RIVER MINERAL CO.

### Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

FEBRUARY 19, 1971.

I. Kings River Mineral Co. (issuer), 243 East Fourth South Street, Salt Lake City, UT, a Utah corporation, filed with

the Commission on May 6, 1970, a notification on Form 1–A and an offering circular pursuant to Regulation A relating to a proposed offering of 7 million shares of common stock, par value $0.005 per share, at $0.03 per share for an aggregate of $210,000. Bonneville Securities, Inc., of Salt Lake City, Utah, was designated as underwriter of the offering and was to receive 15 percent of the offering price as commission. The offering commenced on May 25, 1970. A Form 2–A, dated October 16, 1970, was filed with the Commission which stated that the offering had been completed. The issuer's offering circular states in part that the issuer intends to explore certain leased unpatented mining claims which were assigned to it by the issuer's president in exchange for 1,950,000 shares of the issuer's stock.

II. The Commission has reasonable cause to believe from information reported it by the staff that:

A. The offering circular contains untrue statements of material facts and omits to state material facts necessary to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to:

1. The failure to disclose that the issuer had entered into arrangements to allocate a substantial portion of the proceeds of the offering other than as stated in the offering circular.

2. The failure to disclose that a substantial portion of the proceeds of the offering would be paid to undisclosed affiliates of the issuer as a result of a nonarm's length transaction wherein the issuer purported to acquire certain interests in unpatented mining properties.

3. The failure to disclose the identifiable cash cost basis to the above referred-to undisclosed affiliates for the interests transferred to the issuer.

4. The failure to disclose that an affiliate and control person of the issuer was the subject of injunction proceedings instituted by the Commission during the pendency of the offering and had been enjoined by a U.S. District Court prior to such time as the issuer's offering was in fact completed.

5. The failure to disclose that insiders of the issuer purchased in excess of 2 million shares of the offering in order to facilitate the offering and create a false impression that there was genuine public interest in the securities offered.

6. The failure to disclose that the market in shares of the issuer was created by insiders through the use of false or misleading press releases, newspaper advertisements, stockholder reports and other similar materials, to give insiders and others an opportunity to make substantial profits at the expense of a public unaware of the actual method of distribution.

7. The failure to disclose that 2,150,000 shares of the issuer's stock deposited pursuant to the stock escrow agreement, described on page 9 of the offering circular, had in fact been assigned to another party in breach of the provisions of that agreement.

B. The terms and conditions of Regulation A were not complied with in that:

1. The offering circular failed to disclose adequately and accurately the manner in which proceeds of the offering were to be applied as required by Item 6 of Schedule I.

2. The offering circular failed to reflect accurately the names and addresses of each officer, director, promoter and controlling person of the issuer as required by Item 9 of Schedule I.

3. The offering circular failed to describe all material transactions within the past 2 years and all material proposed transactions between the issuer and its officers, directors, promoters, controlling persons, affiliates, or predecessors as required by Item 9 of Schedule I.

4. Form 1–A failed to name accurately each officer, director, promoter, controlling person, affiliate, and predecessor of the issuer.

5. Form 1–A failed to disclose the existence of an injunctive order as specified in Rule 252(d) entered against any of the persons as specified in subparagraph (2) thereunder.

6. Form 1–A failed to disclose adequately and accurately all unregistered securities issued by the issuer or any of its predecessors or affiliated issuers within 1 year prior to the filing of the notification.

7. Terms of the stock escrow agreement pursuant to Rule 253(c), filed as an exhibit to Form 1–A, was modified in violation of specific provisions contained therein.

8. By reason of certain activities described in the above paragraphs the aggregate amount of securities offered to the public exceeded the $300,000 ceiling limitation as prescribed by Rule 254 of Regulation A.

9. Form 2–A filed on behalf of the issuer failed to respond accurately and adequately to the items of information as required by that form.

C. The offering was made in violation of section 17(a) of the Securities Act of 1933, as amended, by reason of the activities described above.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of this issuer under Regulation A be temporarily suspended:

*It is ordered,* Pursuant to Rule 261(a), subparagraphs (1) and (2) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

*It is further ordered,* Pursuant to Rule 7 of the Commission's rules of practice that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having any interest in the matter may file wtih the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that, if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[FR Doc.71–2607 Filed 2–25–71;8:47 am]

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[Files Nos. 2–32363 (22–5555)]

## LANCASTER COLONY CORP.

### Notice of Application and Opportunity for Hearing

FEBRUARY 19, 1971.

Notice is hereby given that Lancaster Colony Corp. (Lancaster) has filed an application under clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939 (the Act) for a finding by the Commission that the trusteeship of The Citizens and Southern National Bank, Atlanta, Ga. (the "Bank") under an indenture dated April 1, 1969 (the "1969 Indenture") which was heretofore qualified under the Act, and the trusteeship of the Bank under an indenture to be dated as of January 1, 1971 (the "1971 Indenture") which will not be qualified under the Act, is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Bank from acting as trustee under the 1969 Indenture and under the 1971 Indenture.

Section 310(b) of the Act, provides, in part, that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interest (as defined in the section), it shall within 90 days after ascertaining that it has such conflicting interest either eliminate such conflicting interest or resign. Subsection (1) of this section provides, with certain exceptions, that a trustee is deemed to have a conflicting interest if it is acting as trustee under a qualified indenture and becomes trustee under another indenture of the same obligor. However, pursuant to clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture or indentures under which other securities of such obligor are outstanding, if the issuer shall have sustained the burden of proving on application to the Commission, and after opportunity for hearing thereon, that trusteeship under a qualified indenture and another indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such

trustee from acting as trustee under any of such indentures.

Lancaster alleges that:

1. The Tift County (Georgia) Development Authority (Tift) issued $2,300,000 principal amount of Revenue Bonds, Series 1969 under a trust indenture, dated as of April 1, 1969 (the 1969 Indenture) between Tift and the Bank. The 1969 Indenture was qualified under the Act.

2. In connection with the 1969 Indenture, Lancaster entered into a lease agreement with Tift which provided that Tift would construct a manufacturing plant on land owned by Tift. In order to pay for the construction, Tift issued $2,300,000 principal amount of the Tift Revenue Bonds.

3. Lancaster intends to enter into a lease agreement with the Putnam County (Georgia) Development Authority (Putnam) similar to the Tift Lease. Putnam will issue $900,000 aggregate principal amount of its Revenue Bonds pursuant to a trust indenture (the 1971 Indenture) between Putnam and the Bank. The 1971 Indenture will not be qualified under the Act. The Bank intends to purchase 50 percent of the Putnam Revenue Bonds.

4. The lease agreement between Lancaster and Putnam provides that Putnam will cause a manufacturing plant to be constructed on certain real estate owned by Putnam. Putnam will issue the revenue bonds to pay for the cost of constructing the manufacturing plant and to pay for the land.

5. Tift and Putnam, the issuers of the Tift and Putnam Revenue Bonds, respectively, are obligated on the bonds, but only to the extent of revenues produced by the respective projects.

6. Tift has assigned to the Bank, as trustee, all receipts and revenues to which it would be entitled under the Tift Lease. Further, Tift has assigned to the Bank, as trustee, its rights against Lancaster under the Tift Lease. Putnam has assigned to the Bank, as trustee, the receipts and revenues from the Putnam Lease and has assigned to the Bank, as trustee, its rights against Lancaster under the Putnam Lease.

7. Both the Tift and Putnam Revenue Bonds represent general obligations of Lancaster and are payable out of its assets. This is a result of Lancaster's obligations under the Tift and Putnam Leases, respectively.

8. Bondholders under the 1969 Indenture and under the 1971 Indenture are of equal rank with respect to the assets of Lancaster. This results from the lack of any seniority or subordination provisions in either the Tift or Putnam Leases. Bondholders under one of the indentures have no rights with respect to income or revenues from the project covered under the other indenture. Such income and revenues are specifically pledged by the development authority involved, whether it be Tift or Putnam, to the Bank, as trustee, to be used solely in satisfaction of the rights of the bondholders under such indenture.

9. Should the Bank, as trustee, have occasion to proceed against the security under one of the indentures, such action will not affect the security or use thereof by the Bank, as trustee, under the other indenture.

10. The Bank serving as trustee under both the 1969 Indenture and the 1971 Indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Bank from acting as Trustee under one of these two indentures.

Lancaster waives notice of hearing and waives hearing and waives any and all rights to specify procedures under the rules and practices of the Securities and Exchange Commission with respect to the application.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application, which is a public document on file in the offices of the Commission at 500 North Capitol Street, Washington, DC 20549.

Notice is further given that any interested person may not later than March 15, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of law or fact raised by such application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

[SEAL] ORVAL L. DUBOIS,
*Secretary.*

[FR Doc.71-2608 Filed 2-25-71;8:47 am]

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[70-4982]

## LOUISIANA POWER & LIGHT CO.

### Notice of Proposed Issue and Sale of Bonds at Competitive Bidding and Increase in Authorized Shares of Preferred Stock and Issue and Sale Thereof at Competitive Bidding

FEBRUARY 19, 1971.

Notice is hereby given that Louisiana Power & Light Co. (Louisiana), 142 Delaronde Street, New Orleans, LA 70114, a registered holding company and an electric utility subsidiary company of Middle South Utilities, Inc., also a registered holding company, has filed a declaration, pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6(a) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Louisiana proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $25 million principal amount of first mortgage bonds, ------ percent series due 2001. The interest rate of the bonds (which will be a multiple of one-eighth of 1 percent and the price, exclusive of accrued interest, to be paid to Louisiana (which will be not less than 100 percent nor more than 102¾ percent of the principal amount thereof) will be determined by competitive bidding. The bonds will be issued under Louisiana's Mortgage and Deed of Trust dated as of April 1, 1944, to The Chase Manhattan Bank (National Association), successor to The Chase National Bank of the City of New York and Charles F. Ruge, successor to Carl E. Buckley, as trustees, as heretofore supplemented by various indentures and as to be further supplemented by a 15th Supplemental Indenture to be dated April 1, 1971, and which contains a prohibition until April 1, 1976, against refunding the issue with the proceeds of funds borrowed at a lower effective interest cost.

Louisiana also proposes to amend its Certificate of Incorporation so as to authorize 100,000 shares of a new series of cumulative preferred stock, $100 par value, and to issue and sell such shares subject to the competitive bidding requirements of Rule 50 under the Act. The dividend rate of the preferred stock (which will be a multiple of one twenty-fifth of 1 percent) and the price to be paid to Louisiana (which will be not less than $100 nor more than $102.75 per share) will be determined by competitive bidding. The terms of the preferred stock will include a prohibition until April 1, 1976, against refunding the stock, directly or indirectly, with the proceeds of funds derived from the issuance of debt securities at a lower effective interest cost or from the issuance of other stock, which ranks prior to or on a parity with the preferred stock as to dividends or assets, at a lower effective dividend cost.

Louisiana will apply the net proceeds derived from the issue and sale of the bonds and preferred stock to the payment of short-term borrowings made for the purpose of temporarily financing its 1971 construction program and other corporate purposes, and expected not to exceed $25 million at the time of the issue and sale of the bonds and the preferred stock. The balance of the proceeds will be applied to the 1971 construction program, estimated to be $88,614,000, and other corporate purposes.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. Fees and expenses to be incurred by Louisiana in connection with the bonds are estimated at $77,000, including legal fees of $25,000 and auditor's fees of $4,750. Fees and expenses in connection with the preferred stock are estimated at $33,000, including legal fees of $17,000 and auditor's

fees of $1,750. The fees of counsel for the underwriters are estimated at $8,500 in connection with the bonds and at $6,000 in connection with the preferred stock and are to be paid by the successful bidders.

Notice is further given that any interested person may, not later than March 17, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further development in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[FR Doc.71-2609 Filed 2-25-71;8:48 am]

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[70-4973]

## SOUTHERN CO.

### Notice of Proposed Amendment of Certificate of Incorporation and Solicitation of Proxies in Connection Therewith

FEBRUARY 19, 1971.

Notice is hereby given that The Southern Co. (Southern), 3390 Peachtree Road NE., Atlanta, GA 30326, a registered holding company has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6(a), 7, and 12(e) of the Act and Rule 62 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Southern proposes to amend its Certificate of Incorporation so as to permit it to increase the authorized shares of common stock, par value $5 per share from 60 million to 80 million. Southern presently has 55,449,500 shares outstanding. The proposed amendment requires the favorable vote of a majority of the outstanding shares of the common stock of Southern. Southern proposes to submit the proposed amendment to stockholders at its 1971 annual meeting to be held on May 26, 1971. In connection with the proposed amendment, Southern proposes to solicit proxies and such solicitation may be made by telephone, telegraph, or mail or personally by company employees.

The declaration states that during 1969 and 1970 Southern was required to issue and sell 6,800,000 shares of common stock in order to provide part of the additional capital needed by its subsidiary companies to finance their construction programs. Southern expects that the frequency and amounts of the requirements of such subsidiary companies for receipts of common stock capital from Southern will increase in the years to come and it is presently contemplated that either in late 1971 or early 1972 Southern will be required to sell additional shares of its common stock approaching, if not exceeding, the number of its authorized but unissued shares.

The fees and expenses to be incurred by Southern in connection with the proposed amendment of its Certificate of Incorporation will be supplied by amendment. It is stated that no State commission and no Federal Commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 4, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[FR Doc.71-2610 Filed 2-25-71;8:48 am]

# SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 805]

## LOUISIANA

### Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of February 1971, because of the effects of certain disasters, damage resulted to residences and business property located in Calcasieu Parish and adjacent areas, Louisiana;

Whereas, the Small Business Administration has investigated and has 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 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 Parish and adjacent areas suffered damage or destruction resulting from tornado occurring on February 12, 1971.

OFFICE

Small Business Administration District Office, 124 Camp Street, New Orleans, LA 70103.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to August 31, 1971.

Dated: February 18, 1971.

THOMAS S. KLEPPE, *Administrator.*

[FR Doc.71-2601 Filed 2-25-71;8:47 am]

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## URBAN FUND, INC.

### Notice of Application for License as Minority Enterprise Small Business Investment Company

Notice is hereby given concerning the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the regulations governing small business investment companies (33 F.R. 326, 13 CFR Part 107) under the name of The Urban Fund, Inc., 1525 East 53d Street, Chicago, IL 60615, for a license to operate in the State of Illinois as a minority enterprise small business investment company (MESBIC)

under the provisions of the Small Business Investment Act of 1958 (13 U.S.C. 661 et seq.) (Act), License No. 07/07-5080.

The proposed officers and directors are as follows:

| | | |
|---|---|---|
| Milton Davis | Chairman of the Board and Director. | 1525 East 53d St., Chicago, IL 60615. |
| John S. Wineman, Jr. | President, Treasurer, and Director. | 513 Central Ave., Highland Park, IL 60035. |
| Ronald Grzywinski. | Vice President and Director. | 1525 East 53d St., Chicago, IL 60615. |
| James Fletcher | Vice President, Assistant Secretary, and Director. | Do. |
| Mary Houghton. | Secretary | Do. |
| Robert McKersie. | Director | 5554 South Kenwood Ave., Chicago, IL 60637. |
| John G. Friend | do | 300 North State St., Chicago, IL 60610. |
| Harrison I. Steans. | do | 801 Skokie Blvd., North Brook, IL 60062. |

Of the above only Mr. John S. Wineman, Jr., will be salaried, and none of them will own, directly, any capital stock or other securities of the Applicant.

The First National Bank of Highland Park, 513 Central Avenue, Highland Park, IL 60035, and the Hyde Park Bank & Trust Co., 1525 East 53d Street, Chicago, IL 60635, will each own forty percent of the company's capital stock and the Marina City Bank, 300 North State Street, Chicago, IL 60610, the balance. The company proposes to commence operations with a capitalization of $325,000. As a MESBIC, the company proposes to be licensed solely for the purpose of providing assistance which will contribute to a well-balanced national economy by facilitating the acquisition or maintenance of ownership of small business concerns by individuals whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the application include the general business reputation and character of the management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the Act and Regulations.

Notice is further given that any interested person may not later than 10 days from the date of publication of this notice, submit to SBA in writing, relevant comments on the proposed company. Any communication should be addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, DC 20416. A copy of this notice shall be published in a newspaper of general circulation in Chicago, Ill.

A. H. SINGER,
*Associate Administrator for Investment.*

FEBRUARY 22, 1971.

[FR Doc.71-2602 Filed 2-25-71;8:47 am]

# INTERSTATE COMMERCE COMMISSION

[Section 5a Application 97, Amdt. 1]

## ASSOCIATION OF AMERICAN RAILROADS

### Per Diem and Mileage Rates of Compensation for Use of Trailers and Containers; Petition for Approval of Amendments to Agreement

FEBRUARY 18, 1971.

The Commission is in receipt of a petition in the above-entitled proceeding for approval of amendments to the agreement therein approved.

Filed February 5, 1971, by: Mr. Gregory S. Prince, Attorney-in-fact, American Railroads Building, 1920 L Street NW., Washington, DC 20036.

The amendments involve: Changes in the agreement so as to (1) reduce the membership of the General Committee from 20 to 17 members; (2) redesignate the trailer and container equipment register as "The Official Intermodal Equipment Register"; and (3) provide for the individual, Stephen Ailes, as president of the association and attorney-in-fact for the subscribed member carriers.

The petition is docketed and may be inspected at the Office of the Commission in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing within 20 days from the date of publication of this notice in the FEDERAL REGISTER. As provided by the general rules of practice of the Commission, persons other than applicants should fully disclose their interests, and the position they intend to take with respect to the application. Otherwise, the Commission, in its discretion may proceed to investigate and determine the matters without public hearing.

[SEAL] ROBERT L. OSWALD,
*Secretary.*

[FR Doc.71-2651 Filed 2-25-71;8:51 am]

[Rev. S.O. 994; ICC Order 52, Amdt. 1]

## CHESAPEAKE AND OHIO RAILWAY CO.

### Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 52 (The Chesapeake and Ohio Railway Co.) and good cause appearing therefor:

*It is ordered,* That:

ICC Order No. 52 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., March 31, 1971, unless otherwise modified, changed, or suspended.

*It is further ordered,* That this amendment shall become effective at 11:59 p.m., February 28, 1971, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 24, 1971.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
*Agent.*

[FR Doc.71-2652 Filed 2-25-71;8:51 am]

[Notice 252]

## MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 23, 1971.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 30319 (Sub-No. 139 TA) (Republication), filed September 29, 1970, published FEDERAL REGISTER, issue of October 9, 1970, and republished this issue. Applicant: SOUTHERN PACIFIC TRANSPORT COMPANY OF TEXAS AND LOUISIANA, 7600 South Central Expressway, 733 South Poydras Street (75202), Post Office Box 6187 (75222), Dallas, Tex. 75216. Applicant's representative: D. Humphrey (same address as above). NOTE: The purpose of this republication is to show that applicant proposes to tack this authority to it's presently-held authority, and to interline with other carriers. The rest of the notice remains as previously published.

No. MC 102616 (Sub-No. 858 TA), filed February 18, 1971. Applicant: COASTAL

TANK LINES, INC., 215 East Waterloo Road, Post Office Box 7211, Akron, OH 44319. Applicant's representative: James Annand (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizer solutions*, in bulk, in tank vehicles, from Lewes, Del., to points in Pennsylvania, Maryland, New Jersey, and that part of Virginia on and east of Chesapeake Bay, for 180 days. Supporting shipper: W. R. Grace & Co., Post Office Box 277, 100 North Main Street, Memphis, TN 38101. Send protests to: District Supervisor, G. J. Baccei, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 111812 (Sub-No. 417 TA), filed February 16, 1971. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Wilson Terminal Building, Sioux Falls, SD 57101. Applicant's representative: R. H. Jinks (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Adhesive cement* (except in bulk), from Freeport and Brooklyn N.Y., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Columbia Cement Co., Inc., 159 Hanse Avenue, Freeport, NY 11520. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, SD 57501.

No. MC 113678 (Sub-No. 414 TA), filed February 17, 1971. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, CO 80216. Applicant's representative: David Metzler (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Blood plasma*, from Omaha, Nebr., to Berkeley, Calif., for 180 days. Supporting shipper: Cutter Laboratories, Inc., Fourth and Parker Streets, Berkeley, CA 94710. Send protests to: District Supervisor, Herbert C. Ruoff, Interstate Commerce Commission, 2022 Federal Building, Denver, CO 80202.

No. MC 114632 (Sub-No. 37 TA), filed February 16, 1971. Applicant: APPLE LINES, INC., Post Office Box 507, 225 South Van Esp Avenue, Madison, SD 57042. Applicant's representative: Robert A. Appelwick (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and packinghouse products*, as set forth in sections A and C, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Sioux Falls, S. Dak., and Hartley and Spencer, Iowa, to points in Illinois, for 180 days. Supporting shipper: Spencer Foods, Inc., Spencer, Iowa, John F. Hummel, Corporate Traffic Director. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Building, Pierre, SD 57501.

No. MC 114761 (Sub-No. 6 TA), filed February 16, 1971. Applicant: GETTER TRUCKING, INCORPORATED, Post Office Box 368, Cut Bank, MT 59427. Applicant's representative: T. M. Roholt (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Houses*, from 11 miles west of Miles City, Mont., to Gillette, Wyo., for 180 days. Supporting shipper: Campbell County School District, 103 West Third Street, Gillette, WY 82716. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251, U.S. Post Office Building, Billings, MT 59101.

No. MC 116073 (Sub-No. 156 TA), filed February 16, 1971. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., Post Office Box 919, 1825 Main Avenue, Moorhead, MN 56560. Applicant's representative: Robert G. Tessar (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from the plantsite and warehouse facilities of Champion Home Builders Co. in Tulare County, Calif., to points in Washington, Oregon, Idaho, Utah, Nevada, and Arizona, for 180 days. Supporting shipper: Champion Home Builders Co., Post Office Box 429, Lindsay, CA 93247. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 2340, Fargo, ND 58102.

No. MC 120249 (Sub-No. 7 TA), filed February 16, 1971. Applicant: GEORGE A. HORTON, doing business as ASHLAND-HARLO FREIGHT LINES, 1032 Delphinium Drive, Billings, MT 59102. Applicant's representative: Jerome Anderson, 300 First National Bank Building, Billings, MT 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities injurious or contaminating to other lading, commodities in bulk, and commodities which because of their size and weight require special equipment, between White Sulphur Springs, Mont., and Helena, Mont., over U.S. Highways 12 and 287, serving the intermediate and off-route points of Townsend and East Helena, Mont., with authority to tack to its presently held authority at White Sulphur Springs, for 180 days. Supporting shippers: Vollstedt Kerr Co., Post Office Box J, White Sulphur Springs, MT 59645; Public Drug Co., White Sulphur Springs, Mont. 59645; Edwards Lumber Co., White Sulphur Springs, Mont. 59645; Berg Garage, Inc., White Sulphur Springs, Mont. 59645. Send protests to: Paul J. Lebane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251, U.S. Post Office Building, Billings, MT 59101.

No. MC 127042 (Sub-No. 74 TA), filed February 16, 1971. Applicant: HAGEN, INC., 4120 Floyd Boulevard, Post Office Box 6, Leeds Station, Sioux City, IA 51108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, and commodities* defined in Section 203(b)(6) of the Act, as amended, when shipped in mixed loads with dairy products, from Rice Lake, Wis., to points in Tennessee, North Carolina, Georgia, Florida, Louisiana, Colorado, and Texas, for 150 days. Supporting shipper: Rice Lake Creamery Co., 21 East Messenger Street, Rice Lake, WI 54868. Send protests to: Carroll Russell, District Supervisor, 304 Post Office Building, Bureau of Operations, Sioux City, IA 51101.

No. MC 127099 (Sub-No. 11 TA), filed February 16, 1971. Applicant: ROBERT NEFF & SONS, INC., 132 Shawnee Avenue, Zanesville, OH 43215. Applicant's representative: Edwin H. van Deusen, 50 West Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated cardboard*, from the plantsite of Greif Bros. Corp. at Zanesville, Ohio, to Baltimore and Cambridge, Md.; Edison, N.J.; Long Island City, Maspeth, and Eaton, N.Y.; Danbury, Conn.; Hanover, Pa.; and Mellis, Mass.; for 150 days. Supporting shipper: Greif Bros. Corp., Bettis Division, Zanesville, Ohio 43701. Send protests to: A. M. Culver, District Supervisor, Interstate Commerce Commission, 255 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, OH 43215.

No. MC 127410 (Sub-No. 3 TA), filed February 16, 1971. Applicant: FRANK MISHAK, 9 South 10th Street, Clear Lake, IA 50428. Applicant's representative: Clayton L. Wornson, 824 Brick and Tile Building, Mason City, IA 50401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prestressed concrete bridge girders*, from Clear Lake Iowa, to the point of the Illinois terminus of the Muscatine, Iowa, Mississippi River Bridge (Rock Island County, Ill.), under a continuing contract with A & M Prestress, Inc., Clear Lake, Iowa, for 120 days. Supporting shipper: A & M Prestress, Inc., One-half mile east on Highway 18, Clear Lake, Iowa 50428. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, IA 50309.

No. MC 133240 (Sub-No. 14 TA), filed February 17, 1971. Applicant: WEST END TRUCKING CO., INC., 520 Duncan Avenue, Jersey City, NJ 07306. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in or used by

discount houses, or department stores, for the account of Unishops, Inc., between Jersey City, N.J., on the one hand, and, on the other, Milwaukee, Wis.; Wichita, Kans.; Gardena, Corona, Covina, Sacramento, San Francisco, San Diego, and Long Beach, Calif.; Pueblo, Colo.; Norfolk, Virginia Beach, Newport News, and Hampton, Va.; Baltimore, Md.; Minneapolis and Duluth, Minn.; Ashtabula and Cleveland, Ohio; Memphis, Tenn.; Santa Fe, N. Mex.; Omaha, Nebr.; Anderson and South Bend, Ind.; and Chicago, Ill., for 150 days. Supporting shipper: Unishops, Inc., 21 Gaven Point Avenue, Jersey 07305. Send protests to: District Supervisor, Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 134323 (Sub-No. 13 TA), filed February 18, 1971. Applicant: JAY LINES, INC., 6210 River Road, Post Office Box 1644, Amarillo, TX 79109. Applicant's representative: Jay Trammell (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, from Rock Port, Mo., to points in Pennsylvania, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Maryland, and District of Columbia, for 180 days. Supporting shipper: Norman L. Cummins, Director of Physical Distribution and Transportation, Missouri Beef Packers, Inc., 630 Amarillo Building, Amarillo, TX 79101. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1012 Herring Plaza, 317 East Third Street, Amarillo, TX 79101.

No. MC 134477 (Sub-No. 10 TA), filed February 12, 1970. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Medota Road, West St. Paul, MN 55118. Applicant's representative: Paul Schanno (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report and *Description in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk) from the plantsite and/or storage facilities utilized by Armour at or near Worthington, Minn., and Huron, S. Dak., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Armour and Co., 111 East Wacker Drive, Chicago, IL. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 135065 (Sub-No. 2 TA), filed February 16, 1971. Applicant: EARL G. DUBOSE TRUCKING CO., Route 1, Box 257, Denham Springs, LA 70726. Applicant's representative: Cordell H. Hayman, Suite 301, Baton Rouge Saving & Loan Building, 101 St. Ferdinand Street, Baton Rouge, LA 70801. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Refined sugar* in packages, from Godchaux-Henderson Sugar Co., Reserve, La. and Colonial Sugars Co., Gramercy, La., to points in Alabama, Arkansas, District of Columbia, Florida, Georgia, Illinois, Idaho, Iowa, Kansas, Kentucky, Maryland, Michigan, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. Return shipments limited to *rejected sugar shipments* in whole or part and *materials and supplies necessary for the processing and packaging of refined sugar*, for 180 days. Supporting shippers: Colonial Sugars Co., Gramercy, La. 70052, Mr. Oliver G. Stine, Assistant Traffic Manager, Godchaux-Henderson Sugar Co., Inc., Post Office Drawer 1667, Mobile, Ala. 36601, Mr. Ernest O. Thublin, Traffic Manager. Send protests to: Paul D. Collins, District Supervisor, Interstate Commerce Commission, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, LA 70113.

No. MC 135233 (Sub-No. 1 TA), filed February 18, 1971. Applicant: JOYCE H. MORTON AND ROYCE C. MORTON, a partnership, doing business as MORTON BROTHERS, Rural Route 1, Box 2000, Las Cruces, NM 88001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products, cinder, stone, grain, landscaping materials*, between points in Dona Ana County, N. Mex., on the one hand, and, on the other, points in Chavez, Otero, Lincoln, Sierra, Luna, Dona Ana, Grant, Catron, Hidalgo, Lee, Curry, Roosevelt and Eddy Counties, N. Mex., El Paso, Culberson, Hudspeth, Andrews, Gaines, Yoakum, Terry, Cochran, Hockley, Bailey, Lamb, Parmer, and Castro Counties, Tex., and Apache, Greenlee, Cochise, Pinal, Pima, Maricopa, and Yavapai Counties, Ariz., for 180 days. Supporting shippers: Builders Block and Supply Co., Inc., Post Office Drawer FF, Las Cruces, NM 88001, Paso del Norte Brick Co., 4560 Ripley Drive, El Paso, TX 79922, Western Concrete Works, Post Office Box 17961, El Paso, TX 79917, El Paso Brick Co., Post Office Box 12336, El Paso, TX 79912, Woodward Lumber Co., Post Office Box 391, Las Cruces, NM 88001, Atlans Lumber Co., Post Office Box 727, Las Cruces, NM 88001. Send protests to: Wm. R. Murdoch, District Supervisor, Interstate Commerce Commission, 10515 Federal Bldg. and U.S. Courthouse, 500 Gold Avenue SW., Albuquerque, NM 88101.

No. MC 135319 TA, filed February 18, 1971. Applicant: WILBER L. GILBERT, MAX GILBERT, LOREN GILBERT, AND RICHARD HANNAH, a partnership, doing business as GILBERT BROS., Mansfield, Ill. 61854. Applicant's representative: Robert T. Lawley, Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand and gravel*, from points in Warren and Fountain Counties, Ind., to points in De Witt and Piatt Counties, Ill., for 180 days. Supporting shipper: Interstate Sand and Gravel Co., Inc., Covington, Ind. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, IL 62704.

No. MC 135320 TA, filed February 18, 1971. Applicant: OKLAHOMA ARMORED CAR, INC., 1005 Southwest Second Street, Oklahoma City, OK 73125. Applicant's representative: John M. Delaney, 2 Nevada Drive, Lake Success, NY 11040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records and audit and accounting media* of all kinds; (a) between Dallas, Tex., on the one hand, and, on the other, points in Oklahoma; and (b) between Dallas, Tex., on the one hand, and, on the other, points in Oklahoma, restricted to traffic having an immediately prior or subsequent movement by air. (2) *Exposed and processed film and prints, complimentary replacement film*, incidental dealer handling supplies and advertising material moving therewith (except motion picture film used primarily for commercial theater and television exhibition); (a) between Dallas and San Antonio, Tex., on the one hand, and, on the other, points in Oklahoma, restricted to traffic having an immediately prior or subsequent movement by air. (3) *Radiopharmaceauticals, radioactive drugs, and medical isotopes;* (a) between Dallas and Houston, Tex., on the one hand, and, on the other, points in Oklahoma; and (b) between Dallas and Houston, Tex., on the one hand, and, on the other, points in Oklahoma, restricted to traffic having an immediately prior or subsequent movement by air, for 180 days. Supporting shippers: Zale Corp. (Bert Bernstein, President), 3000 Diamond Park, Box 2219, Dallas, TX 75221; Medical Information, Inc., Don Kolker, 6011 Harry Hines Boulevard, Dallas, TX; Perfect Photo, J. D. Dorough, General Manager, 425 Live Oak Street, San Antonio, TX 78206; Clear Photo, David K. Floyd, 220 Howell, Dallas, TX 75207; Hastings Radiochemical Works, Inc., John E. Pedigo, Suite 100, Locke Medical Building, 6011 Harry Hines Boulevard, Dallas, TX 75235. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

No. MC 135230 (Sub-No. 1 TA), filed February 18, 1971. Applicant: ARVEL HULL, 1820 Wheeler, Fort Smith, AR 72901. Applicant's representative: Don A. Smith, Kelley Building, Post Office

Box 43, Fort Smith, AR 72901. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Green animal hides*, from Fort Smith, Ark., to Springfield, Mo., from Fort Smith over U.S. Highway 71 to Rogers; thence over U.S. Highway 62 to Gateway; thence over Missouri Highway 37 to Monette; thence over U.S. Highway 60 to Springfield, serving no intermediate points, for 180 days. Supporting shipper: E. W. Biggs & Co., 405 Washington, Springfield, MO 65806. Send protests to: District Supervisor, William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, AR 72201.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-2654 Filed 2-25-71;8:52 am]

[Notice 652]

## MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 23, 1971.

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-72562. By order of February 12, 1971, the Motor Carrier Board approved the transfer to Eureka Cartage Company, Inc., Cicero, Ill., of the operating rights in permit No. MC-64819 issued May 22, 1967 to C. D. Gammon Co., a corporation, Chicago, Ill., authorizing the transportation of iron, steel, copper, and brass articles, structural steel, paints, and machinery from De Kalb, Joliet, and Waukegan, Ill., and points in the Chicago, Ill., commercial zone to Chicago, Ill., and points in Illinois, Indiana, and Wisconsin within 150 miles of Chicago. Charles W. Singer, 33 North Dearborn Street, Chicago, IL 60602, attorney for transferee. Arnold L. Burke, 69 West Washington Street, Chicago, IL 60602, attorney for transferor.

No. MC-FC-72625. By order of February 4, 1971, the Motor Carrier Board approved the transfer to H. A. Pierce and R. E. Schuster, a partnership, doing business as Pierce-Schuster Truck Line, Freeborn, Minn., of the operating rights in certificate No. MC-125847 (Sub-No. 2) issued May 22, 1970, to Schultz, Inc., Minneapolis, Minn., authorizing the transportation of feed and feed ingredients, with certain exceptions, from Minneapolis, Minn., to points in Minnesota, South Dakota, Wyoming, Wisconsin, and a portion of North Dakota; from Mankato, Minn., to points in Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wyoming, Wisconsin, and the Upper Peninsula of Michigan; and soybean meal from Savage, Minn., to points in North Dakota, South Dakota, and Wisconsin and from Mankato, Minn., to points in Iowa, Montana, North Dakota, South Dakota, and Wisconsin; and prestressed concrete beams and joists from Wells, Minn., to points in Iowa, North Dakota, South Dakota, and Wisconsin. Clay R. Moore, 1000 First National Bank Building, Minneapolis, MN 55402, attorney for applicants.

No. MC-FC-72632. By order of February 5, 1971, the Motor Carrier Board approved the transfer to Staple Trucking Service, Inc., Lynbrook, Long Island, N.Y., of the permit in No. MC-134057 issued May 19, 1970, to Leonard Frisina, doing business as E & F Trucking Co., Lynbrook, Long Island, N.Y., authorizing the transportation of piece goods from the plantsites of Edmos Products Corp., at Plainview and Glen Cove, N.Y., to points in that part of the New York, N.Y., commercial zone, as defined in Commercial Zones and Terminal Areas, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of section 203(b)(8) of the Act, and to points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J. Dual operations were approved. Edward M. Alfano and John L. Alfano, 2 West 45th Street, New York, NY 10036, attorneys for applicants.

No. MC-FC-72604. By order of February 5, 1971, the Motor Carrier Board approved the transfer to Gillis-Hood Moving & Storage, Inc., 1310 South Brazos Street, San Antonio, TX 78207, of the operating rights in certificate No. MC-121484 (Sub-No. 2) issued May 21, 1969, to Gillis-Hood Security Warehouses, Inc., 1310 South Brazos Street, San Antonio, TX 78207, authorizing the transportation of used household goods between points in Bexar County, Tex., subject to certain restrictions.

No. MC-FC-72624. By order of February 4, 1971, the Motor Carrier Board approved the transfer to Robert C. Wilhelmi, doing business as Rockford Furniture Service, 4610 Edgewood Hills Drive, Rockford, IL 61108, of certificate of registration No. MC-99376 (Sub-No. 1) issued November 4, 1963, to M. W. Wilhelmi and Robert Wilhelmi, a partnership, doing business as Rockford Furniture Service, 4610 Edgewood Hills Drive, Rockford, IL 61108, evidencing a right to engage in operations in interstate or foreign commerce corresponding in scope to the grant of intrastate authority in certificate No. 1598MC dated September 9, 1954, issued by the Illinois Commerce Commission.

No. MC-FC-72635. By order of February 5, 1971, the Motor Carrier Board approved the transfer to Michaud Trucking, Inc., 133 Birch Street, Kingsford, MI 49801, of the operating rights in certificates Nos. MC-126198, MC-126198 (Sub-No. 3), MC-126198 (Sub-No. 4), MC-126198 (Sub-No. 7), and MC-126198 (Sub-No. 10), issued February 10, 1965, July 28, 1967, March 19, 1968, January 15, 1970, and June 3, 1970, respectively, to Earl Michaud, 133 Birch Street, Kingsford, MI 49801, collectively, authorizing the transportation of malt beverages between points in Michigan, Indiana, Wisconsin, and Missouri.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.71-2655 Filed 2-25-71;8:52 am]

[No. 35301]

## WEST VIRGINIA INTRASTATE FREIGHT RATES, 1970

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 5th day of February 1971.

It appearing, that by order dated September 14, 1970, the Commission, Division 2, granted the joint petition filed July 13, 1970, by the Baltimore and Ohio Railroad Co., Beech Mountain Railroad Co., The Chesapeake and Ohio Railway Co., The Kanawha Central Railway Co., Kelley's Creek and Northwestern Railroad Co., Norfolk and Western Railway Co., Penn Central Transportation Co., Western Maryland Railway, West Virginia Northern Railroad Co., and Winifrede Railroad Co., all of the carriers by railroad operating in the State of West Virginia, and instituted an investigation under section 13 of the Interstate Commerce Act to determine whether the failure of the intrastate freight rates and charges imposed by that State to include the increases authorized by this Commission on interstate rates and charges in Ex Parte No. 262, Increased Freight Rates, 1969, 337 I.C.C. 436, and Ex Parte No. 265, Increased Freight Rates, 1970 (final report pending), cause or will cause any undue or unreasonable advantage, preference, or prejudice, as between persons and localities in interstate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable, or unjust discrimination against or undue burden on, interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum, or minimum, or maximum and minimum rates and charges shall be prescribed to remove the unlawful advantage, preference, discrimination, or undue burden, if any, that may be found to exist;

It further appearing, that by petition filed November 23, 1970, petitioners seek leave to file an amended petition, which would, if accepted for filing and granted, broaden the investigation to include an additional issue, namely, whether the intrastate rates and charges imposed by the State of West Virginia are unjustly discriminatory against or place an undue burden on interstate or foreign commerce, by reason of the failure of the

State to authorize the increases in intrastate rates and charges to the extent sought by the petitioners on interstate rates and charges, in Ex Parte No. 267, Increased Freight Rates, 1971 (final report pending);

It further appearing, that on December 10, 1970, the Appalachian Power Co. filed a reply to the petition for leave to file an amended petition and to the amended petition urging that they be denied on the ground that the West Virginia Public Service Commission has or is considering each of the three increases to the intrastate rates and charges as sought in the petition, as proposed to be amended, and that section 13 of the Act is not intended to abrogate the State's authority over intrastate rates and charges;

And it further appearing, that there has been brought in issue by the petition for leave to file an amended petition additional matters sufficient to institute an investigation of the intrastate freight rates and charges sought therein and made or imposed by the State of West Virginia; that under the proviso of section 13(4) of the Act, this Commission must forthwith institute an investigation into the lawfulness of such rates and charges (whether or not theretofore considered by any State agency or authority and without regard to the pendency before any State agency or authority of any proceeding relating thereto) and shall give special expedition to the hearing and decision therein;

Wherefore and good cause appearing:

*It is ordered*, That the petition filed November 23, 1970, for leave to amend the petition filed July 13, 1970, to broaden the scope of the investigation instituted by order of September 14, 1970, be, and it is hereby granted, and the amended petition be, and it is hereby accepted for filing;

*And it is further ordered*, That the amended petition be, and it is hereby granted, and that the investigation instituted by order of the Commission, Division 2, on September 14, 1970, be, and it is hereby broadened to also determine whether the said rates and charges of the carriers by railroad, or any of them, operating in the State of West Virginia for the intrastate transportation of property made or imposed by authority of the State of West Virginia cause or will cause, by reason of the failure of said rates and charges to include increases corresponding to those permitted to be established on November 20, 1970, by this Commission for interstate transportation in Ex Parte No. 267, Increased Freight Rates, 1971, supra, any undue or unreasonable advantage, preference, or prejudice, as between persons or locations in intrastate commerce, on the one hand, and interstate or foreign commerce on the other hand, or any undue, unreasonable, or unjust discrimination against or undue burden on, interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum, or minimum, or maximum and minimum rates and charges shall be prescribed to remove the unlawful advantage, preference, discrimination, or undue burden, if any, that may be found to exist and that the amended petition be, and it is hereby granted to the extent it seeks broadening of the scope of the investigation as indicated above, but in all other respects it be, and it is hereby denied;

*It is further ordered*, That notice of the pendency of the broadened issues be given to the general public by depositing a copy of this order in the office of the Commission's Secretary in Washington, D.C., by filing a copy with the Director, Office of the Federal Register, Washington, D.C., for publication in the FEDERAL REGISTER, and by serving a copy upon each of the said petitioners, upon Mr. Wm. M. Maddox, Attorney for Appalachian Power Co., 730 Coal Building, Washington, DC 20036, and that the State of West Virginia be notified by sending copies of this order and of the said petition for leave to amend and of the amended petition by certified mail to the Governor of West Virginia at Charleston, W. Va., and to the Public Service Commission of West Virginia at Charleston, W. Va.;

*It is further ordered*, That all persons, other than those who have already notified the Commission, who wish actively to participate in this proceeding and to file and receive copies of pleadings shall make known that fact by notifying the Commission on or before March 25, 1971. Although individual participation is not precluded, to conserve time and to avoid unnecessary expense, persons having common interests should endeavor to consolidate their presentation to the greatest extent possible. The Commission desired participation only of those who intend to take an active part in the proceeding.

*It is further ordered*, That, as soon as practicable after the date for indicating a desire to participate in the proceeding has passed, the Commission's Office of Proceedings will serve a list of the names and addresses of all persons (as supplemented by those parties tendering notice under the provisions of this order) upon whom service must be made. It is not contemplated that there will be any further general public notification published in the FEDERAL REGISTER of the succeeding handling of this proceeding. Subsequent notices and orders entered herein will be served solely on the persons responding to this order;

*And it is further ordered*, That this proceeding be assigned for hearing as may hereafter be designated.

By the Commission, Division 2.

[SEAL] ROBERT L. OSWALD,
*Secretary.*

[FR Doc.71-2653 Filed 2-25-71;8:51 am]

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# FEDERAL REGISTER

VOLUME 36 • NUMBER 39

Friday, February 26, 1971 • Washington, D.C.

PART II

## Guide to Record Retention Requirements

(Title 1, Appendix A)

# GUIDE TO RECORD RETENTION REQUIREMENTS

## (1 CFR, Appendix A)

## REVISION AS OF JANUARY 1, 1971

This is a Guide in digest form to the provisions of Federal laws and regulations relating to the keeping of records by the public. It tells the user (1) what records must be kept, (2) who must keep them, and (3) how long they must be kept.

The Guide is derived from the laws published in the United States Code, as amended by laws enacted during 1970, and from the regulations published in the Code of Federal Regulations, as amended in the daily issues of the FEDERAL REGISTER through December 31, 1970.

The Guide is prepared by the Office of the Federal Register, National Archives and Records Service, General Services Administration.

### *Coverage*

In preparing the Guide it was necessary to establish boundaries in order to keep it from going beyond its intended purpose. The nature of these boundaries is outlined below.

As indicated by its name, the Guide adheres strictly to the retention of records. It does not cover such matters as the furnishing of reports to Government agencies, the filing of tax returns, or the submission of supporting evidence with applications or claims.

The Guide is limited to provisions which apply to a class. Requirements applying only to named individuals or bodies have been omitted.

The Guide is confined to requirements which have been expressly stated. In many laws and regulations there is an implied responsibility to keep copies of reports and other papers furnished to Federal agencies, and to keep related working papers. Such implied requirements have not been included in the Guide.

The following types of requirements have also been excluded from the Guide:

(1) Requirements as to the keeping of papers furnished by the Government, such as passports, licenses, permits, etc., unless they are closely related to other records which must be kept.

(2) Requirements as to the display of posters, notices, or other signs in places of business.

(3) Requirements contained in individual Government contracts, unless the contracts are incorporated in the Code of Federal Regulations.

### *Arrangement*

The digests of record-keeping provisions comprising the Guide are grouped under the Departments or independent agencies which impose or administer them (see "Contents"). Individual items are numbered to simplify indexing.

In general, the items retain their original numbers from year to year. Renumbering occurs only after a major revision of the material and is so indicated in brackets after the name of the agency involved. Individual items revised, amended, deleted, or added are shown in brackets following the item heading.

Two supplements to the Guide contain generalized information about certain requirements under the Second War Powers Act of 1942 and detailed information on requirements imposed by the Civil Aeronautics Board relative to the availability of credentials for inspection.

An index to the Guide follows the last supplement.

**NOTICE**

*The Guide to Record Retention Requirements does not have the effect of law, regulation, or ruling. It is published as a guide to legal requirements that appear to be in effect as of January 1, 1971.*

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# I. DEPARTMENT OF AGRICULTURE

## 1. Foreign Agricultural Service

**1.1 Persons importing certain dairy commodities.**

To keep records of importations and of the transactions relating to the procurement and disposition of such commodities.

Retention period: Not less than 2 years subsequent to the end of the quota period during which the importation was made. 7 CFR 6.28

## 2. Consumer and Marketing Service

**2.1 Orange and grapefruit handlers.**

To maintain records of fruit received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 906.51

**2.2 Central marketing organizations.**

To keep records regarding allotment transactions for lemon handlers.

Retention period: 3 years. 7 CFR 910.62

**2.3 Lime handlers.**

To maintain records of limes received and disposed of in order to verify reports submitted to the Florida Lime Administrative Committee.

Retention period: At least 2 succeeding fiscal years. 7 CFR 911.60

**2.4 Nectarine handlers.**

To keep records of nectarines received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding fiscal years. 7 CFR 916.60

**2.4a Pear, plum, and peach handlers in California.**

To maintain records of fruits received and disposed of as necessary to verify reports submitted to the Control Committee.

Retention period: 2 fiscal years. 7 CFR 917.50

**2.5 Peach handlers.**

To maintain records of peaches received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 921.60

**2.6 Apricot handlers.**

To maintain records of apricots received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 922.60

**2.7 Cherry handlers.**

To maintain records of cherries received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 923.60

**2.8 Fresh prune handlers.**

To maintain records of prunes received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 924.60, 925.60

**2.9 Potato handlers. [Amended]**

To keep records of potatoes received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 947.80, 948.80, 950.80, 953.75

**2.10 Onion handlers.**

To maintain records of onions received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 958.65, 959.80

**2.11 Tomato handlers.**

To maintain records of tomatoes received and disposed of as may be necessary to verify the reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 965.80, 966.80

**2.12 [Reserved]**

**2.13 Lettuce handlers.**

To maintain records of lettuce received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 971.80

**2.13a Celery producers and handlers in Florida.**

To maintain records to substantiate the reports required by the Florida Celery Committee.

Retention period: Not less than 1 year after end of season. 7 CFR 967.71

**2.14 Almond handlers. [Amended]**

To keep records showing details of receipt of almonds, withholdings, sales, shipments, inventories, reserve disposition, and other pertinent information in respect to operations.

Retention period: 2 years after end of crop year to which such records apply. 7 CFR 981.70

**2.15 Almond handlers.**

To keep copies of receipts they have issued for almonds received for their own accounts.

Retention period: 2 years after end of crop year to which such records apply. 7 CFR 981.71 (retention: 981.70)

**2.16 Filbert handlers. [Amended]**

To keep records of shelled and unshelled filberts received and disposed of as prescribed by Filbert Control Board.

Retention period: 2 years after end of fiscal year in which transaction occurred. 7 CFR 982.71

**2.17 Walnut handlers.**

To keep records of shelled and unshelled walnuts and walnut material received, held, and disposed of.

Retention period: 2 years after end of marketing year in which transactions are completed. 7 CFR 984.80, 984.464, 984.480

**2.18 Date handlers. [Amended]**

To maintain records of the receipt, holding, handling, withholding, and disposition of dates.

Retention period: At least 2 years subsequent to termination of each crop year. 7 CFR 987.68, 987.168

**2.19 Raisin handlers.**

To keep records as prescribed by the Raisin Administrative Committee, of raisins received, acquired, stored, sold, and otherwise disposed.

Retention period: At least 2 years after the termination of the crop year in which the transactions occurred. 7 CFR 989.76, 989.77, 989.176

**2.20 Olive handlers.**

To maintain records of olives acquired, held, and disposed of as may be prescribed by the Olive Administrative Committee and needed by it to perform its functions.

Retention period: At least 2 years beyond the crop year in which the transaction occurred. 7 CFR 932.61

**2.21 Prune handlers.**

To keep records of prunes received, held, and disposed of as prescribed by the Prune Administrative Committee.

Retention period: At least 2 years after the end of the crop year in which the transaction occurred. 7 CFR 993.74, 993.174

**2.21a Cranberry handlers.**

To maintain records of all cranberries acquired, withheld from handling, handled or otherwise disposed of as will substantiate the required reports.

Retention period: Not less than 3 years after termination of the crop year in which the transaction occurred or for such lesser period as the committee may direct. 7 CFR 929.61

**2.21b Pear handlers.**

To maintain records of pears received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 931.60

**2.21c Hops handlers.**

To maintain such records of hops handled or held as will substantiate the required reports.

Retention period: At least 2 years after end of marketing year. 7 CFR 991.61

**2.21d Handlers (including each subsidiary and affiliate thereof) of Type 62 Shade Tobacco.**

To keep such books and records as will clearly show the details of the respective person's handling of tobacco, including, but not limited to, identification of the grower of the tobacco and the field in which produced.

Retention period: 5 years. 7 CFR 1201.60, 1201.130

**2.22 Shippers handling fruits and vegetables covered by exemption certificates under marketing order programs.**

To keep records of such shipments.

Retention period: Not specified, except for tomatoes (at least 2 succeeding years). 7 CFR 917.141, 951.180, 966.80

(Certificate (record) returned after shipment of commodities (pears, grapes, and potatoes).) 7 CFR 926.122, 927.125, 953.104

**2.23 Commission merchants, dealers, and brokers of fruits and vegetables subject to the Perishable Agricultural Commodities Act of 1930.**

(a) To keep accounts, records, memoranda, and documents which disclose all business transactions.

Retention period: 2 years. 7 CFR 46.14, 46.15, 46.17–46.19, 46.21–46.24, 46.28, 46.29, 46.31, 46.32

(b) To preserve records and memoranda which disclose the true ownership and management of the business.

Retention period: 4 years. 7 CFR 46.14

2.24–2.27a [Reserved]

**2.28 Persons processing, transporting, shipping, or receiving poultry slaughtered for human consumption or poultry products in commerce, or holding such products.**

To maintain detailed records of such transactions as specified in the regulations.

Retention period: 2 years. 7 CFR 81.152

2.28a [Deleted]

**2.29 Dairy plants approved for USDA inspection and grading service.**

To maintain (a) records of quality tests made on raw milk and cream received from each producer, seller, or shipper and of plant and laboratory tests and analyses of raw materials and finished products, (b) pasteurization recorder charts and water supply test certificates, and (c) most recent copy of employee health certificate.

Retention period: (a) 1 year, (b) 6 months, (c) until employee no longer employed. 7 CFR 58.148, 58.322

2.30—2.37 [Reserved]

**2.38 Licensed agricultural products warehousemen.**

To keep copies of all receipts issued.

Retention period: 1 year after December 31 of the year in which the corresponding original receipt is canceled. 7 CFR 101.17, 102.20, 103.17, 104.17, 105.17, 106.17, 107.17, 108.17, 111.18

**2.39 Licensed agricultural products warehousemen.**

To retain each canceled receipt.

Retention period: 6 years after December 31 of the year in which receipt is canceled and for such longer period as may be necessary for the purpose of any litigation which the warehouseman knows to be pending, or as may be required by the Administrator in particular cases to carry out the purposes of the act. 7 CFR 101.28, 102.34, 103.28, 104.28, 105.29, 106.30, 107.31, 108.29, 111.33.

**2.40 Licensed agricultural products warehousemen.**

To keep a copy of his current rules and schedule of charges exposed conspicuously in a place accessible to the public.

Retention period: Required to expose current copy only. 7 CFR 101.29, 102.35, 103.29, 104.31, 105.30, 106.31, 107.32, 108.30, 111.34

**2.41 Licensed agricultural products warehousemen.**

Shall use for his licensed warehouse a system of accounts approved for the purpose by the Service, and maintain such records as are specified.

Retention period: 6 years after December 31 of the year in which created and for such longer period as may be necessary for the purposes of any litigation which the warehouseman knows to be pending, or as may be required by the Administrator in particular cases to carry out the purposes of the act. 7 CFR 101.33, 102.37, 103.40, 104.28, 105.33, 106.37, 107.39, 108.33, 111.41

**2.42 Licensed agricultural products warehousemen.**

Shall keep on file an exact copy of each report required to be submitted by such warehouseman.

Retention period: 3 years after December 31 of the year in which submitted. 7 CFR 101.36, 102.38, 103.41, 104.29, 105.35, 106.39, 107.42, 108.35, 111.44

**2.43 Licensed cotton warehousemen.**

To keep copies of certificates covering cotton stored, and copies of Form A memorandums and Form C certificates issued by a board of cotton examiners which forms a basis of any receipt issued.

Retention period: 1 year after December 31 of the year in which the receipt based on such certificates or memoranda is canceled. 7 CFR 101.47

**2.44 Licensed cotton warehousemen.**

To keep records of cotton sampling including the written request, if any.

Retention period: 1 year after December 31 of the year in which such cotton is removed from the warehouse. 7 CFR 101.49

**2.45 Licensed classifiers, inspectors, graders, and weighers of agricultural commodities.**

To keep copies of certificates issued by them.

Retention period: 1 year. 7 CFR 101.61, 102.69, 104.57, 105.59, 106.66, 107.68, 108.59, 111.70

**2.46 Licensed agricultural products warehousemen.**

To keep either copies of, or the original inspection, grade and/or weight, certificates covering lots of commodities stored.

Retention period: 3 years after December 31 of the year in which issued. 7 CFR 102.29, 103.24, 105.46, 106.54, 107.55, 108.47, 111.56

**2.47 Licensed grain warehousemen.**

To keep records of weights, kinds, and grades of all lots of nonstorage grain received into and delivered from warehouses.

Retention period: 1 year after December 31 of the year in which the lot of nonstorage grain is delivered from the warehouse. 7 CFR 102.30

**2.48 Licensed agricultural products warehousemen.**

To keep as a record notices of the condition of commodities stored in the warehouse.

Retention period: 6 years after December 31 of the year in which created, and for such longer period as may be necessary for the purposes of litigation which the warehouseman knows is pending, or as may be required by the Administrator in particular cases to carry out the purposes of the act. 7 CFR 102.54, 103.39, 106.48, 107.51, 108.42, 111.52

**2.49 Persons shipping agricultural and vegetable seeds subject to the Federal Seed Act regulations.**

To keep complete records of each lot of agricultural and vegetable seeds transported or delivered for transportation in interstate commerce, including records necessary to disclose the name of any substance used in the treatment of such seed.

Retention period: 3 years for documents, 1 year for seed samples, including separate samples of the treated seed portion of any lot of seed. 7 CFR 201.4–201.7a

**2.50 Country shippers of agricultural seeds subject to the Federal Seed Act regulations.**

To keep copies of origin declarations they have issued and records showing names and addresses of growers or country shippers from whom seeds were purchased, quantity, and date of delivery.

Retention period: 3 years. 7 CFR 201.5 (retention: 201.4)

**2.51 Procurers of seeds from growers subject to the Federal Seed Act regulations.**

To obtain and keep the grower's declaration.

Retention period: 3 years. 7 CFR 201.7 (retention: 201.4)

**2.52 Growers of seeds subject to the Federal Seed Act regulations.**

To keep copy of the grower's declaration and a sample of the seed.

Retention period: 3 years for documents, 1 year for seed samples. 7 CFR 201.7 (retention: 201.4)

**2.53 Cotton handlers.**

To maintain books and records necessary to carry out the provisions of the Cotton Research and Promotion Act and to verify required reports.

Retention period: At least 2 years beyond the marketing year of their applicability. 7 CFR 1205.335, 1205.531, 1205.532

**2.54 Licensed cottonseed chemists.**

To keep records of the analysis of each individual sample of cottonseed graded as well as books, papers, records, and accounts relating to the performance of their duties under the Agricultural Marketing Act of 1946 and the regulations made under the act by the Secretary of Agriculture.

Retention period: At least 1 year after date of analysis. 7 CFR 61.15

**2.55 Grain inspection agencies and licensees.**

To maintain complete records of each inspection activity performed.

Retention period: 2 years after inspection. 7 CFR 26.55

**2.56 Accredited turpentine and rosin processors for naval stores.**

To keep such records as may be necessary to submit correct reports.

Retention period: Not specified. 7 CFR 160.50

**2.57 Diverters participating in fresh Irish potatoes-livestock feed diversion program.**

To keep records and accounts showing the details relative to the diversion and disposition of such potatoes.

Retention period: 3 years after date of last payment or 2 years after date of audit by USDA, whichever is later. 7 CFR 208.18

**2.58–2.59 [Reserved]**

**2.60 Milk handlers.**

To maintain records pertaining to receipt and use of milk and milk products, including records of production, processing, and distribution, and financial records relating thereto.

Retention period: 3 years, but can be extended by the market administrator by written notice. 7 CFR Parts 1001–1159 (See specific milk marketing area.)

**2.61 Carriers transporting meat. [Amended]**

To keep original certificates delivered to a carrier separate and apart from all its other papers and records or identified in some acceptable manner so as to be readily accessible for review.

Retention period: 2 years after end of year in which transaction occurred. 9 CFR 325.14

**2.62 Meatbrokers, renderers, and other persons dealing in animal carcasses for use as human or animal food. [Added]**

To keep records as specified in section cited.

Retention period: 2 years after end of year in which the transaction occurred, or longer if directed by the Administrator. 9 CFR 320.1 (retention: 320.3)

**2.63 Custom slaughter operators claiming exemption. [Added]**

To keep records as specified in section cited or by the Administrator.

Retention period: 2 years after end of year in which the transaction occurred or longer if directed by the Administrator. 9 CFR 303.1 (retention 320.3)

## 3. Agricultural Research Service

**3.1 Licensed manufacturers (domestic and foreign), distributors, and importers of biological products.**

To keep detailed (a) production records including reports of all tests for purity, safety, and potency for each serial of biological product manufactured in or offered for importation into the United States, and (b) disposition records showing the sale, shipment, or other disposition made of the biological products handled.

Retention period: 2 years after expiration date of the product involved, or longer if requested by the Director, Veterinary Biologics Division. 9 CFR 116.1 (retention: 116.2)

**3.2 [Reserved]**

**3.3 Distributors of biological products marketed under special license.**

To keep complete records showing the name and address of each purchaser of the product and the name, serial number, and quantity of the product sold to such purchaser when the maintenance of records of distribution of biological products marketed under special license is a condition of the issuance of the special license.

Retention period: Not specified. 9 CFR 102.6(b)(3)

**3.4 Operators of approved feed lots.**

To keep records of vaccination and disposition of all animals and to keep an inventory of animals showing the daily admission to and removal from the premises.

Retention period: 1 year. 9 CFR 120.9

**3.5 [Reserved]**

**3.6 Research investigators or research sponsors administering experimental biological products to animals.**

To maintain adequate records relative to the disposition of each animal administered experimental biological products. Such records include name and address of owner, pertinent data about animals and their location, and, if sold, name and address of purchaser.

Retention period: At least 2 years from the date that an experimental product was administered to such animal. 9 CFR 103.2

**3.7 [Reserved]**

**3.8 Research facilities and dealers engaged in transportation, sale, and handling of dogs, cats, and certain other animals used for research or experimentation, or for other purposes.**

To keep records with respect to the purchase, sale, transportation, identification, and previous ownership of dogs and cats but not monkeys, guinea pigs, hamsters, or rabbits.

Retention period: 1 year or longer, as may be required by any Federal, State, or local law. 9 CFR 2.75, 2.76 (retention: 2.77)

**3.9 Operators of specifically approved stockyards and livestock markets. [Added]**

To maintain records of origin and destination of all swine handled through markets, and records of identification of certain classes of swine.

Retention period: 1 year after transaction. 9 CFR 76.16(b)

## 4. Agricultural Stabilization and Conservation Service

**4.1 [Reserved]**

**4.2 Producers of gum naval stores from turpentine trees. [Amended]**

To keep records of faces by tracts and drifts in connection with the Naval Stores and Agricultural Conservation Programs.

Retention period: 2 years following close of applicable program year. 1969—7 CFR 706.706; 1970—7 CFR 706.806 (retention: 7 CFR 708.1)

**4.2a Food processors participating in the wheat marketing allocation program.**

To maintain records and documents for each processing plant of all wheat processed into food products and of all sales and removals of food products from processing plants.

Retention period: 3 years. 7 CFR 777.15

**4.2b [Reserved]**

**4.2c Handlers under milk indemnity program.**

To keep existing books, records, and accounts supporting any information furnished in connection with the program.

Retention period: 3 years following the end of the year during which application for payment was filed. 7 CFR 16.17

**4.3 Ginners of cotton.**

To keep for each bale of cotton or lot less than a bale ginned by him records showing (a) date of ginning; (b) name of operator of farm on which cotton produced; (c) name of producer of cotton; (d) county and State in which farm located; (e) gin bale number or mark; (f) name and address of person delivering cotton to gin; and (g) gross weight of each bale and net weight of each lot of lint cotton less than a bale.

Retention period: [1] Until December 31 of second year following year in which cotton is planted. 7 CFR 722.89 (retention: 722.92)

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[1] For such longer period of time as may be requested in writing by the State Executive Director or the Director.

**4.4 Buyers of cotton.**

To keep for each bale of cotton or lot less than a bale purchased from a producer records showing (a) name and address of the producer; (b) date purchased; (c) original gin bale number or equivalent; (d) number of pounds of lint cotton in each bale and lot; and (e) amount of penalties to be collected, if any.

Retention period: [1] Until December 31 of second year following year in which cotton is planted. 7 CFR 722.90 (retention: 722.92)

**4.5–4.6 [Reserved]**

**4.7 Warehousemen, ginners, buyers, processors, common carriers, and other persons handling cotton from, for, or on behalf of the producer.**

To keep records concerning such cotton so that the accuracy of any reports or other records that may be required can be checked.

Retention period: [1] Until December 31 of second year following year in which cotton is planted. 7 CFR 722.91 (retention: 722.92)

**4.8 Producers of cotton.**

To keep records of cotton marketed; and a copy of certificate showing name and address of buyer or transferee if marketed to persons not within the United States.

Retention period: [1] Until December 31 of second year following year in which cotton is planted. 7 CFR 722.94

**4.9 Producers and producer-manufacturers of burley, fire-cured, dark air-cured, Virginia sun-cured, cigar-binder, cigar-filler and binder, and Maryland tobacco. [Amended]**

To keep copies of reports with respect to disposition of tobacco marketed and (a) number of acres harvested, (b) total production, (c) amount on hand and its location, and (d) for each lot marketed, name and address of person to or through whom marketed, gross price, number of pounds marketed, and date of marketing.

Retention period: [1] 1968–69 and succeeding marketing years—3 years after end of marketing year. 7 CFR 724.95 (retention: 724.109)

**4.10 Producers of flue-cured tobacco. [Amended]**

To keep copies of reports with respect to disposition of tobacco marketed and (a) number of acres harvested, (b) total production, (c) amount on hand and its location, and (d) for each lot marketed name and address of person to or through whom marketed, gross price, number of pounds marketed, and date of marketing, (e) details of tobacco disposed of other than by sale.

Retention period: [1] 1970–71 and succeeding marketing years—3 years after end of marketing year. 7 CFR 725.98 (retention: 725.108)

[1] For such longer period of time as may be requested in writing by the State Executive Director or the Director.

**4.11 Buyers of cigar-filler tobacco, cigar-filler and binder tobacco, and cigar-binder tobacco under marketing quota regulations. [Amended]**

To keep records with respect to each sale of tobacco made by producer to buyer, and to furnish the name of the farm operator and the amount of each grade of tobacco obtained from the grading of tobacco from each farm; also to record other specified information and maintain records of sale and disposition of tobacco; and to keep copies of required reports.

Retention period: [1] 1968–69 and succeeding marketing years—3 years after end of marketing year. 7 CFR 724.101, 724.109

**4.12 Truckers and persons redrying, prizing, or stemming burley, fire-cured, dark air-cured, Virginia sun-cured, cigar-binder, cigar-filler and binder, and Maryland tobacco. [Amended]**

To keep complete and detailed records containing specified information concerning each lot of tobacco received and copies of required reports.

Retention period: [1] 1968–69 and succeeding marketing years—3 years after end of marketing year. 7 CFR 724.103 (retention: 724.109)

**4.13 Truckers and persons redrying, prizing, or stemming flue-cured tobacco. [Amended]**

To keep complete and detailed records containing specified information concerning each lot of tobacco received and copies of required reports.

Retention period: [1] 1970–71 and succeeding marketing years—3 years after end of marketing year. 7 CFR 725.102 (retention: 725.108)

**4.14 Warehousemen handling burley, fire-cured, dark air-cured, Virginia sun-cured, cigar-binder, cigar-filler and binder, and Maryland tobacco. [Amended]**

To keep records that will permit furnishing detailed information of all transactions.

Retention period: [1] 1968–69 and succeeeding marketing years—3 years after end of marketing year. 7 CFR 724.96–724.98 (retention: 724.109)

**4.15 Warehousemen handling flue-cured tobacco. [Amended]**

To keep records that will permit furnishing detailed information of all transactions.

Retention period: [1] 1970–71 and succeeding marketing years—3 years after end of marketing year. 7 CFR 725.99 (retention: 725.108)

**4.16 Dealers handling burley, fire-cured, dark air-cured, Virginia sun-cured, cigar-binder, cigar-filler and binder, and Maryland tobacco. [Amended]**

To keep records that will permit furnishing detailed information of all transactions.

Retention period: [1] 1968–69 and succeeding marketing years—3 years after end of marketing year. 7 CFR 724.99 (retention: 724.109)

**4.17 Dealers handling flue-cured tobacco. [Amended]**

To keep records that will permit furnishing detailed information of all transactions.

Retention period: [1] 1970–71 and succeeding marketing years—3 years after end of marketing year. 7 CFR 725.100 (retention: 725.108)

**4.18–4.26 [Reserved]**

**4.27 Wheat producers, warehousemen, elevator operators, feeders, processors or transferees, and buyers.**

To keep records of wheat transactions (as specified in the regulations).

Retention period: 2 calendar years beyond the calendar year in which the marketing year ends. 7 CFR 728.1173, 728.1174, 728.1177

**4.27a Industrial users of flour second clears.**

To maintain accurate records and documents supporting information shown on Form CCC–161 (Industrial Users Production Report and Claim for Refund).

Retention period: 3 years. 7 CFR 777.19

**4.27b Distributors of flour second clears.**

To maintain accurate records and documents, including Forms CCC–165 (Processor Certification) and CCC–165–1 (Flour Second Clears), relating to the sale of flour second clears to industrial users.

Retention period: 3 years. 7 CFR 777.20

**4.28 Peanut producers.**

To keep copies of specified reports on disposition of peanuts produced and marketed.

Retention period: [1] 3 years following end of pertinent marketing year. 7 CFR 729.52 (retention: 729.66)

**4.29 Peanut buyers.**

To keep detailed records of peanuts marketed and sales memoranda with respect to farmers stock peanuts and shelled peanuts purchased from producers.

Retention period: [1] 3 years following end of pertinent marketing year. 7 CFR 729.57 (retention: 729.66)

**4.30 Peanut shellers.**

To maintain detailed records and keep copies of reports pertaining to the shelling of each lot of peanuts (including record of peanuts retained by the sheller) as specified in the regulations.

Retention period: [1] 3 years following end of pertinent marketing year. 7 CFR 729.62 (retention: 729.66)

**4.30a Driers of farmers stock peanuts.**

To maintain records as specified in the regulations.

Retention period: [1] 3 years following end of pertinent marketing year. 7 CFR 729.60, 729.61 (retention: 729.66)

**4.31 Rice producers, warehousemen, mill or elevator operators, other processors or transferees, and buyers.**

To keep records of rice transactions as prescribed.

Retention period: 2 calendar years beyond the calendar year in which the marketing year ends. 7 CFR 730.34, 730.35, 730.38

**4.32 Importers or persons bringing sugar and liquid sugar into the continental United States from domestic offshore areas and foreign countries.**

To keep records of operations and transactions pertaining to sugar and liquid sugar including detailed information for each unit of sugar tested and for each processing facility.

Retention period: 2 years following end of calendar year in which sugar is imported or brought into the United States. 7 CFR 810.9

**4.33 Persons marketing sugar and liquid sugar produced from sugar beets and sugarcane grown in the continental United States and marketing sugar for consumption in Territory of Hawaii and in Puerto Rico.**

To keep records of processings, receipts, inventories, and marketings of sugar and liquid sugar.

Retention period: 2 years following the end of the calendar year in which sugar is marketed. 7 CFR 816.8

**4.34 Persons importing sugar and liquid sugar into the continental United States (including importers, mainland refiners, allottees of offshore domestic sugar quotas, shipping companies, persons engaged in the movement of sugar in interstate and foreign commerce, and surety companies undertaking obligations with respect to imported sugar).**

To keep records of receipt, processing, and movement of sugar and liquid sugar and of tests, gallonages, and weights pertaining thereto.

Retention period: 2 years following end of calendar year in which sugar is imported or disposed of. 7 CFR 817.11

**4.35 [Reserved]**

**4.36 Employers of Virgin Islands apprentice operators of mechanical loaders and tractors in the sugar industry.**

To maintain complete wage records of person employed.

Retention period: 2 years following date on which application for Sugar Act payment is filed. 7 CFR Part 868

**4.37 Employers of Virgin Islands handicapped workers in the sugar industry.**

To maintain complete wage records of persons employed.

Retention period: 2 years following date on which his application for Sugar Act payment is filed. 7 CFR Part 868

**4.37a Producers of sugar beets and sugarcane.**

To maintain complete wage records of persons employed in the production, cultivation, or harvesting of sugar beets and sugarcane.

Retention period: 2 years (sugar beets); 3 years (sugarcane). 7 CFR Parts 862, 863, 864

**4.37b Farm operators participating in the Sugar Act payment program.**

To maintain a record of excess acreage in each field or parts of fields and the method and purpose of disposal of sugarcane grown in excess of acreage in each such case.

Retention period: Until receipt of Sugar Act payment for the applicable crop year. 7 CFR Part 855

## 5. Commodity Credit Corporation

**5.1 Warehousemen handling storage agreements for bulk oils.**

To maintain inventory and operating records.

Retention period: Not specified. 7 CFR 1424.2

**5.2 Cottonseed crushers participating in the cottonseed oil and meal purchase program. [Amended]**

To keep complete and detailed records as specified with respect to all purchases of cottonseed and other specified transactions.

Retention period: At least 3 years from the last date any of the products tendered by the crusher have been delivered. 7 CFR 1443.67

**5.3 Cooperative marketing associations of producers participating in the Tung Nut Price Support program.**

To maintain detailed records as specified pertaining to quantities of tung nuts and tung nut oil obtained and processed.

Retention period: 1963 and succeeding crop years—3 years after December 31 of the crop year to which they pertain. 7 CFR 1443.333

**5.3a [Deleted]**

**5.4 Peanut shellers participating in the Peanut Price Support program.**

To keep accounts with respect to the purchase and sale of crop peanuts, including types, grades, quality, weight, names and addresses of producers and purchasers, and date and place of each transaction.

Retention period: 3 years after final delivery of peanuts to CCC. 7 CFR 1446.19 (1967 and subsequent years)

**5.5 Mohair producers participating in the Payment Program for Mohair, and their marketing agencies.**

To maintain books, records, and accounts showing the marketing of mohair on which an application for payment is based.

Retention period: 3 years. 7 CFR 1468.227, 1468.272

**5.6 Wool producers participating in the Incentive Payment Program for Shorn Wool, and their marketing agencies. [Amended]**

To maintain books, records, and accounts showing: purchases of lambs on and after April 1, 1956, and marketing of wool or lambs on which application is based.

Retention period: 3 years after end of specified marketing year. 7 CFR 1472.1251

**5.7 Lamb and yearling producers participating in the Payment Program for Lambs and Yearlings (Pulled Wool), and persons furnishing evidence to an applicant to enable him to receive payment under the program. [Amended]**

To maintain books, records, and accounts showing purchases of unshorn lambs on or after April 1, 1956, and marketing of unshorn lambs on which application for payment is based.

Retention period: 3 years after end of specified marketing year. 7 CFR 1472.1251

**5.8 Persons purchasing farmers stock peanuts from producers for sale to shellers. [Amended]**

To keep accounts of the quality and prices paid to them for each lot of farmers stock peanuts sold to a sheller participating in the price support program.

Retention period: 1967 and subsequent years—until December 31 of the third year following date of purchase. 7 CFR 1446.19

**5.9 Handlers, dealers, and warehousemen performing transactions with regard to delivery orders under the Livestock Feed Program.**

To maintain books and records which will permit verification of all transactions with regard to delivery orders.

Retention period: At least 3 full years following deliveries against delivery orders (or to be kept longer if requested by the Commodity Credit Corporation). 7 CFR 1475.213

**5.10 Dealers participating in the Puerto Rican Tobacco Purchase Program.**

To keep records with respect to all transactions relating to the tobacco of any crop year during which tobacco is sold to CCC.

Retention period: 3 years after delivery of tobacco to CCC. 7 CFR 1464.60

**5.11 [Reserved]**

**5.12 Crushers of castor beans participating in the castor oil purchase program.**

To maintain books, records, and accounts including name of sellers, date of receipt, and the gross and clean weight, quality and price of each lot of castor bean purchased.

Retention period: At least 3 years. 7 CFR 1443.108

**5.13—5.16 [Reserved]**

**5.17 Producers participating in the honey price support program.**

To maintain (1) records of quantity of eligible honey for price support and (2) record of honey purchased or acquired which is ineligible for price support showing source and disposition.

Retention period: 5 years. 7 CFR 1434.50

**5.18 Cotton ginners participating in the cottonseed purchase program.**

To keep books, records, and accounts for all purchases of cottonseed (including name of producer, date of receipt, weight, and purchase price of each lot) and other transactions.

Retention period: 3 years from last day any cottonseed is tendered to CCC for purchase under the applicable Participating Ginner's Agreement. 7 CFR 1443.13

**5.19 Cooperative marketing associations participating in the price support program.**

To maintain records showing quantity, quality, and disposition of commodities (cotton, dry edible beans, honey, rice, soybeans, tung oil) eligible for price support received from each member. The same records to be kept for commodities received from nonmembers which are ineligible for price support.

Retention period: Through end of the 5th marketing year following the marketing year for which approval is obtained. 7 CFR 1425.17, 1425.18

**5.20 Exporters participating in the tobacco export program.**

To maintain accurate records (including contracts of purchase, sale, and storage) establishing eligibility of tobacco for export payments made to exporters under the program.

Retention period: 3 years after date of export. 7 CFR 1490.10

## 6. Commodity Exchange Authority

**6.1 Futures commission merchants and clearing organizations of contract markets depositing customers' money, securities, and property.**

To maintain an acknowledgment from a bank, trust company, clearing organization of a contract market, or futures commission merchant that it was informed that the money, securities, and property deposited therein are those of commodity customers and are being held in accord with the provisions of the Commodity Exchange Act.

Retention period: 5 years from date of closing of such bank account.[2] 17 CFR 1.20 (retention: 1.31)

**6.2 Futures commission merchants and clearing organizations of contract markets depositing obligations purchased with customers' funds.**

To maintain an acknowledgment from a bank, trust company, clearing organization of a contract market, or futures commission merchant that it was informed that the obligations belong to commodity customers and are being held in accord with the provisions of the Commodity Exchange Act.

Retention period: 5 years from date of closing of account.[2] 17 CFR 1.26 (retention: 1.31)

**6.3 Futures commission merchants and clearing organizations of contract markets.**

To keep the following records of obligations and investment securities, date investments made, name of person from or through whom obligations bought, amount of money paid, description of obligations or securities, identity of depositories or other places where such obligations are segregated, date disposition made and amount received therefor, name of person to or through whom sold.

Clearing organizations receiving documents from members representing investment of customers' funds shall also keep a record showing separately for each member the date on which documents were received from member, description of documents, date on which documents were returned to member, or details of disposition by other means.

Retention period: 5 years after investment liquidated or load paid.[2] 17 CFR 1.27 (retention: 1.31)

**6.4 Futures commission merchants.**

To keep a record of the daily computation of money, securities and property which must be segregated for customers.

Retention period: 5 years.[2] 17 CFR 1.32 (retention: 1.31)

**6.5 Futures commission merchants.**

To keep records furnished customers as of close of last business day of each calendar month, or as of any regular monthly date selected showing customer's position in each future.

Retention period: 5 years.[2] 17 CFR 1.33 (retention: 1.31)

**6.6 Futures commission merchants.**

To keep copy of confirmation of the execution of any trade originated by controller of accounts.

Retention period: 5 years.[2] 17 CFR 1.33a (retention: 1.31)

**6.7 Futures commission merchants.**

To keep a "point balance" record of all open trades or contracts of customers as of last day of business of each calendar month or any regular monthly date selected.

Retention period: 5 years.[2] 17 CFR 1.34 (retention: 1.31)

**6.8 [Reserved]**

**6.9 Futures commission merchants and members of contract markets.**

To keep full and complete record of all futures and cash transactions including all orders, trading cards, signature cards, street books, journals, ledgers, cancelled checks, copies of confirmations, statements of purchase and sale, together with all other data and memoranda and records of every sort pertaining to cash and future transactions.

Retention period: 5 years.[2] 17 CFR 1.35 (retention: 1.31)

**6.10 Futures commission merchants and clearing members of contract markets.**

To prepare and keep in permanent form the following: (a) a financial ledger record showing all charges against and credits to each customer's account; (b) a record of transactions showing for each account all commodity futures transactions executed for such account, including date, price, quantity, market, commodity, and future; (c) a record or journal showing for each day complete details of all commodity futures transactions executed, including date, price, quantity, market, commodity, future, and the person for whom such transaction was made (in the case of clearing members, the record or journal should also show the floor broker or floor trader executing each transaction, a symbol indicating the customer type, the opposite broker or floor trader, and the opposite clearing member with whom it was made).

Retention period: 5 years.[2] 17 CFR 1.35 (retention: 1.31)

**6.11 Futures commission merchants and clearing organizations of contract markets.**

To keep record of all securities and property (other than money) received from customers to margin, guarantee or secure trades and contracts including description of securities and property, name and address of customer, identity of depositories or other places where such securities or property are segregated, date received and returned or otherwise disposed of, including authorization therefor.

Retention period: 5 years from date of return of property.[2] 17 CFR 1.36 (retention: 1.31)

**6.12 Futures commission merchants and members of contract markets.**

To keep record showing for each futures account name, address and principal occupation or business of person for whom account is carried and names of persons guaranteeing account or exercising trading control over account.

Retention period: 5 years from date account closed.[2] 17 CFR 1.37 (retention: 1.31)

**6.13 Contract markets.**

To keep record of each transaction wherein a member acts for both a buyer and a seller, including the date, price, quantity, kind of commodity, delivery month, by whom executed, and the exact time of execution.

Retention period: 5 years.[2] 17 CFR 1.39 (retention: 1.31)

**6.14 Contract markets.**

Must require warehouse operators whose receipts are deliverable in satisfaction of futures contracts made on or subject to the rules of the contract market to keep records showing stocks traded for future delivery on such contract markets, in store by kind, class, and grade, including lots and parcels stored specially or separately.

Retention period: 5 years.[2] 17 CFR 1.44 (retention: 1.31)

[2] After 3 years the person required to keep such books and records may at his option substitute photographic reproductions thereof on film, together with facilities for the projection of such film in a manner which will permit it to be readily inspected or examined.

**6.15 Persons having or controlling a reportable position in commodity futures.**

To keep books and records showing all details of all positions and transactions for future delivery in the commodity on all contract markets and all positions and transactions in the cash commodity, its products, and byproducts.

Retention period: 5 years.[2] 17 CFR 18.05 (retention: 1.31)

## 7. Farmers Home Administration

**7.1 Borrowers operating under farm and home annual plans.**

To maintain records of income, expenses, and operations.

Retention period: Until summarized and reflected in the agency's official records. 7 CFR 1802.3

**7.2 Local organizations obtaining watershed loans and advances under the Watershed Protection and Flood Prevention Act. [Amended]**

To maintain accounts and records relating to the installation, operations, and maintenance of works of improvement.

Retention period: 3 years after the year to which such records pertain. 7 CFR 1823.359

**7.3 Rural communities and other associations of farmers and rural residents obtaining loans and grants for central domestic water systems, waste disposal systems, shift-in-land-use projects and related facilities, soil and water conservation practices, and recreational facilities. [Added]**

To maintain records of its operation, maintenance, and management of its facility including the establishment and maintenance of financial accounts and records.

Retention period: Until summarized and reflected in the agency's official records and until the requirements of State and local laws and regulations are met. Number of years after this point not specified, 7 CFR 1823.31, 1823.59, 1823.117

## 8. Federal Crop Insurance Corporation

**8.1 Insured under Federal Crop Insurance Corporation.**

To keep records of harvesting, storage, shipments, sale, or other disposition of all barley, dry beans, combined crops, corn, cotton, flax, grain sorghum, oats, peanuts, potatoes, canning and freezing peas, dry peas, rice, rye, soybeans, sugar beets, sugarcane, tobacco, tomatoes, and wheat produced on each insurance unit covered by the contract, and separate records showing the same information for production on any uninsured acreage of the insured crop in the county in which he has an interest.

Retention period: 2 years after time of loss. 7 CFR 401.111, sec. 17

**8.2 [Deleted]**

## 9. Packers and Stockyards Administration

**9.1 Stockyard owners, market agencies, and licensees under Packers and Stockyards Act regulations.**

To keep open for public inspection (and post in the case of licensees) duplicate copies of all schedules of rates and charges and rules or regulations and amendments or supplements thereto.

Retention period: Not specified; however, required to post and keep open for inspection currently effective schedules only. 9 CFR 201.22

**9.2 Market agencies or licensees selling or buying livestock or live poultry on a commission or agency basis.**

To keep accounts and records in regard to the Custodial Account for Shippers' Proceeds and the Custodial Account for Buyers' Funds.

Retention period: 2 years. 9 CFR 201.42 (retention: 201.50)

**9.3 Market agencies or licensees selling or buying livestock or live poultry on a commission or agency basis.**

To keep available for inspection by owners or consignors or purchasers copies of bills covering charges paid for or on behalf of the owner or consignor which were deducted from the gross proceeds of the sale or added to the purchase price thereof when accounting for the sale or purchase.

Retention period: 2 years. 9 CFR 201.45 (retention: 201.50)

**9.4 Stockyard owners, registrants buying or selling livestock, and licensees buying or selling live poultry.**

To keep (in addition to other necessary records) daily accurate records of purchases, sales, shipments, prices, etc.

Retention period: 2 years. 9 CFR 201.46 (retention: 201.50)

**9.5 Sellers of live poultry under Packers and Stockyards Act regulations.**

To keep copy of ticket prepared by seller at time of sale showing the name of the designated market, the date of the transaction, the names of the seller and buyer, the number of coops, kinds of poultry, price per pound, and such terms and conditions as the parties may agree upon.

Retention period: 2 years. 9 CFR 201.48 (retention: 201.50)

**9.6 Stockyard owners, market agencies, or licensees weighing livestock or live poultry for purposes of purchase or sale under Packers and Stockyards Act regulations.**

To keep copy of scale ticket of weighing showing for both livestock and live poultry, name of agency performing the service, date of weighing, number of the scale or other information identifying the scale, name of seller, name of buyer, name of consignor, or understandable abbreviations of such names; in case of livestock, also, the number of head, kind, and actual weight, the amount of dockage and name or initials of person weighing it; and, in case of live poultry, also, number of coops weighed, the gross, tare, and net weights, and the name or initials of person operating scale at time of weighing.

Retention period: 2 years. 9 CFR 201.49 (retention: 201.50)

**9.7 Stockyard owners, market agencies, or licensees who weigh livestock or live poultry for purposes of purchase and sale under Packers and Stockyards Act regulations.**

To keep one copy of form report of tests and inspections of scales and shall cause one copy to be kept by the agency conducting the test and inspection of the scales (a third copy to the Area Supervisor of the Service).

Retention period: 2 years. 9 CFR 201.74 (retention: 201.50)

**9.8 Authorized State agencies and livestock associations under Packers and Stockyards Act regulations.**

To keep adequate records showing in detail the income derived from the collection of authorized fees, the disbursement of such funds as expenses for conducting the services, the inspections performed and the results thereof, including records showing a full description of brands, marks, and other identifying characteristics of inspected livestock; and currently maintain records of the brands, marks, and other identifying characteristics of livestock located in the State from which such agency or association will operate and with reference to which the authorization has been granted.

Retention period: Not specified.[3] 9 CFR 201.89

**9.9 Packers subject to the provisions of the Packers and Stockyards Act.**

To retain for the specified period of time the following records:

(a) Cutting tests; departmental transfers; buyers' estimates; drive sheets; scale tickets received from others; inventory and products in storage; receiving records; trial balances; departmental overhead or expense recapitulations; bank statements, reconciliations and deposit slips; production or sale tonnage reports (including recapitulations and summaries of routes, branches, plants, etc.); buying or selling pricing instructions and price lists; correspondence, telegrams, teletype communications and memoranda relating to matters other than contracts, agreements, purchase or sales invoices, or claims or credit memoranda.

(b) Kill sheets, lot sheets or carcass graded cost sheets; carcass hot weight sheets and carcass test cost sheets by lots for purchases of livestock on a grade and yield or grade or yield basis; con-

[2] After 3 years the person required to keep such books and records may at his option substitute photographic reproductions thereof on film, together with facilities for the projection of such film in a manner which will permit it to be readily inspected or examined.

[3] Records shall not be destroyed or disposed of without the consent in writing of the Administrator, Packers and Stockyards Administration, Department of Agriculture. 9 CFR 201.50.

tracts and agreements; purchase invoices; sales invoices; freight bills, bills of lading or shipping tickets; scale tickets and weight records issued or prepared by the packer; cash sales receipts and memoranda; claims and credit memoranda; canceled checks and drafts; check stubs or vouchers; correspondence, telegrams, teletype communications, and memoranda relating to contracts, agreements, purchase or sales invoices, or claims or credit memoranda.

(c) Departmental statements and summaries; balance sheets and profit and loss or operating statements.

Retention period: (a) 1 year; (b) 2 years; (c) 3 years. 9 CFR 203.4

**9.10 Stockyard owners, market agencies, dealers and licensees subject to the provisions of the Packers and Stockyards Act. [Added]**

To maintain records of items listed in section cited.

Retention period: 2 full calendar years, or longer if directed by the Administrator. 9 CFR 201.50

## 10. Office of the Secretary

**10.1 Educational institutions having negotiated research agreements with the Department of Agriculture. [Revised]**

To maintain records with respect to status of project, expenditures, separate records of expenditures for funds provided or other sources, and accounting records, all to be compatible with the Department's and institutions' administrative and fiscal processes.

Retention period: 3 years after final payment under the agreement. 41 CFR 4–3.5108, 4–7.5101–9 (retention: 4–7.5101–10)

## 11. Export Marketing Service

**11.1 Exporters participating in the Rice Export Program. [Amended]**

To maintain records showing milled rice or brown rice exported or to be exported in connection with program.

Retention period: 3 years after date of export. 7 CFR 1481.184

**11.2 Feed grain exporters participating in the Feed Grain Export Program.**

To keep records, accounts, and other documents relating to transactions under the program.

Retention period: 3 years after date of export. 7 CFR 1484.137

**11.3 [Deleted]**

**11.4 Private organizations or individuals which enter the private trade agreements pursuant to title IV of Public Law 480.**

Maintain books and records as well as pertinent documents, correspondence, and memoranda covering all transactions relating to the private trade agreement.

Retention period: Not specified (subject to examination by the Administrator at all reasonable times until the entire amount due under the agreement has been paid CCC). 7 CFR 14.66

**11.5 Suppliers who sell agricultural commodities under a title IV credit purchase authorization (including ocean transportation).**

Maintain pertinent books, documents, papers, and records related to the supplier and the importer.

Retention period: 3 years after final payment under such contracts. 7 CFR 14.17

**11.6 Exporters or purchasers participating in the flaxseed and linseed oil export payment-in-kind program.**

To maintain records of flaxseed or linseed oil exported or to be exported and any documents relating to any transaction in connection with this program.

Retention period: 3 years after date of export. 7 CFR 1486.137

**11.7 Exporters of agricultural commodities under CCC export credit sales program.**

To keep books, documents, papers, and records involving transactions relating to contracts between the exporter and the importer.

Retention period: 3 years after maturity of related credit arrangement. 7 CFR 1488.18

**11.8 Importers and suppliers involved in sales of agricultural commodities.**

(a) Importers—to maintain a record of all offers received from suppliers as a result of public tenders or negotiation.

(b) Suppliers—to maintain accurate books, records, and accounts with respect to all contracts entered into hereunder.

Retention period: Until expiration of 3 years after final payment under such contracts. 7 CFR 11.6, 11.17, 17.6, 17.17

**11.9 Exporters of wheat.**

To maintain records (including export sales contracts or agreements, bills of lading or delivery documents, inspection and weight certificates) of all exportations of wheat.

Retention period: 3 years after date of export. 7 CFR 778.13

**11.10 Exporters and purchasers participating in the Commodity Credit Corporations wheat and wheat flour export payment programs under the International Grains Arrangement.**

To keep accurate records showing sales and deliveries of wheat or flour exported or to be exported in connection with the programs.

Retention period: 3 years after final payment. 7 CFR 1483.184, 1483.284

## 12. Food and Nutrition Service

**12.1 Cooperating State agencies, school food authorities, and food service management companies participating in the National School Lunch program or receiving federally donated commodities for school lunch programs. [Amended]**

To maintain records as specified in the regulations.

Retention period: 3 years after the end of the Federal fiscal year to which they pertain. 7 CFR 210.8, 210.14, 210.15, 210.16

**12.2 Cooperating State agencies, service institutions, and food service management companies participating in the Special Food Service Program for Children. [Amended]**

To maintain records as specified in the regulations.

Retention period: 3 years and 3 months after the end of the Federal fiscal year to which they pertain. 7 CFR 225.7, 225.18

**12.3 Cooperating State agencies, school food authorities, child care institutions, and food service management companies participating in the Special Milk program. [Amended]**

To maintain records as specified in the regulations.

Retention period: 3 years after the end of the Federal fiscal year to which they pertain. 7 CFR 215.7, 215.11, 215.12

**12.4 Distributing, subdistributing, and recipient agencies distributing food commodities donated for use in school lunch programs, for training students in home economics, in summer camps for children, by needy Indians on reservations, in institutions, and management companies pertaining to the feeding operations of the institutions, in State correctional institutions for minors, and in assistance of other needy persons.**

To maintain records relating to receipt, disposal, and inventory of commodities, including records with respect to the receipt, and disbursement of funds arising from, or federally disbursed for, operation of the distributing program; also, to maintain records on all activities under the Supplemental Food Program.

Retention period: 3 years from the close of the Federal fiscal year to which the records pertain. 7 CFR 250.6, 250.8, 250.14, 250.15, 251.9

**12.5 Cooperating State agencies, school food authorities, and food service management companies participating in the school breakfast program. [Amended]**

To maintain accounts and records as specified in sections cited.

Retention period: 3 years after the end of the Federal fiscal year to which they pertain. 7 CFR 220.7, 220.24, 220.25

**12.6 State agencies participating in the food stamp program. [Amended]**

To keep such records, or an approved list in lieu of records, and submit such reports and other information as may from time to time be required by FNS.

Retention period: (a) For unlisted records, or list in lieu of records, 3 years from the close of the Federal fiscal year to which they pertain, or longer if instructed in writing by FNS or the Department; (b) for records covered by an approved list, 1 year from the close of the Federal fiscal year to which they pertain, or longer if instructed in writing by FNS or the Department. 7 CFR 271.8

**12.7 States participating in emergency food assistance for victims of major disasters. [Added]**

To keep records of information as required by the Food and Nutrition Service.

Retention period: Not specified. 7 CFR 274.7

**12.8 School food authorities participating in the National School Lunch program or receiving federally donated commodities for school lunch programs. [Added]**

To keep records of hearings on applications which families make for free or reduced price lunches for children.

Retention period: 3 years. 7 CFR 245.7

**12.9 Cooperating State agencies, school food authorities, and service institutions participating in the nonfood assistance program. [Added]**

To maintain records as specified in the regulations.

Retention period: 3 years to 5 years after the end of the Federal fiscal year to which they pertain. 7 CFR 220.16, 220.24, 225.15, 225.17

## II. DEPARTMENT OF COMMERCE

### 1. Economic Development Administration

**1.1 Recipients of loans and grants—project control records.**

To keep and preserve, and to require each contractor and subcontractor to keep and preserve, on account of any loan under section 201, 202, or 403, Public Law 89–136, August 26, 1965, or section 6 or 7, Public Law 87–27, May 1, 1961, or on account of any grant under section 101, 102, 301, 403, or 505, Public Law 89–136, August 26, 1965, or section 8, Public Law 87–27, May 1, 1961, detailed records reflecting acquisitions, work progress, expenditures and commitments, and to indicate their relationship to estimated costs and schedules.

Retention period: Until completion of all work performed or acquisitions made in connection with the project and at least 3 years thereafter. 13 CFR 301.54

**1.2 Recipients of loans and grants—financial records.**

To keep and preserve so long as any sum shall be due and unpaid to the Government on account of any loan under section 201, 202, or 403, Public Law 89–136, August 26, 1965, or section 6 or 7, Public Law 87–27, May 1, 1961, or on account of any grant under section 101, 102, 301, 403, or 505, Public Law 89–136, August 26, 1965, or section 8, Public Law 87–27, May 1, 1961, full written records, accurately disclosing the amount and the disposition by such recipients of the proceeds of any such assistance, together with the amounts and dispositions of other funds applied to the project, all as shall adequately establish a compliance with the requirements of the Act or Acts involved and the terms and conditions upon which such financial assistance was made.

Retention period: For loans, until final payment has been made to the Government, and at least 3 years thereafter; for grants, until completion of all work performed in connection with the project, or until final disbursement has been made by the Government, whichever is later, and at least 3 years thereafter. 13 CFR 301.54

### 2. Bureau of Domestic Commerce [Amended]

ADJUSTMENT ASSISTANCE

**2.1 Recipients of adjustment assistance under Chapter 2 of title III of the Trade Expansion Act of 1962.**

To keep records which fully disclose the amount and disposition of the proceeds of adjustment assistance and which will facilitate an effective audit.

Retention period: At least 3 years. 15 CFR 610.7

INDUSTRIAL MOBILIZATION

**2.2 Persons in the United States participating in transactions covered by DPS Regulation 2. [Amended]**

To keep records of receipts and deliveries in sufficient detail to permit the determination, after audit, of compliance of each transaction with provisions of DPS Regulation 2 (Operations of the Priorities and Allocations Systems between Canada and the United States).

Retention period: At least 3 years. 32A CFR Ch. VI, DPS Reg. 2, sec. 7(a)

**2.3 Individuals, corporations, partnerships, associations, or any other organized groups of persons participating in any transaction covered by Defense Materials System Regulation 1, as amended December 1, 1959.**

To keep accurate and complete records of each such transaction, including all rated orders, ACM orders and directives received by such persons, copies of all rated orders and ACM orders placed by such persons, records of purchases, receipts, inventories, production, use, sales, and deliveries of all materials acquired by means of priority, allotment or directive assistance, and records of sales and deliveries of all materials sold or delivered by such persons pursuant to rated orders, ACM orders and directives. Records shall be maintained in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of DMS Reg. 1, as amended December 1, 1959.

Retention period: For at least 3 years. 32A CFR Ch. VI, DMS Reg. 1, sec. 14

**2.4 Individuals, corporations, partnerships, associations, or any other organized groups of persons participating in any transaction covered by DPS Regulation 1 and DMS Order 1 and DMS Order 3. [Amended]**

To keep accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of DPS Reg. 1—Basic Rules of the Priorities System; DMS Order 1—Iron and Steel; and DMS Order 3—Aluminum, as applicable to such transaction.

Retention period: For at least 3 years. 32A CFR Ch. VI, DPS Reg. 1, sec. 24(a); DMS Order 1, sec. 17(a); DMS Order 3, sec. 15(a)

**2.5 Individuals, corporations, partnerships, associations, or any other organized groups of persons participating in any transaction covered by DPS Order 1. [Amended]**

To keep accurate and complete records of rated orders and directives received and monthly records of production, production schedules and deliveries in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of DPS Order 1—Metalworking Machines.

Retention period: For at least 3 years. 32A CFR Ch. VI, DPS Order 1, sec. 8(a)

**2.6 [Deleted]**

**2.7 Individuals, corporations, partnerships, associations, or any other organized groups of persons participating in transactions covered by DMS Order 2—Nickel Alloys. [Amended]**

To keep accurate and complete records of receipts and deliveries in sufficient detail to permit the determination, after audit, of compliance of each transaction with the provisions of DMS Order 2—Nickel Alloys.

Retention period: At least 3 years. 32A CFR Ch. VI, DMS Order 2, sec. 13(a)

**2.8 Producers, distributors, and users of copper controlled materials, intermediate shapes, and copper raw materials. (DMS Order 4—Copper and Copper-base Alloys). [Amended]**

To keep accurate and complete records of purchases, receipts, inventories, production, use, sales and deliveries of copper controlled materials, intermediate shapes, and copper raw materials in sufficient detail to permit the determination, after audit, whether each such transaction complies with the provisions of DMS Order 4—Copper and Copper-base Alloys. Such records shall include, but shall not be limited to, all authorized controlled material orders (ACM), rated orders and directives received by such persons, and copies of all authorized controlled material orders (ACM), and rated orders placed by such persons.

Retention period: At least 3 years. 32A CFR Ch. VI, DMS Order 4, sec. 9

**2.9 [Deleted]**

### 3. Assistant Secretary for Science and Technology [Amended]

**3.1 State agencies or institutions receiving financial assistance under the State Technical Services Act of 1965.**

To maintain records and documentation (e.g., vouchers, payrolls, invoices, contracts) relating to grant and amount, nature, and identification of funds supplied from non-Federal sources.

Retention period: 3 years after end of grant period or until audit has been conducted by the Department and all questions arising therefrom are resolved. 15 CFR 700.11

## 4. Bureau of International Commerce

**4.1 Holders of International Import Certificates selling or transferring commodities covered by such certificates. [Amended]**

To secure and retain a written acceptance by the purchaser or transferee of all obligations imposed under the export regulations of the United States.

Retention period: 2 years.[4] 15 CFR 368.2 (retention: 387.11)

**4.2 Executors of International Import Certificates where resale or transfer of commodities covered by Import Certificate occurs before delivery. [Amended]**

To secure and retain written acceptance by purchaser or transferee of obligation to provide delivery verification.

Retention period: 2 years.[4] 15 CFR 368.2 (retention: 387.11)

**4.3 Exporter of commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing. [Amended]**

To keep copies of exporter's letter of inquiry and manufacturer's reply regarding use of commodities.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 378.2 (retention: 387.11)

**4.4 Applicants for export licenses. [Amended]**

To keep documents constituting evidence of an order and of facts relating to the purchase transaction as specified in section cited.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 372.6 (retention: 387.11)

**4.5 Applicants for export licenses. [Amended]**

To keep the originals and any copies of documents submitted in support of applications.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 372.6 (retention: 387.11)

**4.6 Foreign importers of aircraft or vessel repair parts. [Amended]**

To keep records of commodities imported from the U.S. and supplied abroad to vessels or aircraft.

Retention period: 2 years from the date the commodities are supplied to a vessel or aircraft.[4] 15 CFR 373.8 (retention: 387.11)

[4] Complete and accurate reproductions may be substituted for documents required to be retained under Export Control Regulations after 12 months from beginning of required retention period; provided facilities for location and inspection are available at the place of retention. 15 CFR 387.11

**4.7 Exporter to a foreign distributor. [Amended]**

(a) To retain copies of validated or rejected Forms FC–143 and 243, and (b) to retain documents, correspondence, memoranda, books, and other records relating to exports under the Form FC–243 procedure.

Retention period: 2 years (a) from date of validated or rejected forms, and (b) from whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 373.4 (retention: 387.11)

**4.8 Applicants for a Periodic Requirements License. [Amended]**

To keep records of the documentary evidence of the prescribed relationship with each consignee.

Retention period: 2 years from, whichever is later, date of exportation, reexporation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 373.5 (retention: 387.11)

**4.9 Applicants for a Time Limit License. [Amended]**

To keep records of the documentary evidence of the prescribed relationship with each consignee.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 373.6 (retention: 387.11)

**4.10 Forwarding agents receiving copies of commercial invoices not containing notice of prohibition against diversion. [Amended]**

To keep record of notification to exporter of obligation and exporter's reply of compliance therewith.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 386.6 (retention: 387.11)

**4.11 Transferors and transferees of export licenses. [Amended]**

To keep records of all documents evidencing the order covered by these licenses.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 372.13 (retention: 387.11)

**4.12 Exporters or agents. [Amended]**

To keep records of export transactions, exports and reexports.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 387.11

**4.13 Foreign distributors. [Amended]**

To keep records of distribution, sale, or reexportation from a foreign-based stock under the Form FC–243 Procedure.

Retention period: 2 years from date of distribution.[4] 15 CFR 373.4 (retention: 387.11)

**4.14 Loan or sale of commodities by airlines. [Amended]**

To keep records of commodities imported from the U.S. and lent, or sold to another airline without profit.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 376.8 (retention: 387.11)

**4.15 Carriers releasing shipment without receiving a bill of lading containing notice of prohibition against diversion. [Amended]**

To secure a receipted copy of the written notice omitted from the bill of lading from party taking custody of the shipment.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 386.6 (retention: 387.11)

**4.16 Exporters of certain kinds of technical data. [Amended]**

To secure and retain a written assurance from the consignee regarding use of the data and its direct product.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 379.4 (retention: 387.11)

**4.16a Exporters and distributors of commodities under distribution licenses. [Amended]**

To keep (a) one copy of each validated or rejected Form FC 1143; (b) all other forms, documents, correspondence, memoranda, books, and other records relating to any export from the United States under a distribution license; and (c) all records regarding a sale or reexport by a distributor who is an approved consignee.

Retention period: 2 years (a) from date of validation or rejection; (b) from whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction; (c) from date of sale or reexport.[4] 15 CFR 373.3 (retention: 387.11)

**4.16b U.S. exporters, foreign-based service facilities, and foreign manufacturers operating under the Service Supply Procedure. [Amended]**

To keep records of all exports and reexports.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 373.7 (retention: 387.11)

**4.16c Carriers operating under alternate procedure for filing declarations. [Added]**

To keep letter from Bureau of the Census acknowledging carrier's willingness to accept unauthenticated declarations under the alternate procedure.

Retention period: 2 years from date of last action taken by carrier under the alternate procedure.[4] 15 CFR 386.3 (retention: 387.11)

**4.16d Exporters of commodities to be returned to the United States. [Added]**

To keep records of temporary exports of commodities to be returned to the United States.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 371.22 (retention: 387.11)

### Foreign Trade Zones Board

**4.17 Grantees of foreign trade zones.**

To keep books, records, and accounts in the form and manner prescribed in "Uniform System of Accounts, Records and Reports," approved February 6, 1939.

Retention period: Not specified. 15 CFR 400.1002a

## 5. Maritime Administration

**5.1 General agents (shipping companies) or their subcontractors and berth agents.**

To keep books, records, documents and accounts (which shall be the property of the U.S.), relating to the activities, maintenance and business of vessels covered by or involving transactions related to Service Agreements as prescribed in AGE–1—General Agents, Agents and Berth Agents.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, AGE–1, sec. 2(a), General Agency Agreement, Art. 3 (g)(1) and Art. 14; sec. 2(b) Berth Agency Agreement, Art. 3(e)(1) and Art. 14

**5.2 Agents entering into service agreements.**

To keep separate sets of books of accounts to record the various transactions in connection with procedural rules for financial transactions under agency agreements.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, FIS–1, sec. 1

**5.3 Agents entering into service agreements.**

To keep the originals of all documents, at his principal office, including authorizations, for facilities, services and supplies and complete tariffs and port schedules covering charges at domestic and foreign ports incident to the operation of the vessels assigned under the procedural rules for financial transactions under agency agreements.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, FIS–1, secs. 9 and 12

**5.4 General agents.**

To prepare monthly invoices for husbanding and other compensation earned during preceding month under the applicable provisions of NSA Order No. 47 (AGE–4) and record amounts of compensation paid in agency account books.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, FIS–2, sec. 3(a)(1) and sec. 5

**5.5 General agents.**

To keep originals of statements or credit memoranda for return premiums for all vessels insured with Underwriters pursuant to INS–1–Maritime Protection and Indemnity Insurance Instructions Under General Agency and Berth Agency Agreements.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, INS–1, sec. 7(b)

**5.6 General agents.**

To keep records to account, if required, for the purchase, delivery to the Master, receipts from sales, condemnations, transfers and all other transactions in connection with slop chests.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, OPR–1, sec. 2(e)

**5.7 Masters.**

To keep records and logs disclosing receipts for the antqities of slop chest items delivered aboard ship and for losses sustained due to fire, water, or other damage which renders articles unsaleable.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, OPR–1, sec. 3 (d) and (e)

**5.8 General agents.**

To keep a copy of each Job Order, Supplemental Job Order or Worksmalrep Contracts for the maintenance and repair of vessels when work awarded by General Agents.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, SRM–5

**5.9 General agents.**

To keep records and supporting documents pertaining to repairs and equipment purchased for repairs to ships so that reports may be made to the Maritime Administration.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, SRM–2, sec. 4; SRM–3, sec. 3(d); SRM–4, sec. 2; SRM–5, sec. 3(a) and sec. 19

**5.10 Charterers of Government-owned dry-cargo vessels.**

To keep books, records, and accounts, required under Clause 37(1), Part II, of Form 705 charter; section 705 of the Merchant Marine Act, 1936.

Retention period: 3 years after a release or final settlement is completed between the Maritime Administration and the charterer. 46 CFR 221.13

**5.11 [Reserved]**

**5.12 Operators of operating-differential subsidized vessels.**

To keep copy of Form MA–140, Repair Summary (together with the letter and documents pertinent thereto) for each terminated voyage.

Retention period: Not less than 6 years after audit and approval by the Maritime Administration and Maritime Subsidy Board of a final accounting for the last year of a recapture period and settlement of such a recapture period. 46 CFR 272.7

**5.13 Operating-differential subsidy contractors, and such affiliates, domestic agents, subsidiaries, or holding companies connected with, or directly or indirectly controlling or controlled by, such contractors.**

To keep its books, records, and accounts, as the Maritime Administration shall require, relating to the maintenance, operation, and servicing of the vessels, services, routes, and lines.

Retention period: In accordance with the provisions of 46 CFR 380.24. 46 CFR 282.00, 282.01, 292.3

**5.14 Operating-differential subsidy contractors.**

To keep records supporting entries to notes and accounts receivable from officers and employees and subsidiary accounts.

Retention period: In accordance with the provisions of 46 CFR 380.24. 46 CFR 282.364

**5.15 Contractors and subcontractors.**

To keep accounts, books, documents, memoranda, minutes and records of every kind involving cost of performing a contract or subcontract subject to inspection and audit by the Administration.

Retention period: 2 years after the final determination by the Maritime Administration. 46 CFR 285.5

**5.16 Contractors and subcontractors.**

To keep books and records in such manner that a proper determination of profit can be made therefrom.

Retention period: 2 years after the contractor or subcontractor has made payment of excess profits as determined by the Maritime Administration. 46 CFR 285.35

**5.17 Operators of operating-differential subsidy agreements and depositories.**

To keep certified copies of resolutions authorizing the establishment of special and capital reserve funds and such other accounts established in connection therewith.

Retention period: In accordance with the provisions of 46 CFR 380.24. 46 CFR 286.2

**5.18 Taxpayers establishing construction reserve funds.**

To keep records and make such additional reports as the Commissioner of Internal Revenue or the Maritime Administration may require.

[4] Complete and accurate reproductions may be substituted for documents required to be retained under Export Control Regulations after 12 months from beginning of required retention period; provided facilities for location and inspection are available at the place of retention. 15 CFR 387.11

[5] After audit by the General Accounting Office, the Maritime Administration will take custody of the records.

Retention period: 6 months after the termination or closing out of the reserve fund. 46 CFR 287.26

**5.18a Taxpayers establishing construction reserve funds; depositories.**

To keep resolutions in connection with the establishment and maintenance of the construction reserve fund under agreement with the depository.

Retention period: 2 years after a final release or settlement agreement is completed between the Maritime Administration/Maritime Subsidy Board and the taxpayer. 46 CFR 287.6

**5.19 Operators of operating-differential subsidy agreements.**

To keep all working papers (irrespective of by whom prepared) in support of the various statements comprising annual and final accountings.

Retention period: In accordance with the provisions of 46 CFR 380.24. 46 CFR 292.8

**5.20 Citizen applicants to purchase or charter a war-built vessel.**

To keep books, records, and accounts available for examination as deemed necessary by the Maritime Administration to verify financial statements submitted.

Retention period: Purchase—10 years after completion of contract requirements; charter—5 years after settlement of company charters by the Maritime Administration. 46 CFR 299.8

**5.21 Purchasers of war-built vessels.**

To keep books, records and accounts available for examination and audit as may be required by the Maritime Administration.

Retention period: Until a final release or settlement agreement is completed between the Maritime Administration and the purchaser. 46 CFR 299.21

**5.22 Charterers of war-built vessels.**

To keep books, records and accounts relating to the vessel in such form as the Maritime Administration may prescribe available for examination and audit.

Retention period: 2 years after final release or settlement agreement is completed between the Maritime Administration and the charterer. 46 CFR 299.31

**5.23 Charterers of war-built vessels, Government-owned dry-cargo vessels, and war-built dry-cargo vessels.**

To keep books, records and accounts relating to the management, operations, conduct of the business of and maintenance of the vessels covered by the agreement in accordance with the "Uniform System of Accounts" and under such regulations as may be prescribed by the owner: *Provided*, That if the Charterer is subject to the jurisdiction of the Interstate Commerce Commission, the Administration will not require the duplication of books, records and accounts required to be kept in some other form by the Interstate Commerce Commission.

Retention period: 2 years after final release or settlement agreement is completed between the Maritime Administration and the charterer. 46 CFR 299.39, 299.130, 299.202

**5.24 Charterers of war-built vessels.**

To keep cost records or other sound accounting evidence for purpose of supporting claims, if any, for post-redelivery overhead expenses.

Retention period: 2 years after final release or settlement agreement is completed between the Maritime Administration and the charterer. 46 CFR 299.43, 299.52, 299.53

**5.25 Underwriting agents under war risk insurance program for hull, P & I and second seamen.**

To keep a full and complete record of all applications, binders and policies, and also record all premiums, charges or deposits required by the terms of the binders or policies; and books, records and accounts covering the operations and activities under the Underwriting Agency Agreement, which shall be the property of the United States represented by the Maritime Administrator.

Retention period: Until a release is granted by the Maritime Administration, at which time the Maritime Administration will take custody of the records. 46 CFR 308.8

**5.26 Those assured under war risk cargo insurance program.**

To keep books, records and accounts in such form and manner that all information available to the assured as to the amounts at risk and the amounts of losses incurred and premiums due can be readily ascertained therefrom by the Maritime Administrator.

Retention period: Until a release is granted by the Maritime Administration, at which time the Maritime Administration will take custody of the records. 46 CFR 308.517

**5.27 Underwriting agents under war risk cargo insurance program.**

To keep a full and complete record of all applications, binders, and policies, and also record all premiums, charges, collateral deposit funds and surety bonds required by the terms of the binders and policies; and books, records and accounts covering the operations and activities under the Underwriting Agency Agreement, which shall be the property of the United States represented by the Maritime Administrator.

Retention period: Until a release is granted by the Maritime Administration, at which time the Maritime Administration will take custody of the records. 46 CFR 308.548

**5.28 State maritime schools.**

To keep records pertaining to the schools, its officers, instructors, crew, cadets, training vessels and shore bases. The schools shall also maintain records of cadet enrollments, reenrollments, absences with or without leave, hospitalizations, disenrollments, graduations, and other analogous data.

Retention period: Not specified. 46 CFR 310.3

**5.29 Clearing agents under war risk cargo insurance programs.**

To keep a complete, separate system of books, records and accounts covering its operation and activities under this agreement, including a record of all statements, vouchers and other information received by it from the underwriting agents which shall be the property of the United States represented by the Maritime Administrator.

Retention period: During the period of the agreement and up to 36 months after its termination and thereafter until final settlement of any outstanding claims against the Administrator by holders of policies issued by the underwriting agents. 46 CFR 308.551

**5.30 Operators under title VI and VII, Merchant Marine Act, 1936.**

To keep varied records created while under contract with the Maritime Administration/Maritime Subsidy Board.

Retention period: In accordance with the provisions of sections cited. 46 CFR 380.20–380.24

## 6. Office of Foreign Direct Investments

**6.1 Persons in the United States making foreign direct investments. [Amended]**

To keep within the United States a full and accurate record of each transaction subject to the provisions of 15 CFR Part 1000, whether effected pursuant to authorization or otherwise, and of every other transaction with an affiliated foreign national.

Retention period: 3 years. 15 CFR 1000.601

**6.2 Persons required to make reports and persons aiding in preparing such reports.**

To preserve all working papers (irrespective of by whom prepared) used in preparation of reports required under 15 CFR 1020.121(a) or 1000.602(b), all exhibits, all schedules, and all attachments to such papers, and all books and all records related to such reports or to such papers.

Retention period: 2 years. 15 CFR 1020.121(b)

## 7. Assistant Secretary for Domestic and International Business

**7.1 Ship and aircraft owners, masters, officers, employees and agents participating in transportation.**

To retain records of voyages and/or shipments in sufficient detail to permit an audit to determine if the provisions of orders T–1 and T–2 (Shipping restrictions) to Country groups X, Y, or Z (these include Soviet bloc countries (excluding Rumania and Poland), Hong Kong, Macao, China, North Korea, North Vietnam, and Cuba), as set forth in the Export Schedule (15 CFR Part 370, Supp. 1), have been carried out. No changes in the records customarily maintained are required provided such

records supply an adequate basis for audit. Records may be retained in microfilm or other photographic copies instead of the originals.

Retention period: At least 2 years. 32A CFR Ch. VII, T–1, sec. 4; T–2, sec. 5

**7.2 Persons transporting commodities to and from Southern Rhodesia.**

To retain records of shipments in sufficient detail to permit an audit that will determine, for each transaction, that the provisions of 15 CFR Part 11 have been met. Records may be microfilmed or photographic copies made.

Retention period: At least 2 years. 15 CFR 11.5

### 8. National Oceanic and Atmospheric Administration [Added]

**8.1 Licensees on whale catchers and factory ships, and at land stations.**

To maintain records of detailed information of the killing, capturing, and delivery of whales and a detailed record of whales received and processed.

Retention period: 6 months following the end of the calendar year to which the records apply. 50 CFR 230.30, 230.31, 230.32 (retention: 230.34)

**8.2 Borrowers from the fisheries loan fund.**

To maintain books of account and submit periodic reports as required by the Secretary of the Interior.

Retention period: End of loan period. 50 CFR 250.13

**8.3 Recipients of fishing vessel mortgage insurance.**

To maintain books of account and submit periodic reports as required by the Secretary of the Interior.

Retention period: End of period during which insurance is in force. 50 CFR 255.4

**8.4 State or State agencies receiving Federal funds for research and development of commercial fisheries Resources.**

To maintain records of accounts, reporting and supporting documentation thereto.

Retention period: 3 years after final payment is made. 50 CFR 253.8

**8.5 Commercial fishery operators receiving resource disaster loans.**

To maintain all records incident to the fishing operation.

Retention period: 3 years after the note has been satisfied. 50 CFR 253.8

**8.6 State agencies receiving Federal assistance under the Jellyfish Act of 1966.**

To maintain records of accounts and reports, with supporting documentation thereto.

Retention period: 3 years after final payment is made. 50 CFR 254.15

**8.7 Masters of shipping vessels engaged in yellow-fin tuna fishing.**

To keep an accurate log of all fishing operations, including the date, locality, and estimated quantity of tuna fish and other marketable fish, by species, which are taken on board.

Retention period: Not specified. 50 CFR 280.10

**8.8 State fishery agencies or other non-Federal interests receiving Federal assistance under the Anadromous Fish Act of 1965.**

To maintain records of accounts and reports, with supporting documentation thereto.

Retention period: 3 years following final payment. 50 CFR 401.15

**8.9 Contractors and subcontractors of demonstration plants for the production of fish protein concentrate.**

To maintain books, documents, papers, and records involving transactions under such contract.

Retention period: 3 years after final payment. 16 U.S.C. 778e

**8.10 Purchasers of haddock or other finfish from U.S. fishing vessels.**

To keep records of each purchase of haddock or any other species of finfish taken within convention area by a U.S. fishing vessel.

Retention period: Not specified. 50 CFR 240.10

**8.11 Masters or operators of fishing vessels engaged in haddock fishing.**

To keep an accurate log of all fishing operations, including details of type of gear used, locality and duration of fishing, and estimated poundage of each species taken at each retrieval of gear.

Retention period: Not specified. 50 CFR 240.10

**8.12 Masters or operators of vessels holding Pacific halibut fisheries license or permit.**

To keep an accurate log of all fishing operations, including the date, locality, amount of gear used, and amount of halibut taken daily in each locality.

Retention period: 2 years. 50 CFR 301.7

**8.13 Halibut dealers.**

To keep records of each purchase or receipt of halibut, showing date, locality, name of vessel, firm or corporation purchased or received from and amount in pounds according to trade categories of the halibut and other species landed therewith.

Retention period: 2 years. 50 CFR 301.8

**8.14 Factory whaling ships and land stations.**

To enter immediately in a permanent record the information reported by radio on whales taken by whale catchers, as prescribed in 50 CFR 351.13 (c), and other data, as prescribed in paragraph (d), when it becomes available.

Retention period: Permanent. 50 CFR 351.13

### 9. Regional Action Planning Commissions [Added]

**9.1 Recipients of grants—financial records.**

To keep and preserve on account of any grant under secs. 505 and 509 of the Public Works and Economic Development Act of 1965, as amended, full written records, accurately disclosing the amount and the disposition by such recipients of the proceeds of any such assistance, together with the amounts and dispositions of other funds applied to the project, all as shall adequately establish a compliance with the requirements of the act or acts involved and the terms and conditions upon which such financial assistance was made.

Retention period: Until completion of all work performed in connection with the project, or until final disbursement has been made by the Government, whichever is later, and at least 3 years thereafter. 13 CFR 307.62(10)(d)

## III. DEPARTMENT OF DEFENSE

### 1. [Deleted]

### 2. Department of the Air Force

2.1–2.2 [Reserved]

**2.3 Contractors' flight operating procedures and flight crews.**

To keep records of each flight crew member and policy and flight operating procedures.

Retention period: Not specified. 32 CFR 860.8

### 3. Department of the Army

3.1 [Reserved]

**3.2 Owners of private interstate toll bridges.**

To keep records relating to construction, financing, and promotion of such bridge.

Retention period. At least 3 years after completion of bridge. 33 U.S.C. 528

**3.3 States or municipalities or other political subdivisions or public agencies thereof taking over or acquiring or constructing an interstate toll bridge.**

To keep an accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating same, and of the daily tolls collected.

Retention period: Not specified. 33 U.S.C. 529

3.4 [Reserved]

**3.5 Contractors with federally assisted contracts.**

To maintain payroll and other related records during the course of the work for all laborers and mechanics working at the site of the work.

Retention period: 3 years. 32 CFR 1808.4

**3.6 State or State agencies receiving Federal contributions for civil defense equipment.**

To maintain books, records, and documents relating to such contributions.

Retention period: 3 years following completion of the approved project. 32 CFR 1801.6

**3.7 State or State agencies receiving financial contributions for personnel and administrative expenses under the Federal Civil Defense Act of 1950, as amended.**

To keep books, records, papers, and other pertinent supporting material including those relating to procurement of administrative equipment and to merit system operations showing receipt and disbursement of Federal funds received.

Retention period: 3 years after payment unless advised by OCD to maintain such records for a longer period. 32 CFR 1807.6

## IV. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### 1. Office of Education

**1.1 Local educational agencies receiving Federal grants for construction of minimum school facilities in areas affected by Federal activities under Public Law 81–815, as amended.**

To keep all records supporting claims for Federal grants.

Retention period: (1) Until 5 years after the date of final payment under the application involved, or (2) until notified that such records are not needed for administrative review, whichever occurs earlier.[5] 45 CFR 114.61

**1.2 Local educational agencies receiving Federal grants to cover current expenditures in areas affected by Federal activities under Public Law 81–874, as amended.**

To keep all records supporting claims for Federal grants.

Retention period: (1) Until completion of fiscal audit and/or administrative reviews which are conducted regularly by Federal agencies, or (2) for 3 years following fiscal year to which the claim relates, whichever is earlier.[5] 45 CFR 115.42

**1.3 State and local agencies receiving financial assistance for vocational education programs under the Vocational Education Act of 1963, as amended. [Revised]**

(a) To maintain records supporting claims for Federal grants or relating to the accountability by the grantee for the expenditure of such grants and matching funds, and records supporting compliance and maintenance of effort and other requirements.

Retention period: 3 years after close of fiscal year in which expenditure was made or, if Federal audit has not occurred, 5 years after close of fiscal year in which expenditure was made or until notified of completion of Federal audit, whichever is earlier.[5] 45 CFR 102.129

(b) To maintain inventories of items of equipment acquired with funds under the act, and costing more than $200 per unit.

Retention period: Until depreciation of such equipment results in a fair market value of less than $200 per unit or until its disposition. Inventory records are subject to retention requirements for accountability of Federal funds. 45 CFR 102.131

**1.4 [Deleted]**

**1.5 State and local agencies and any other entities participating in the library services and construction program, interlibrary cooperation or specialized State library services under the Library Services and Construction Act, as amended. [Amended]**

(a) To keep all records identified as to individual program allotments supporting claims for Federal grants or relating to the accountability of the State agency or any participant for expenditures of such grants and of matching funds and records supporting maintenance of effort.

Retention period: Until State agency is notified that they are not needed for program administration review and that the Department's fiscal audit is completed.[5] 45 CFR 130.85

(b) To keep inventories and records of each item initially costing $100 or more, in which cost the Federal Government has participated, or which was purchased with State or local matching funds.

Retention period: Not specified. 45 CFR 130.80

**1.6 State agencies and training facilities receiving payments for training under the Manpower Development and Training Act of 1962, as amnded. [Amended]**

(a) To keep all records supporting claims for Federal funds or relating to the accountability of a State agency or training facility for expenditure of such funds and relating to the expenditure of its share of the costs of providing training under the act.

Retention period: (1) For 5 years after the close of the fiscal year in which the expenditure was made by the State agency or any public or private training facility; or (2) until the State agency or training faciiity is notified of the completion of the Federal fiscal audit, whichever is earlier.[5] 45 CFR 160.16

(b) To maintain an up-to-date inventory on all equipment acquired (1) as a part of the training projects approved under the act, (2) for use in State direction and supervision of training, and (3) for use in program development by other agencies.

Retention period: Until the expiration of the useful life of such equipment, or until notified of the completion of the audit covering the disposition of such equipment. 45 CFR 160.17

**1.7 Recipients of Federal financial assistance for noncommercial broadcasting facilities pursuant to part IV of title III of the Communications Act of 1934, as amended.**

(a) To maintain all records relating to the receipt and expenditure of the Federal grant funds and to the expenditure of non-Federal share of the cost of the project.

Retention period: For 5 years after the close of the fiscal year in which the expenditure was made; or until the applicant is notified of the completion of the Secretary's fiscal audit, whichever is earlier.[5] 45 CFR 60.19

(b) To maintain adequate descriptive inventories and other records supporting accountability of all transmission apparatus acquired and installed in the project and costing, or in the case of donations, having a fair market value of $100 or more except that when depreciation of such apparatus results in a fair market value of less than $100 per unit such apparatus may be deleted from such inventory.

Retention period: 10 years after completion of the project. 45 CFR 60.19

**1.8 State or local educational agencies receiving grants for education of handicapped children.**

(a) To maintain all records supporting claims for Federal funds or relating to accountability of the grantee for expenditures of such funds.

Retention period: (1) 3 years after close of fiscal year in which expenditure was made, or (2) until State educational agency is notified that such records are not needed for administrative review, whichever is the later.[5] 45 CFR 121.32

(b) To maintain an inventory (1) of all equipment placed in temporary custody of persons in a private school and (2) of all other equipment costing $100 or more per unit.

Retention period: (1) Until the equipment is discharged from such custody and if costing $100 or more per unit, for the expected useful life of the equipment or until its disposition or (2) for expected useful life of the equipment or until its disposition. Inventory records are subject to retention requirements for accountability of Federal funds. 45 CFR 121.33

**1.9 State commissions receiving financial assistance under section 105 and institutions receiving financial assistance for construction of higher education facilities under the Higher Education Facilities Act of 1963, as amended.**

(a) *State commissions.* To maintain (1) accounts and documents supporting expenditures for expenses, (2) inventories and other records supporting accountability for purchase of equipment items costing $50 or more per unit, (3) records of each application received, and (4) records of all hearings on appeals and all proceedings by which it establishes relative priorities and recommended Federal shares for eligible projects considered.

(b) *Institutions, cooperative graduate center boards, and higher education building agencies.* To maintain all accounting records relating to approved projects, including bank deposit slips, canceled checks, etc. (or microfilm copies), for audit and inspection by the Federal Government.

[5] The records involved in any claim or expenditure which has been questioned shall be further maintained until necessary adjustments have been reviewed and cleared.

Retention period: (a) (1) Until notified of completion of Federal audits for the Federal fiscal year concerned, (2) until notified of the completion of review and audit by HEW covering disposition of such equipment, (3) at least 2 years after final action is taken, and (4) at least 3 years; (b) 3 years after the completion of the project or until the applicant is notified of completion of the Government's audit, whichever is later. 45 CFR 170.6

**1.10 Local educational agencies and public and private nonprofit agencies receiving financial assistance for adult education programs under section 309 of the Adult Education Act of 1966, as amended.**

(a) To maintain all records pertaining to the expenditure of the Federal grant and non-Federal contribution.

Retention period: (1) 3 years after close of fiscal year in which expenditure was liquidated, (2) until grantee is notified that such records are no longer needed for program administrative review, or (3) until notified of completion of Federal fiscal audit, whichever is the latest.[6] 45 CFR 166.76

(b) To keep inventory and records of all items of equipment costing $100 or more in which cost the Federal Government has participated.

Retention period: Not specified. 45 CFR 166.77

**1.11 State and local educational agencies receiving financial assistance under title III of the National Defense Education Act for strengthening instruction in science, mathematics, history, civics, geography, economics, industrial arts, modern foreign language, English, and reading.**

(a) To keep all records supporting claims for Federal grants or relating to the accountability of the grantee for expenditures of Federal grants and matching funds.

Retention period: (1) For 3 years after the close of the fiscal year in which the expenditure was made; or (2) until the State agency is notified that such records are not needed for program administration review; or (3) until the State agency is notified of the completion of the Department's fiscal audit, whichever is the latest.[6] 45 CFR 141.18

(b) To keep records supporting accountability for nonconsumable equipment purchased under the program for supervision, related services or administration, and costing $50 or more per unit.

Retention period: Until notification of the completion of the review and audit covering the disposition of such equipment. No such continuing inventory is required for equipment acquired by local educational agencies under projects approved in accordance with section 303(a) of the National Defense Education Act of 1958. 45 CFR 141.18

[6] The records involved in any claim or expenditure which has been questioned shall be further maintained until necessary adjustments have been reviewed and cleared.

**1.12 Private nonprofit elementary and secondary schools receiving loans under title III of the National Defense Education Act for acquisition of equipment for strengthening instruction in science, mathematics, modern foreign language, other critical subjects, and the humanities and the arts.**

To keep all records supporting the use of loan funds accessible and intact.

Retention period: Until the loan has been paid in full or until 3 years after receipt of loan funds, whichever is later. 45 CFR 142.9

**1.13 Institutes of higher education receiving financial assistance for graduate fellowship programs under title IV of the National Defense Education Act.**

To keep all records supporting claims for Federal payments.

Retention period: (1) For 3 years after the close of the fiscal year to which such records relate; or (2) until they are notified that such records are not needed for program administration review; or (3) until they are notified of the completion of the Department's fiscal audit, whichever is the latest.[6] 45 CFR 145.5

**1.14 State and local educational agencies receiving financial assistance for guidance and counseling and testing programs under title V of the National Defense Education Act.**

(a) To keep all records supporting claims for Federal grants or relating to the accountability of the grantee agency for expenditures of Federal grants and matching funds.

Retention period: (1) For 3 years after the close of the fiscal year in which the expenditure was made; or (2) until the State agency is notified that such records are not needed for program administration review; or (3) until the State agency is notified of the completion of the Department's fiscal audit, whichever is the latest.[6] 45 CFR 143.18

(b) To keep records supporting accountability for nonconsumable equipment purchased under the program with Federal financial participation and costing $50.00 or more per unit.

Retention period: Until the State agency is notified of the completion of the review and audit covering the disposition of such equipment. 45 CFR 143.18

**1.15 State educational agencies receiving financial assistance under section 1009 of the National Defense Education Act for improvement of statistical services.**

(a) To keep all records supporting claims for Federal grants or relating to the accountability of the grantee agency for expenditure of Federal grants and matching funds.

Retention period: (1) For 3 years after the close of the fiscal year in which the expenditure was made by the State educational agency; or (2) until the State agency is notified that such records are not needed for program administration review; or (3) until the State agency is notified of the completion of the Department's fiscal audit, whichever is the latest.[6] 45 CFR 140.7

(b) To keep records supporting accountability for nonconsumable equipment purchased under the program with Federal financial participation and costing $10 or more per unit.

Retention period: Until notification of the completion of the Department's review and audit covering the disposition of such equipment. 45 CFR 140.7

**1.16 State and local educational agencies receiving financial assistance for the education of children of low-income families, pursuant to title I of the Elementary and Secondary Education Act of 1965, which amended Public Law 81-874, as amended. [Amended]**

(a) To keep intact and accessible all records supporting claims for Federal grants or relating to the accountability of the grantee for expenditure of such grants.

Retention period: (1) 5 years after close of fiscal year in which expenditure was made; or (2) until State educational agency is notified that such records are not needed for administrative review, whichever is the earliest.[6] 45 CFR 116.54

(b) To maintain inventory records on equipment acquired with Federal funds and placed in the temporary custody of persons in a private school.

Retention period: 1 year following period inventories must be kept, i.e., until the equipment is discharged from such custody and, if costing $100 or more per unit, for the expected useful life of the equipment or until its disposition. 45 CFR 116.55

**1.17 State and local educational agencies receiving financial assistance for school library resources, textbooks, and other instructional materials, under title II of the Elementary and Secondary Education Act of 1965, as amended.**

(a) To keep records supporting claims for Federal funds or relating to the accountability of the grantee or funded agency for expenditure of such funds.

Retention period: (1) For 3 years after the close of the fiscal year in which the expenditure was made; or (2) until the State agency is notified that such records are not needed for program administration review; or (3) until the State agency is notified of the completion of the fiscal audit, whichever is the latest.[6] 45 CFR 117.37

(b) To keep (1) inventories and other records supporting accountability of equipment, which costs $100 or more per unit, purchased with Federal funds for use in administration of the State plan, and (2) records supporting accountability for school library resources, textbooks, and other printed and published instructional materials.

Retention period: (1) For the useful life of the equipment or until the State agency is notified of the completion of the Department's review and audit covering the disposition of such equipment, whichever is sooner; (2) for the useful life of each item by the public agency in

which title to such materials is vested, which ownership is to be evidenced by appropriate, permanent marking of each item. 45 CFR 117.5, 117.37

**1.18 State and local educational agencies receiving financial assistance under title III of Elementary and Secondary Education Act of 1965 for supplementary educational centers and services. [Amended]**

(a) To keep all records supporting claims for Federal grants or relating to the accountability for expenditure of such grants.

Retention period: (1) 5 years after close of fiscal year in which expenditure was made, or (2) until State agency is notified that such records are not needed for administrative review, whichever occurs first. 45 CFR 118.11, 118.64

(b) To keep inventories of all equipment acquired with funds under title III of the act and costing $100 per unit.

Retention period: 3 years following the period for which such inventories are required to be made, i.e., for the expected useful life of such equipment or until its disposition, whichever is earlier. 45 CFR 118.11, 118.64

**1.19 Recipients of Federal financial assistance for research and research related activities in the field of education and for construction of national and regional research facilities under the Cooperative Research Act. [Amended]**

(a) To keep all records supporting claims under Federal grants or relating to the accountability of Federal funds.

Retention period: (1) Until audit by or on behalf of the Department, or (2) 5 years after the close of the budget period, whichever is the lesser.[6] 45 CFR 151.18

(b) To keep inventories and other records supporting accountability of nonconsumable equipment costing $250 or more per unit purchased, in whole or in part, with Federal funds.

Retention period: Until grantee is notified of the completion of the Department's review and audit covering disposition of such equipment. 45 CFR 151.18

**1.20 State educational agencies receiving financial assistance under title V of the Elementary and Secondary Education Act of 1965 to strengthen State departments of education.**

(a) To keep all records supporting claims for Federal grants or relating to the accountability of such grantee for expenditure of such grants.

Retention period: (1) 5 years after the end of the period for which such grants were made available to the grantee, or (2) until the grantee is notified that such records are not needed for administrative review, whichever occurs first.[6] 45 CFR 119.49

(b) To keep inventories and other records supporting accountability of equipment, which costs $100 or more per unit, purchased by the grantee with Federal financial participation.

Retention period: Until the grantee is notified of the completion of the Department's review and audit covering the disposition of such equipment. 45 CFR 119.49

**1.21 Local educational agencies receiving financial assistance for construction of public elementary and secondary schools in areas affected by major disasters.**

To keep records supporting claims for such assistance.

Retention period: 5 years following date of final payment under the application or until grantee is notified that such records are not needed for program administrative review, whichever is the earlier. 45 CFR 112.16

**1.22 Local educational agencies receiving financial assistance for current expenditures in areas affected by major disasters.**

To keep all records supporting claims for such Federal funds.

Retention period: 5 years following the fiscal year to which the claim relates, or until grantee is notified that such records are not needed for program administrative review, whichever is the earlier. 45 CFR 113.19

**1.23 State commissions and institutions receiving financial assistance for acquisition of equipment to improve undergraduate instruction in institutions of higher education under the Higher Education Act of 1965. [Amended]**

(a) *State commissions.* To maintain (1) records supporting expenditures for expenses of State commission, (2) a complete case file on each application received, and (3) records of all proceedings by which it establishes relative priorities and recommended Federal shares for eligible projects considered.

Retention period: (1) Until notification of completion of Federal audits for fiscal year concerned, or 5 years following such fiscal year, whichever is sooner;[6] (2) at least 2 years after final action on the application by the State commission; and (3) at least 2 years after closing date for receipt of such projects. 45 CFR 171.8

(b) *Institutions.* To maintain all accounting records relating to approval of projects and to verification of the applicant's maintenance of effort, including bank deposits, canceled checks, etc.

Retention period: 3 years after completion of the project or until applicant is notified of the Government's audit, whichever is later. 45 CFR 171.8

**1.24 Federal, State, and private programs of low-interest loans to vocational students and students in institutions of higher education. [Revised]**

(a) *Guarantee agencies.* To keep records on status of its student loan insurance reserve fund and the operation of its loan insurance program.

(b) *Lenders.* To keep complete and accurate records on all federally insured loan accounts reflecting each transaction.

Retention period: (a) Not specified; (b) until Commissioner has no further need for such records, but for not less than 3 years from date loan either has been repaid in full or defaulted with reimbursement of the lender by the guarantee agency or the Commissioner. 45 CFR 177.8

**1.25 State agencies or institutions receiving financial assistance for community service and continuing education programs under the Higher Education Act of 1965. [Amended]**

(a) To maintain all records supporting claims for Federal grants or relating to accountability of State agency or participating institutions for expenditure of such grants or of matching funds.

Retention period: 5 years after close of fiscal year in which expenditure was made or until notified that such records are not needed for program administration review or of completion of Department's fiscal audit, whichever is sooner.[6] 45 CFR 173.29

(b) To keep inventories and records of all items of equipment initially costing $100 or more in which the Federal Government has participated.

Retention period: Not specified. 45 CFR 173.30(b)

**1.26 Institutions of higher education participating in the national defense student loan program under title II of the National Defense Education Act of 1958.**

To maintain records of all transactions with respect to the fund, general ledger control accounts and subsidiary accounts as required, pertinent records of fund activities including individual oaths, and promissory notes.

Retention period: Until agreed upon with the Commissioner that there is no further need for retention. 45 CFR 144.11

**1.27 State agencies receiving financial assistance for Adult Basic Education Programs under the Adult Education Act of 1966, as amended.**

(a) To maintain all records pertaining to the expenditure of the Federal grant and non-Federal contribution.

Retention period: (1) 3 years after close of fiscal year in which expenditure was liquidated, (2) until grantee is notified that such records are no longer needed for program administrative review, or (3) until notified of completion of Federal fiscal audit, whichever is the latest.[6] 45 CFR 166.40

(b) To keep inventory and records of all items of equipment costing $100 or more in which cost the Federal Government has participated.

Retention period: Not specified. 45 CFR 166.35

**1.28 Local educational agencies and institutions of higher education receiving financial assistance for bilingual education programs under title VII of the Elementary and Secondary Education Act of 1965. [Amended]**

(a) To maintain all records pertaining to such Federal grant or to the expenditure of grant funds.

[6] The records involved in any claim or expenditure which has been questioned shall be further maintained until necessary adjustments have been reviewed and cleared.

Retention period: 5 years after close of fiscal year in which the expenditure is liquidated or until notified that such records are not needed for program administrative review, whichever occurs first.[6] 45 CFR 123.26

(b) To maintain inventories and other records supporting accountability on equipment costing $100 or more per item under an approved project.

Retention period: 1 year after the end of expected useful life of equipment or disposition of the equipment. 45 CFR 123.37

**1.29 Local educational agencies receiving financial assistance for demonstration projects for reducing school dropouts. [Amended]**

(a) To maintain all records relating to Federal funds and to the expenditure of such funds.

Retention period: 5 years after close of fiscal year in which the expenditure is liquidated or until notified that such records are not needed for program administrative review, whichever is earlier.[6] 45 CFR 124.25

(b) To maintain records on inventories of all equipment costing $100 or more per unit acquired with Federal funds.

Retention period: 1 year after the end of the expected useful life of the equipment or after disposition of such equipment. 45 CFR 124.28

**1.30 Institutions of higher education receiving financial assistance for college library resources under title II–A of the Higher Education Act of 1965, as amended.**

To maintain all records supporting claims for Federal funds and relating to the accountability of the grantee for expenditure of matching funds.

Retention period: 5 years after close of fiscal year or until notified of completion of fiscal audit, whichever is earlier.[6] 45 CFR 131.16

**1.31 Public and private agencies receiving financial assistance for research and training, exemplary, and curriculum development programs in vocational education under the Vocational Education Act of 1963, as amended. [Added]**

(a) To keep all records supporting claims for Federal funds and relating to the accountability of the grantee for expenditure of such funds and its contribution to the cost of the program or project.

Retention period: 3 years after close of budget period in which expenditures were made by the grantee; or, if a Federal audit has not occurred, (1) 5 years after close of budget period in which expenditures were made, or (2) until the grantee is notified of completion of the Federal audit, whichever is earlier.[6] 45 CFR 103.48

(b) To keep records on all equipment procured or fabricated under the grant and costing more than $300 or having a residual value of more than $100.

Retention period: Not specified. 45 CFR 103.53

**1.32 Institutions of higher learning receiving grants under the Upward Bound project. [Added]**

To maintain all records showing progress of project in achieving objectives, and all accounting records necessary for audit.

Retention period: 3 years after completion of the project or until notification of the Federal audit, whichever is later; but in no case more than 5 years after completion of the project. 45 CFR 155.4

**1.33 State educational agencies receiving Federal financial assistance for planning and evaluation under section 402 of the General Education Provisions Act. [Added]**

(a) To keep all records supporting claims for Federal funds or relating to the accountability for expenditure of such funds.

Retention period: 3 years after the end of the period for which such funds were made available for expenditure or if there has been no audit by that time, until such audit or 5 years following the end of the budget period, whichever is earlier. 45 CFR 107.8(a)

(b) To keep records on inventories of all equipment acquired under section 402 of the act and costing $100 or more per unit.

Retention period: 3 years following the period for which such inventories are required to be made; or if there has been no audit by that time, until such audit or until 5 years following the end of the budget period, whichever is earlier. 45 CFR 107.8(b)

**1.34 State or local educational agencies receiving grants under the Emergency School Assistance Program. [Added]**

To maintain all records pertaining to expenditure of Federal grant.

Retention period: 3 years after end of budget period, or if Federal audit has not occurred in 3 years, 5 years following the end of the budget period. 45 CFR Part 181, App. A, Sec. 5

**1.35 State and local educational agencies receiving financial assistance for educational programs on environmental quality. [Added]**

To maintain such records as the Secretary may find necessary.

Retention period: Not specified. Public Law 91–516 (84 Stat. 1314)

## 2. Food and Drug Administration

**2.1 Persons introducing shipment or delivery of unlabeled food into interstate commerce and operators of establishments processing, labeling, and repacking.**

Persons shipping unlabeled food interstate and operators of establishments processing, labeling, or repacking such food, where such persons and such operator are not the same person, shall keep written agreements containing such specifications as will insure that such food will not be adulterated or misbranded upon completion of such processing, labeling, or repacking.

Retention period: 2 years after final shipment or delivery of such food from such establishment. 21 CFR 5.2

**2.2 Persons introducing shipment or delivery of unlabeled drugs and devices into interstate commerce and operators of establishments processing, labeling, and repacking.**

Persons shipping unlabeled drugs and devices into interstate commerce and operators of establishments processing, labeling, or repacking such drugs and devices, where such persons and such operator are not the same person, shall keep written agreements containing such specifications as will insure that such drugs or devices will not be adulterated or misbranded upon completion of such processing, labeling, or repacking.

Retention period: 2 years after final shipment or delivery of such drugs or devices from such establishment. 21 CFR 1.107

**2.3 Persons introducing shipment or delivery of unlabeled cosmetics into interstate commerce and operators of establishments processing, labeling, and repacking.**

Persons shipping unlabeled cosmetics interstate and operators of establishments processing, labeling, or repacking such cosmetics, where such persons and such operator are not the same person, shall keep written agreements containing such specifications as will insure that such cosmetics will not be adulterated or misbranded upon completion of such processing, labeling, or repacking.

Retention period: 2 years after final shipment or delivery of such cosmetics from such establishment. 21 CFR 1.204

**2.4 Persons introducing shipment or delivery of unlabeled hazardous substances into interstate commerce and operators of establishments receiving and labeling such substances.**

Persons shipping unlabeled household containers of hazardous substances interstate and operators of establishments receiving and labeling such hazardous substances, where the person and the operator are not the same person, shall keep written agreements containing such specifications as will insure that such hazardous substances will not be misbranded upon completion of such labeling.

Retention period: 2 years after final shipment or delivery of such hazardous substance from such establishment. 21 CFR 191.64

**2.5 Packers of processed shrimp and canned oysters operating under the seafood inspection service.**

Shall keep shipping records covering shipments from each lot of inspected seafood.

Retention period: At least 2 years. 21 CFR 85.9, 85.24

[6] The records involved in any claim or expenditure which has been questioned shall be further maintained until necessary adjustments have been reviewed and cleared.

**2.6 Sponsors and investigators of new drugs and antibiotic drugs for investigational use; persons shipping new drugs and antibiotic drugs for laboratory study or for clinical investigation in animals; sponsors of clinical investigations in animals.**

(a) Sponsors of new drugs and antibiotic drugs for investigational use shall keep and maintain: (1) complete records of each shipment and delivery to an investigator and (2) accurate progress reports of the investigation and significant findings, together with any significant changes in the informational material supplied to investigators.

Retention period: 2 years after a new-drug application or an antibiotic form 5 is approved for the drug or, if unapproved, 2 years after shipment and delivery for investigational use is discontinued and the Food and Drug Administration is so notified. 21 CFR 130.3, 144.8

(b) Investigators of new drugs and antibiotic drugs shall maintain: (1) complete records of disposition of the drug, and (2) case histories and other data pertinent to the investigation of each individual treated with the drug.

Retention period: 2 years after a new-drug application or an antibiotic form 5 is approved for the drug or, if unapproved, 2 years after the investigation is discontinued. 21 CFR 130.3, 144.8

(c) Persons introducing a shipment or other delivery interstate of a new drug or an antibiotic drug for laboratory study or for clinical investigation in animals shall keep and maintain complete records of each shipment and delivery including the name and post office address of the expert or investigator to whom the drug is shipped and the date, quantity, and batch or code mark of each shipment and delivery.

Retention period: 2 years after such shipment and delivery. 21 CFR 130.3, 130.3a, 144.8

(d) Sponsors of clinical investigations in animals shall keep and maintain all reports received from investigators.

Retention period: 2 years after the termination of the investigation or approval of a new-drug application. 21 CFR 130.3, 130.3a, 144.8

**2.6a Manufacturers, processors, packers, and holders of finished pharmaceuticals.**

To maintain records of all written or verbal complaints for each product and the evaluation and action relating to such complaints.

Retention period: Not specified. 21 CFR 133.14

**2.7 Persons requesting certification of antibiotic drugs; persons introducing shipment or delivery of antibiotic drugs into interstate commerce and operators of establishments processing, labeling, storing, repacking, and manufacturing.**

(a) Persons requesting certification of antibiotic drugs shall keep complete records of all shipments and deliveries of each batch or part thereof.

(b) Persons shipping antibiotic drugs interstate for processing, labeling, storing, repacking, and manufacturing, and operators of such establishments, whether or not the shipper, shall keep complete records of all shipments and deliveries of each batch or part thereof.

(c) Persons engaged in manufacturing, compounding, processing, packing, or labeling an antibiotic drug for which a certificate or release has been issued or whose name appears on the labeling of an antibiotic drug as its manufacturer, packer, or shipper shall maintain such records and make such reports as are necessary to facilitate a determination whether any such certification or release should be rescinded or whether any regulation should be amended or repealed.

Retention period: (a) and (b) 3 years from date of shipment or delivery and/or receipt of same; (c) Not specified. (a) 21 CFR 146.5; (b) 21 CFR 144.3—144.7; (c) 21 CFR 146.14(d)

Photostatic or other permanent reproductions may be used as substitutes for records identified in this section after the first 2 years of retention. 21 CFR 144.23, 146.7

**2.8 Persons petitioning for exemption from certification for antibiotic drugs intended for local or topical use.**

Shall keep records of all laboratory tests and assays required as a condition for certification on each batch produced and of all shipments and deliveries of each batch or part thereof.

Retention period: 3 years after date of shipment or delivery. 21 CFR 144.1

**2.9 Insulin distributors to whom certifications have been issued by the Food and Drug Administration.**

Shall keep records of shipments and deliveries.

Retention period: 2 years after disposal of all the batch covered by the certificate. 21 CFR 164.8

**2.10 Dairy farms and plants at which any milk or cream is pasteurized for shipment or transportation into the United States.**

Shall keep all thermograph charts.

Retention period: 2 years, unless within that period the charts are examined and released by authorized agent of the Secretary. 21 CFR 290.17

**2.11 Persons manufacturing, processing, packing, or holding finished pharmaceuticals.**

Shall keep and maintain (1) batch production and control records for each batch of drugs; (2) complete records of all data concerning laboratory tests performed; and (3) complete records of the distribution of each batch of drug in a manner that will facilitate its recall if necessary.

Retention period: At least 2 years after distribution has been completed. 21 CFR 133.7, 133.11, 133.12

**2.12 Persons to whom color-additive certificates have been issued by the Food and Drug Administration.**

Shall keep complete and separate records showing the disposal of all the color additive from the batch covered by such certificates.

Retention period: At least 2 years after disposal of all such color additive. 21 CFR 8.26

**2.13 Persons delivering for introduction or introducing into interstate commerce a color additive or a food, drug, or cosmetic containing such an additive, for investigational use.**

Shall maintain complete records of each shipment and delivery.

Retention period: 2 years after such shipment and delivery. 21 CFR 8.33

**2.14 Manufacturers or distributors shipping new drug substances intended for hypersensitivity testing. [Added]**

To maintain records of all shipments for this purpose.

Retention period: 2 years after shipment. 21 CFR 130.41

**2.15 Persons treating food with low dose electron beam radiation.**

To keep a record of the radiation intensity and power used by means of recorders coupled to the election accelerator. The record shall identify the food that has been subjected to the radiation.

Retention period: 1 year. 21 CFR 121.3007

**2.16 Persons obtaining an experimental permit for use of a pesticide chemical for which a temporary tolerance is established.**

Shall keep records of production, distribution, and performance.

Retention period: 2 years. 21 CFR 120.31(e)(4)

**2.17 Persons holding approved new-drug applications.**

Shall, upon receiving notification that an application for a new drug is approved, establish and maintain such records and make such reports as are necessary to facilitate a determination whether there may be grounds for invoking section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) to suspend or withdraw approval of the application.

Retention period: Not specified. 21 CFR 130.13(d)

**2.18 Persons manufacturing, processing, packing, or holding medicated feeds.**

(a) Shall keep and maintain appropriate receipt and inventory records on any drug components used and a production record of each batch or run produced.

Retention period: At least 1 year. 21 CFR 133.104, 133.105(b)

(b) Shall prepare, check, and maintain a master formula record or card for each medicated feed.

Retention period: At least 1 year after production of the last batch. 21 CFR 133.105(a)

(c) Shall provide for the maintenance of the results of any assays together with records of analyses reported by any State feed control official.

Retention period: At least 1 year after distribution of the medicated feed has been completed. 21 CFR 133.108(e)

(d) Shall maintain complete records of distribution for each shipment of medicated feed in a manner that will facilitate the recall, diversion, or destruction of the feed, if necessary.

Retention period: At least 6 months after the date of the shipment. 21 CFR 133.109

(e) Shall maintain a record of complaints and the action taken relating to such complaints.

Retention period: 2 years. 21 CFR 133.110

**2.19 Manufacturers, processors, packers, and holders of smoked and smoke-flavored fish. [Added]**

To maintain records providing positive identification of the process procedures used for the manufacture of hot-process smoked or hot-process smoke-flavored fish and of the distribution of the finished product.

Retention period: Not specified. 21 CFR 128a.7(e)(5)

**2.20 Persons manufacturing, processing, packing, or holding medicated premixes for use in the manufacture of medicated feeds.**

(a) To maintain appropriate receipt and inventory records on any drug components used.

Retention period: 2 years. 21 CFR 133.204(a)

(b) To maintain a separate batch-production and control record for each batch or run of medicated premix produced.

Retention period: At least 2 years after distribution by the manufacturer has been completed. 21 CFR 133.205(b)

(c) To maintain records of any assays required to assure that the drug components and the medicated premixes conform to appropriate standards of identity, strength, quality, and purity.

Retention period: At least 2 years after distribution by the manufacturer of the medicated premix has been completed. 21 CFR 133.208(f)

(d) To maintain complete records of distribution for each shipment of medicated premixes in a manner that will facilitate the recall, diversion, or destruction of the medicated premix, if necessary.

Retention period: At least 2 years after the date of the shipment by the manufacturer. 21 CFR 133.209

(e) To maintain a record of all written or verbal complaints concerning the safety or efficacy of each medicated premix.

Retention period: 2 years. 21 CFR 133.210

**2.21 Persons manufacturing, processing, packing, or repacking human foods.**

To maintain records of coding of food products.

Retention period: The shelf life of the product, except not longer than 2 years. 21 CFR 128.7(i)

**2.22 Manufacturers, importers, or retailers of agricultural fireworks. [Added]**

To maintain complete records of production, distribution, and receipt of all such fireworks, and the name and address of the consignee.

Retention period: 3 years after distribution is completed. 21 CFR 191.9

**2.23 State and local educational agencies receiving grants for educational programs on drug abuse. [Added]**

To maintain such records as the Secretary may find necessary.

Retention period: Not specified. Public Law 91–527 (84 Stat. 1387)

## 3. Public Health Service [7]

**3.1 State health authorities and cooperating agencies using grant funds for training under section 314 of the Public Health Service Act.**

To maintain records of funds for each authorized personnel training grant for health work under the act.

Retention period: Not specified. 42 CFR 51.11, 51.13, 51.15

**3.2 Institutions receiving grants for research projects. [Amended]**

To maintain such progress and fiscal records as the Surgeon General may prescribe.

Retention period: 3 years after end of budget period; or if audit on behalf of HEW has not occurred, 5 years following end of budget period, or until audit occurs, whichever is earlier; or until resolution of all audit questions. 42 CFR 52.24

**3.3 State and State agencies receiving Federal funds for hospital and medical facilities survey and construction projects.**

To maintain (a) separate fiscal and accounting records of Federal and/or State funds reflecting the receipt or expenditure of such funds and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) 5 years after final payment or until completion of a Federal audit and resolution of all questions arising therefrom, whichever occurs first; (b) 3 years after completion of the contract. 42 CFR 53.128, 53.131

**3.4 [Reserved]**

**3.5 Applicants receiving grants for initial cost of professional and technical personnel of community mental health centers.**

To maintain such records, books, documents, and papers that are pertinent to assistance under the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963.

Retention period: Not specified. 42 CFR 54.308

**3.6 State, interstate, municipal, and intermunicipal air pollution control agencies receiving Federal project grants for air pollution control programs under section 105 of the Clean Air Act, as amended.**

To maintain such fiscal records of the project and overall air pollution control program as will facilitate an effective audit. This requirement pertains to non-Federal as well as Federal expenditures.

Retention period: Until grantee is notified in writing that the final audit has been completed. Public Law 90–148, 42 U.S.C. 1857 et seq.

**3.7 Institutions receiving Federal grants for the construction of health research facilities (including mental retardation facilities).**

To maintain (a) all fiscal or other records relating to the construction and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 42 CFR 57.8

**3.8 Applicants receiving Federal grants for the construction of teaching facilities for health professions.**

To maintain (a) adequate and separate accounting and fiscal records for all funds provided from any source to pay the cost of the project and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 42 CFR 57.106

**3.9 Institutions participating in the health professions and the nursing student loan programs. [Amended]**

To keep records reflecting all transactions with respect to the student loan fund, recording Federal capital contributions and Federal capital loans separately.

Retention period: Not specified. 42 CFR 57.215, 57.315

**3.10 Public or nonprofit private schools of nursing receiving Federal funds for scholarship grants and for construction of nurse training facilities.**

To maintain (a) records relating to the use of such scholarship grant funds, (b) accounting and fiscal records and accounts for all funds provided from any source to pay cost of construction project, and (c) payroll records and kickback statements for all laborers and mechanics working at the project site.

Retention period: (a) 5 years or until audit has been completed and any questions arising therefrom have been resolved, whichever is sooner; (b) not specified; (c) 3 years after completion of the project. 42 CFR 57.406, 57.910

[7] For Food, Drug and Cosmetic Act regulations applicable to products licensed under the Public Health Service Act, see Food and Drug Administration, Items 2.6, 2.11, 2.13.

**3.11 Schools of medicine, dentistry, osteopathy, optometry, pharmacy, and podiatry, and training centers for allied health professions receiving Federal funds for scholarship grants and for improving quality of such schools and centers.**

To maintain (a) records relating to use of such scholarship grant funds, and (b) progress and fiscal records relating to improving quality of such schools and centers.

Retention period: 5 years or until audit has been completed and any questions arising therefrom have been resolved, whichever is sooner. 42 CFR 57.511, 57.610, 57.715

**3.12 Schools of public health receiving grants for provision of public health training.**

To maintain records, documents, and information that relate to the grants.

Retention period: Until completion of the fiscal audit and resolution of all questions arising therefrom. 42 CFR 58.9

**3.13 Public or private nonprofit agencies or institutions receiving Federal grants for the construction of medical library facilities.**

To maintain (a) fiscal records and accounts for all funds provided from any source to pay for the cost of the project and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 42 CFR 59a.7

**3.14 Public or private nonprofit medical libraries or related institutions receiving Federal grants for improving and expanding basic resources.**

To maintain progress and fiscal records relating to the use of such grant funds.

Retention period: 3 years after termination of the grant unless a shorter or longer period of time is, respectively, permitted or required in writing by the Surgeon General. 42 CFR 59a.20

**3.15 Public or private nonprofit medical libraries receiving Federal grants for the establishment of regional medical libraries.**

To maintain separate fiscal records and accounts for all grant funds.

Retention period: 3 years after termination of the grant unless a shorter or longer period of time is, respectively, permitted or required by the Surgeon General. 42 CFR 59a.37

**3.16 Institutions receiving Federal grants for National Institutes of Health and National Library of Medicine training.**

To maintain fiscal and other records relating to the training and instruction for which a grant is awarded.

Retention period: Not specified. 42 CFR 64.4

**3.17 Licensed domestic and foreign manufacturing establishments of biological products or trivalent organic arsenicals. [Amended]**

To keep records concurrently with performance of each step in the manufacture and distribution of each lot; complete records of recall from distribution; sterilization records including date, duration, temperature, and other conditions relating to each sterilization, so as to identify the particular process to which the sterilization relates; animal necropsy records; records by each establishment participating in manufacture of a product showing degree of individual responsibility with manufacturer preparing product in final form to retain complete records of all manufacturing operations; and records of tests of cultures for verification of identity and determination of freedom from extraneous organisms.

*Representatives of licensed foreign establishments distributing biological products or trivalent organic arsenicals into any State or possession of the United States.* To keep such records of distribution as are required of domestic licensed establishments.

Retention period: 5 years after the records of manufacture have been completed or 6 months after the latest expiration date, whichever is later.

Suspension of retention requirements: If a summary is retained, authorization may be granted to suspend retention of records of a manufacturing step upon a showing that such records no longer serve the purpose for which they were made. 42 CFR 73.301, 73.502, 73.780

**3.18 Licensed domestic and foreign manufacturing establishments processing whole blood (human) or packed red blood cells (human). [Amended]**

To maintain records of the full explanation made by the physician, hospital or other medical facility, of why it is essential to allow time for transportation of whole blood (human) prior to determination of test results, to assure arrival when needed for transfusion.

Retention period: 5 years after the records of manufacture are completed or 6 months after the latest expiration date, whichever is later. 42 CFR 73.3002, 73.3004 (retention: 73.502(b))

**3.19 Applicants receiving Federal grants for solid waste disposal projects. [Amended]**

To maintain such records, books, documents, and papers that are pertinent to the grant received under sections 204 and 206 of the Solid Waste Disposal Act.

Retention period: Until grantee is notified in writing that the final audit has been completed. 42 CFR 479.6

**3.20 Public or nonprofit institutions receiving Federal grants for regional medical programs.**

To maintain all financial and other records relating to the use of the grant funds.

Retention period: Until records have been audited unless a different period is permitted or required in writing by the Surgeon General. 42 CFR 54.405

**3.21 State and State agencies receiving grants from comprehensive health planning.**

To maintain adequate records to show the disposition of all funds (Federal and non-Federal) expended for activities under the approved State program, in addition to other records required by the regulations or which may reasonably be required by the Secretary.

Retention period: 5 years, or until audit by HEW has been completed and any questions arising therefrom have been resolved, whichever is sooner. 42 CFR 51.4

**3.22 State health or mental health authorities receiving grants for comprehensive public health services.**

To maintain adequate records to show the disposition of all funds (Federal and non-Federal) expended for activities under the approved State plan, in addition to any other records required by the regulations or which may reasonably be required by the Secretary.

Retention period: 5 years, or until audit by HEW has been completed and any questions arising therefrom have been resolved, whichever is sooner. 42 CFR 51.104

**3.23 Clinical laboratories which have been issued licenses under the Clinical Laboratories Improvement Act of 1967. [Amended]**

To maintain records relating to the identity of the specimen and laboratory reports, personnel, quality control procedures, and maintenance of equipment and instruments.

Retention period: At least 2 years after the date of submittal of report except as otherwise prescribed in this part or authorized by the Secretary. 42 CFR 74.50

**3.24 State agencies receiving Federal grants under title V of the Social Security Act, as amended, for maternal and child health services and crippled children's services.**

To maintain at the State level such accounts and supporting documents as will serve to permit an accurate and expeditious determination to be made at any time of the costs of carrying out the State plan, including the disposition of all monies received and the nature and amount of all charges claimed to lie against the funds authorized for carrying out the State plan.

Retention period: Not specified. 42 CFR 200.16

**3.25 State agencies receiving Federal grants under title V of the Social Security Act, as amended, for maternal and child health services and crippled children's services which have purchased items of equipment and supply to carry out the State plan for such services.**

To maintain a complete equipment inventory and adequate property controls.

Retention period: Not specified. 42 CFR 200.27

**3.26 State agencies receiving Federal grants under title IV, part B of the Social Security Act, as amended, for child welfare services. [Amended]**

To establish and maintain such accounts, records, and supporting documents as will permit an accurate and expeditious Federal audit of the program to be made at any time.

Retention period: Until completion of audits (including the final resolution of any questions raised thereby) or for 3 years, whichever is later, unless the State agency is requested to retain particular accounts, records, or supporting documents for a longer period. 45 CFR 220.75

**3.27 State agencies receiving Federal grants under title IV, part B of the Social Security Act, as amended, for child welfare services which have purchased items of equipment and supply in carrying out the annual budget. [Amended]**

To maintain a complete equipment inventory and adequate property controls covering such items.

Retention period: Not specified. 45 CFR 220.81

**3.28 Persons receiving special project grants for family planning services.**

To maintain such records, including medical, fiscal, and other health records, as the Bureau may prescribe.

Retention period: Not specified. 42 CFR 208.17

**3.29 State and local public agencies and public or nonprofit institutions of higher learning receiving Federal grants for research projects relating to maternal and child health and welfare services.**

To maintain accounting, budgetary, and fiscal records for each grant period of the amount and disposition of Federal and cost-sharing funds and total cost of grant period; and all basic data, cards, tapes, print-outs, tables, charts, and data analysis.

Retention period: 5 years after termination of the project or until final audit, whichever occurs first. 42 CFR 205.10

**3.30 Public or nonprofit private schools of nursing, or public or nonprofit private agencies, organizations, or institutions receiving Federal funds for special project and institutional grants. [Added]**

To maintain progress and fiscal records relating to the use of grant funds.

Retention period: 5 years or until audit has been completed, whichever comes first, except that where audit questions have arisen before the expiration of such 5-year period, records shall be retained until resolution of such questions. 42 CFR 57.1011

**3.31 Manufacturers of new motor vehicles or new motor vehicle engines subject to Air Pollution Control Regulations prescribed pursuant to section 202 of the Clean Air Act, as amended. [Added]**

To maintain records that (1) identify and describe vehicles or engines for which testing is required under 45 CFR Part 1201; (2) describe emission control systems which are installed on or incorporated in each vehicle or engine; (3) describe procedures used to test such vehicles or engines; (4) contain test data which will show emissions at specified mileage or operating hours; (5) contain test data which will show performance of systems installed on or incorporated in vehicles or engines during extended mileage or operation, including all pertinent maintenance performed.

Retention period: Not specified. 45 CFR 1201.9

**3.32 Manufacturers of certain electronic products. [Added]**

To maintain (a) description of the quality control procedures with respect to electronic product radiation safety; (b) record of the results of tests for electronic product radiation safety; (c) for products that display aging effects which may increase radiation emission, records of the results of tests for durability of the product, and the basis for selecting the tests; (d) copies of all pertinent written communications; (e) records of the manufacturers distribution of products; and (f) records received from dealers or distributors pursuant to sec. 78.731.

Retention period: 5 years from the date of the record. 45 CFR 78.720, 78.721

**3.33 Dealers and distributors of certain electronic products. [Added]**

To maintain, for products for which the retail price is greater than $50.00, information as necessary to permit tracing of specific products to specific purchasers.

Retention period: 5 years from the date of sale, award, or lease of such product. 42 CFR 78.730, 78.731

**3.34 Approved Psittacine Bird Treatment Centers. [Added]**

To maintain complete records of all birds received, treated and shipped, including date of each shipment and name and address of consignee.

Retention period: Not specified. 42 CFR 71.163

**3.35 Clinical laboratories (microbiology and serology, clinical chemistry, immunohemotology, pathology, and radiobiology). [Added]**

Clinical laboratories with small or infrequent operations in which no more than 100 specimens are accepted during any calendar year and which hold an unrevoked or unsuspended letter of exemption are to maintain and make available such accession and other records as the Secretary may find necessary to determine initial and continuing eligibility for exemption.

Retention period: Not specified. 42 CFR 74.2

## 4. Social Security Administration

**4.1 States under agreement for voluntary coverage of State and local government employees. [Amended]**

To keep or cause to be kept records of a State and of political subdivisions of a State included under an agreement in a location accessible to and open for inspection by authorized officials of the Social Security Administration. Such records must show th eamuont of noncash remuneration paid as well as remuneration (tip and nontip) paid to each employee for services covered under the agreement and the period in which it was paid; such forms and systems of accounting as will enable the Administration to determine the amount of contributions for which the State is liable and whether they have been paid; such records as are necessary to establish the coverage status of individuals, e.g., the employees choice in a referendum on a desire for coverage basis referendum; records of claims for credit or refund and the supporting statement which is the basis for the claim for credit or refund; records of each employee's wages which are subject to the limitation of liability; where the agricultural exclusion was taken must identify in its records those employees who performed agricultural labor and each period during which such services were rendered.

Retention period: For 4 years (or longer if the State or political subdivision so desires) after the date the contributions were due or were paid, whichever is later. These records must be retained for the prescribed period even though the coverage of the entity has been terminated. Records for claims for credit and refund—for 4 years after the date the claim is filed even though the coverage of the entity involved has been terminated. 20 CFR 404.1256

**4.2 Carriers under contract to assist in the administration of the supplementary medical insurance program for the aged.**

To maintain such records as the Secretary finds necessary to assure the correctness and verification of the information and reports furnished him under the supplementary medical insurance program for the aged.

Retention period: Not specified. 20 CFR 405.678(f)

**4.3 Hospitals, extended care facilities, home health agencies, and outpatient physical therapy providers which have filed agreements to participate in the health insurance for the aged program. [Amended]**

To keep clinical and other medical records, utilization review committee reports, physicians certifications, and recertifications.

Retention period: Hospitals, in accordance with statute of limitations in the respective State; extended care facilities, in accordance with State law or for 5 years in absence of a State statute; others, not specified. 20 CFR 405.1026, 405.1035(h), 405.1132, 405.1137(h), 405.1243, 405.1241, 405.1625

**4.4 Hospitals, extended care facilities, home health agencies, and outpatient physical therapy providers which have filed agreements to participate in the health insurance for the aged program.**

To maintain and provide such information as the Secretary finds necessary

to determine whether payments are or were due under title XVIII of the Social Security Act, and the amounts thereof.

Retention period: Not specified. 20 CFR 405.406

**4.5 Psychiatric and tuberculosis hospitals which have filed agreements to participate in the health insurance for the aged program.**

To maintain such records as the Secretary finds to be necessary to determine the degree and intensity of the treatment provided to individuals entitled to hospital insurance benefits under the hospital insurance benefits for the aged program.

Retention period: Not specified. 20 CFR 405.1036

**4.6 Intermediaries who have entered into an agreement to assist in the administration of the hospital insurance benefits for the aged program.**

To maintain such records as the Secretary finds necessary to assure the correctness and verification of the information and reports furnished him under the hospital insurance benefits for the aged program.

Retention period: Not specified. 20 CFR 405.660

**4.7 Group Practice Prepayment Plans which have filed agreements to participate in the health insurance for the aged program.**

To maintain records and furnish information to substantiate the agreements they enter into concerning reimbursement on a cost or charge basis.

Retention period: Not specified. 20 CFR 405.241

**4.8 Clinical laboratories.**

To maintain records of laboratory reports.

Retention period: Not specified. 20 CFR 405.1316(e) (2)

**4.9 Hospitals and hospital-based physicians under agreements apportioning the physicians' compensation.**

To keep records and furnish information to substantiate the agreements they enter into concerning allocation of the compensation of the physicians.

Retention period: Not specified. 20 CFR 405.487

4.10–4.11 [Transferred to XXVa.]

**4.12 Suppliers of portable X-ray services for Medicare beneficiaries.**

To maintain records of each patient receiving services and the name of the doctor ordering such services.

Retention period: At least 2 years or for the period of time required by State law, whichever is longer. 20 CFR 405.1414

**4.13 Public health agencies, rehabilitation agencies, and clinics providing outpatient physical therapy services. [Added]**

To maintain clinical records for each patient receiving physical therapy services.

Retention period: 5 years. 20 CFR 405.1723

## 5. Social and Rehabilitation Service

ADMINISTRATION ON AGING

**5.1 State agencies receiving Federal grants under title III of the Older Americans Act of 1965, as amended, for community planning, services, and training. [Amended]**

To keep such records and afford such access thereto as the Secretary of Health, Education, and Welfare may find necessary to assure the correctness and verification of reports.

Retention period: Not specified. 45 CFR 903.24

**5.2 Public or nonprofit private agencies, organizations or institutions receiving Federal grants under title IV of the Older Americans Act of 1965, as amended, for research and development projects. [Amended]**

To keep such records and afford such access thereto as the Secretary of Health, Education, and Welfare may find necessary to assure the correctness and verification of reports.

Retention period: Not specified. 45 CFR 904.8

**5.3 Public or nonprofit private agencies, organizations or institutions receiving Federal grants under title V of the Older Americans Act of 1965, as amended, for training projects. [Amended]**

To keep such records and afford such access thereto as the Secretary of Health, Education, and Welfare may find necessary to assure the correctness and verification of reports.

Retention period: Not specified. 45 CFR 905.8

**5.4 State agencies and project grantees receiving Federal funds under title III of the Older Americans Act of 1965, as amended. [Amended]**

To maintain such accounts and supporting documents as will serve to permit an accurate and expeditious determination to be made at any time of the status of the Federal grants, including the disposition of the moneys received and the nature and amount of all charges claimed to lie against the allotment to the State.

Retention period: Not specified. 45 CFR 903.17

**5.5 State agencies and project grantees participating in programs and activities for the aging. [Added]**

To maintain accounting records.

Retention period: 3 years after the end of the budget period (or fiscal year) if audit by or on behalf of the Department has occurred by that time. If audit has not occurred, the records must be retained until audit, or until 5 years following the end of the budget period (or fiscal year), whichever is earlier, or until resolution of all audit questions. 45 CFR 901.4

**5.6 State agencies, organizations, or grantees administering a project under the Foster Grandparent program. [Added]**

To maintain records to assure correctness and verification of such reports required by this section.

Retention period: Not specified. 45 CFR 907.15

5.7–5.9 [Reserved]

COMMUNITY SERVICES ADMINISTRATION

**5.10 State agencies receiving Federal grants under title IV, part B of the Social Security Act, as amended, for child welfare services. [Added]**

To establish and maintain such accounts, records, and supporting documents as will permit an accurate and expeditious Federal audit of the program to be made at any time.

Retention period: Until completion of audits (including the final resolution of any questions raised thereby) or for 3 years, whichever is later, unless the State agency is requested to retain particular accounts, records, or supporting documents for a longer period. 45 CFR 220.75

**5.11 State agencies receiving Federal grants under title IV, part B of the Social Security Act, as amended, for child welfare services which have purchased items of equipment and supply in carrying out the annual budget. [Added]**

To maintain a complete equipment inventory and adequate property controls covering such items.

Retention period: Not specified. 45 CFR 220.81

**5.12 Public and other nonprofit agencies and organizations and public or nonprofit institutions of higher learning receiving Federal grants for research or demonstration projects in the field of child welfare. [Amended]**

To maintain (a) fiscal records for each grant period of the amount and disposition of Federal and cost-sharing funds and total cost for the grant period and such other records as will facilitate an effective audit; (b) all basic data, cards, tapes, print-outs, tables, charts and data analysis; and (c) such other records as may be required.

Retention period: (a) and (b) 5 years after termination of the project or until final audit, whichever occurs first; (c) not specified. 42 CFR 205.10

5.13–5.19 [Reserved]

REHABILITATION SERVICES ADMINISTRATION

**5.20 Grantees receiving Federal funds for the construction of university-affiliated facilities for the mentally retarded.**

To maintain (a) adequate and separate accounting and fiscal records and accounts for all funds provided from any source to pay the cost of the project and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 42 CFR 54.4

**5.21 All grantees receiving Federal funds for the construction of community mental retardation facilities.**

To maintain (a) adequate and separate accounting and fiscal records and accounts for all funds provided from any source to pay the cost of construction projects; (b) adequate accounting and fiscal records to reflect receipt and expenditure of funds allotted and paid for construction projects; and (c) payroll records and kickback statements for all laborers and mechanics working at the projects.

Retention period: (a) and (b) not specified; (c) 3 years after completion of the contract. 45 CFR 416.20, 416.24

**5.22 State agencies receiving Federal grants for construction of community mental retardation facilities.**

To maintain separate fund accounts for all Federal and State funds allotted for construction projects, designed to show at any given time funds allotted and encumbered, and unencumbered balances; to maintain adequate records of account to assure proper accounting of all Federal funds received and disbursed and similar suitable accounts of receipt and disbursement of State, local, and other funds used for matching purposes.

Retention period: Not specified. 45 CFR 416.24

**5.23 Public and nonprofit agencies and organizations receiving Federal funds for initial cost of professional and technical personnel for community mental retardation facilities.**

To maintain adequate and separate accounting and fiscal records and accounts for all funds provided from any source to pay the costs of the staffing project; and such other records as the Administrator, SRS, shall prescribe.

Retention period: Not specified. 45 CFR 416.94, 416.98

**5.24 Grantees receiving Federal project grants for improvement of the quality of care and treatment of the mentally retarded and for research in health-related areas of mental retardation. [Amended]**

To maintain such progress and fiscal records as the Secretary of Health, Education, and Welfare may prescribe.

Retention period: 3 years after end of budget period, if audit on behalf of HEW has not occurred, 5 years following end of budget period or until audit has occurred, whichever is earlier; or until resolution of all audit questions. 45 CFR 52.24

**5.25 State agencies receiving Federal grants under section 2 of the Vocational Rehabilitation Act for the provision of vocational rehabilitation services.**

To maintain (a) such written personnel policies, records and other information as necessary to permit an evaluation of personnel operations in relation to the State agency's standards; and (b) such accounts and supporting documents as will serve to permit an accurate and expeditious determination to be made at any time of the status of the Federal grants, including the disposition of all moneys received and the nature and amount of all charges claimed against such grants.

Retention period: Not specified. 45 CFR 401.12, 401.18

**5.26 State agencies or other public or private nonprofit agencies receiving grants for vocational rehabilitation programs and activities. [Amended]**

To keep such records and accounts as the Administrator, Social and Rehabilitation Service may require.

Retention period: Not specified. 45 CFR 403.5, 403.25, 403.39, 404.11, 404.52, 404.80, 404.103, 405.11, 406.11, 406.43, 408.5

**5.27 State agencies or other public or nonprofit organizations or agencies receiving grants for the construction of workshops and rehabilitation facilities.**

To maintain (a) adequate and separate accounting and fiscal records and accounts for all funds provided from any source to pay the cost of the project; and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 45 CFR 404.22

**5.28 Employees or organizations participating with the Social and Rehabilitation Service in contracts or jointly financed cooperative arrangements for projects with industry relating to handicapped individuals.**

To keep such records and accounts as the Administrator, Social and Rehabilitation Service may require.

Retention period: Not specified. 45 CFR 403.67

**5.29 [Reserved]**

OFFICE FOR PLANNING, RESEARCH, AND TRAINING [AMENDED]

**5.30 Institutions of higher learning and associations receiving financial assistance for expansion and development of undergraduate and graduate programs in social work.**

To maintain fiscal records for each period of the amount and disposition of Federal and cost-sharing funds and total cost for the grant period and such other records as will facilitate an effective audit, and such other records as the Service may require.

Retention period: Not specified. 45 CFR 280.12

**5.31–5.39 [Reserved]**

YOUTH DEVELOPMENT AND DELINQUENCY PREVENTION ADMINISTRATION [AMENDED]

**5.40 State, public or nonprofit private agencies or organizations receiving Federal grants for juvenile delinquency and youth development programs and activities.**

To maintain (a) grant accounting records, identifiable by grant number; (b) inventories and records supporting accountability of equipment which cost $300 or more per item; and (c) to keep such records and afford such access thereto as the Administrator, Social and Rehabilitation Service may find necessary to assure the correctness and verification of reports submitted to him.

Retention period: (a) Until audit or 5 years after end of budget period, whichever is the less; (b) until completion of review and audit covering disposition of such equipment; (c) not specified. 45 CFR 270.21, 270.23, 270.40, 270.42, 270.69, 270.75, 270.90, 270.92, 270.130, 270.132, 270.150, 270.152, 270.170, 270.172, 270.187, 270.189, 270.209, 270.211

**5.41 State or other public agencies receiving Federal grants for construction of juvenile delinquency rehabilitation facilities.**

To maintain (a) adequate and separate accounting and fiscal records and accounts for all funds provided from any source to pay the cost of the project and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 45 CFR 270.110

**5.42–5.49 [Reserved]**

MEDICAL SERVICES ADMINISTRATION

**5.50 Persons or institutions providing services under a State plan for medical assistance under title XIX of the Social Security Act.**

To keep such records as are necessary to disclose the extent of the services provided to individuals receiving assistance under the plan.

Retention period: Not specified. 45 CFR 250.21

**5.51 Institutions conducting training programs in nursing home administration under grants from Social and Rehabilitation Service. [Added]**

To retain records of all costs related to courses provided, and ersons trained.

Retention period: 3 years after the end of the budget period if audit by or on behalf of the Department has occurred by that time. If audit has not occurred, the records must be retained until audit or until 5 years following the end of the budget period, whichever is earlier, or until resolution of all audit questions. 45 CFR 252.44

**5.52 State agencies administering plans for medical assistance under title XIX of the Social Security Act. [Added]**

To maintain on file for ready access by the Department of Health, Education, and Welfare all information and reports used in determining whether a skilled nursing home meets the requirements specified in the regulation.

Retention period: 3 years. 45 CFR 249.33

### 6. General Administration

**6.1 State agencies participating in the distribution and utilization of surplus property for health, education, and civil defense purposes under the Federal Property and Administrative Services Act of 1949.**

To maintain accurate accountability records of all donable property received, warehoused, and distributed by each State agency. Accountability records of all single items having acquisition cost of $2,500 or more shall be kept separate from those of lesser amount.

Retention period: Minimum of 5 years. 45 CFR 14.6

6.2 [Deleted]

## V. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 1. Office of the Secretary

**1.1 Agencies making relocation payments. [Revised]**

To maintain records pertaining to eligibility for relocation payments, including all claims, receipted bills, or other documentation in support of a claim, and records pertaining to action on a claim.

Retention period: 3 years after completion of the federally assisted activities. 24 CFR 3.104(i), 4.108(g), 6.107(g), 41.11(i); 44 CFR 710.10

**1.2 Public agencies receiving assistance under Advances for Public Works Planning (First Program) administered by the Office of Assistant Secretary for Metropolitan Development.**

To keep accurate accounting records of all costs involved in connection with plan preparation.

Retention period: Not specified. 44 CFR 702.13

1.3–1.5 [See 1.1]

**1.6 Insurer, or pool, or person executing agreement under Federal riot reinsurance program. [Amended]**

To maintain books, documents, papers, and records that are pertinent.

Retention period: 3 years after final adjustment. 24 CFR 1906.38

**1.7 Agencies designing, constructing or altering publicly-owned residential structures.**

To maintain records relating to each contract, grant, or loan involving such publicly-owned residential structures.

Retention period: Not specified. 24 CFR 40.6

**1.8 Developers of new communities. [Added]**

To maintain records of costs incurred for the project, including those of contractors and subcontractors.

Retention period: Not specified. 24 CFR 31.22

### 2. Federal Housing Administration

**2.1 Lending agencies with respect to property improvement and mobile home loans. [Amended]**

To keep complete credit and collection file pertaining to each eligible property improvement or mobile home loan transaction, which will accompany any claim for loss made by the insured.

(a) A property improvement loan file will include the borrower's application for a title I loan, the original note, completion certificate(s) and other exhibits furnished to the lending institution by the borrower. Where proceeds of the loan are not disbursed directly to borrower without dealer intervention in any manner, file will include borrower's written authorization to disburse to other than the borrower, signed copy of contract or sales agreement describing type and extent of improvements to be made and the material to be used, also record of written notice to borrower of credit application approval. Proper evidence shall be in the file of permissible additional charges assessed against the borrower for additional expenses such as recording or filing fees, documentary stamp taxes, title examination charges and hazard insurance premiums in connection with title I property improvement loans where security is taken in the nature of a real estate mortgage, deed of trust conditional sales contract, chattel mortgage, mechanic's lien or other security device taken for the purpose of securing the payment of eligible loans. Evidence of late charge billing must be in the file if claim is made under the Contract of Insurance. With respect to Class 3 property improvement loans under Title I of the National Housing Act, the property description, plans and specifications shall remain a permanent part of the loan file in connection with certification to the Commissioner by the insured that in its opinion the site is suitable for a home and the proposed structure when completed will not adversely affect surrounding properties.

Retention period: Not specified. 24 CFR 200.171, 200.172, 200.174, 200.177, 201.2, 201.4, 201.8, 201.10, 201.11

(b) A mobile home loan file will include a dated credit application form executed by the borrower, a commercial credit report obtained by the insured on the borrower or evidence that the insured has made an adequate investigation of the borrower's credit. The file will also include the obligation document, a record of advance notice of intention to disburse proceeds of the loan, and a number of certificates pertaining to mobile home standards, sanitary facilities and codes, zoning, and placement.

Retention period: Not specified. 24 CFR 201.520, 201.525, 201.545, 201.570, 201.575, 201.605, 201.610, 201.665.

**2.2 Lending agencies — title I. [Amended]**

To keep dealer files in connection with dealer approval, investigation and control which shall contain the dealer application, the approval by the insured together with supporting information and a record of the insured's experience with the loans originated by such dealer.

Retention period: Not specified. 24 CFR 200.171, 201.8, 201.595

**2.3 Project mortgagors under the National Housing Act.**

(a) To keep books and accounts in accordance with requirements of the FHA Commissioner and in such form as will permit a speedy and effective audit and maintain for such periods of time as may be prescribed by the Commissioner; contracts, records, documents, and papers shall be subject to inspection and examination by the FHA Commissioner and his duly authorized agent at all reasonable times.

Retention period: Not specified. 24 CFR 207.19, 213.30, 220.630, 221.530, 221.538, 221.550, 221.552, 232.87, 233.505, 235.830, 236.1, 242.65, 242.79, 810.1, 1000.127, 1100.105

(b) Where neither mortgagor nor any of its associates has any interest in the builder, financial or otherwise, and in connection with cost certification procedure, records shall be kept of all costs of any construction or other cost items not representing work under the general contract; where the mortgagor and/or its associates have any interest in the builder, contractor, or any subcontractor, the mortgagor shall keep such records and in turn require the builders to keep similar records. Requirements also apply to rehabilitation projects.

Retention period: Not specified. 24 CFR 207.27, 213.35, 213.37, 220.501, 221.550, 231.1, 232.83, 233.505, 234.501, 235.501, 236.1, 241.155–241.160, 810.1, 1000.110–1000.125, 1100.147–1100.155

**2.4 Investors insured under yield insurance provisions under title VII of the National Housing Act.**

To maintain such books, records, and accounts with respect to the insured project as may be prescribed by the Commissioner and will, in the judgment of the Commissioner, adequately and accurately reflect the conditions and operations of the project. The investor shall agree to permit the Commissioner or his agent at all reasonable times upon request to examine any and all books, records, contracts, documents, and accounts of the investor which reflect in any way the condition or operations of the project.

Retention period: Not specified. 24 CFR 702.255

**2.5 Lending agencies for project mortgages insured under the National Housing Act.**

Upon assignment of the mortgage to the Federal Housing Commissioner, when entitled to receive the benefits of the insurance will deliver to the Commissioner, in addition to other items specified, all records, documents, books, papers, and accounts relating to the mortgage transaction.

Retention period: Not specified. 24 CFR Parts 207, 213, 220, 221, 231–236, 241, 242, 608, 611, 803, 810, 908, 1000, 1100

**2.6 Mortgagors of new or rehabilitated multifamily housing insured under the National Housing Act.**

To keep such records as are prescribed by the Federal Housing Commissioner at the time certification to keep such rec-

ords is made and to keep them in such form as to permit a speedy and effective audit.

Retention period: Not specified. 42 U.S.C. 1434.

**2.7 Mortgages of lower income family homes.**

To maintain such records as the Commissioner may require with respect to the mortgagor's payments, the mortgage assistance payments received from the Commissioner, and the biennial recertifications of financial status from the homeowner or mortgagor.

Retention period: As prescribed by the Commissioner. 24 CFR 235.365

### 3. Office of Assistant Secretary for Research and Technology

**3.1 Contractors and subcontractors with research and development contracts.**

To maintain books, records, documents and other supporting evidence relating to the contract and such other records as specified in 41 CFR 1-20.301—1-20.301-3.

Retention period: Various. 41 CFR Part 1-20

## VI. DEPARTMENT OF THE INTERIOR

### 1. Office of the Secretary

**1.1 Permittees filming motion pictures on any area under the jurisdiction of the Department of the Interior.**

To furnish upon request for administrative use a print of the film footage taken pursuant to the permission granted.

Retention period: 3 years from date permission is granted. 43 CFR 5.1

### 2. Fish and Wildlife Service

**2.1 Operators of commercial picking establishments, cold storage or locker plants receiving, possessing, or having custody of migratory game birds.**

To maintain accurate records showing the numbers and kinds of such birds, dates received and disposed of, and the names and addresses of the persons from whom received and to whom delivered.

Retention period: 1 year following the close of the open season on migratory game birds. 50 CFR 10.9

**2.2 Persons exercising privileges under permits granted under Migratory Bird Treaty Act regulations.**

To keep records and make reports as specified in the permits issued by the Bureau of Sport Fisheries and Wildlife for the importation, taking, sale, purchase, or other acquisition, and possession of live migratory birds and their eggs for propagating purposes; for the importation, taking, sale, purchase, or other acquisition, and possession of migratory birds and their eggs, nests or parts for scientific and other limited purposes; for the disposition and transportation of such birds, eggs, nests, parts and their increase; and for the mounting or other preparation by a taxidermist of such birds, eggs, or nests.

Retention period. 1 year following the end of the calendar year covered by the records. 50 CFR 16.9, 16.11, 16.12, 16.13, 16.14 (retention: 16.3)

**2.3 Persons exercising privileges under permits to kill, frighten, or herd migratory birds injuring crops.**

To keep an accurate record of all migratory birds killed and submit a report stating the species and number of migratory birds killed by the permittee.

Retention period: 12 months following the date on which necessary reports are submitted. 50 CFR 16.21 (retention: 16.3)

2.4 [Reserved]

**2.5 Persons authorized to kill depredating purple gallinules in Louisiana.**

To maintain record of the number of birds killed by him and submit a report thereon.

Retention period: 12 months following the date on which necessary reports are submitted. 50 CFR 16.24 (retention: 16.3)

**2.6 State fish and game departments conducting fish and wildlife restoration projects with Federal aid.**

To keep or direct the keeping of separate project records of cost of lands acquired, improvements, construction, overhead and maintenance done by or on behalf of the State.

Retention period: 3 years following final payment. 50 CFR 80.32, 80.33

2.7—2.15 [Transferred to II 3.1–8.9]

### 3. Geological Survey

**3.1 Coal-mine lessees (federally owned lands).**

To keep records of all coal mined, sold, or otherwise disposed of. Records of correct daily weights or biweekly measurements shall be posted if the miners are paid by weight or measurement.

Retention period: Not specified. 30 CFR 211.15

**3.2 Oil and gas lessees (federally owned and restricted Indian lands).**

To keep accurate and complete records of the drilling, redrilling, deepening, repairing, plugging, or abandoning of oil wells and of all other well operations, and of all alterations to casing.

Retention period: Until submission of reports to Regional Oil and Gas Supervisors. 30 CFR 221.23

3.3–3.7 [Reserved]

**3.8 Mineral lessees, potash, sodium and other minerals (federally owned lands).**

To keep books of a correct account of all ore mined, put through the mill, of all ore and mineral products sold and to whom sold, the weight, assay value, moisture content, prices received, and percentage of mineral products recovered or lost.

Retention period: Not specified. 30 CFR 231.26

**3.9 Oil and gas and sulphur lessees (outer Continental Shelf).**

To keep well records and production records, and information obtained in the course of well operations.

Retention period: Until submission of reports to Regional Oil and Gas Supervisors. 30 CFR 250.38

### 4. Bureau of Indian Affairs

**4.1 Indian chartered corporations, unincorporated tribes and bands, and credit and cooperative associations from the United States.**

To keep separate records and accounts of their credit activities and of their cattle loans.

Retention period: Not specified. 25 CFR 91.7

**4.2 Indian corporations and tribes.**

To keep separate records and accounts of their cattle loans in connection with the revolving cattle pool.

Retention period: Not specified. 25 CFR 92.9

4.3—4.4 [Reserved]

**4.5 Oil and gas pipeline operators with rights-of-way over Indian lands.**

To keep books and records of oil produced or run from the lands.

Retention period: Not specified. 25 CFR 161.25

**4.6 Lessees of tribal lands for mining.**

To keep a full and correct account of all operations; and their books and records.

Retention period: Not specified. 25 CFR 171.18

**4.7 Lessees of allotted lands for mining.**

To keep a full and correct accounting of all operations and their books and records, showing manner of operations and persons interested, shall be open at all times for examination of such officers of the Department as shall be instructed in writing by the Secretary of the Interior or authorized by regulations to make such examinations.

Retention period: Not specified. 25 CFR 172.25

**4.8 Lessees of lands in Crow Indian Reservation, Montana, for mining.**

To keep books of account showing amount of ore shipped or oil or other mineral substance sold or treated, and showing amount of money received from sale of ores, oil, etc.

Retention period: Not specified. 25 CFR 173.18

**4.9 Lessees of restricted lands of members of Five Civilized Tribes, Oklahoma, for mining.**

To keep a full and correct account of all operations; and their books and records.

Retention period: Not specified. 25 CFR 174.34

**4.10 Lessees of lands in Osage Reservation, Oklahoma, for mining, except oil and gas.**

To keep upon the leased premises accurate records of the drilling, redrilling,

or deepening of all holes, showing the formations; and books and records showing manner of operations and persons interested.

Retention period: Not specified. 25 CFR 175.13

**4.11 Lessees of lands under jurisdiction of Quapaw Agency for lead and zinc mining.**

To keep books in which shall be a correct account of all ore and rock mined on the tract, of all ore put through the mill, etc.

Retention period: Not specified. 25 CFR 176.24

**4.12 Lessees of Osage Reservation lands for oil and gas mining.**

To keep a full and correct account of all operations; and their books and records.

Retention period: Not specified. 25 CFR 183.44

**4.13 Lessees of lands in Wind River Indian Reservation, Wyoming, for oil and gas mining.**

To keep a full and correct account of all operations; and their books and records, showing the manner of operations and persons interested, shall be open at all times for examination by such officers of the Department as shall be instructed in writing by the Secretary of the Interior or authorized by regulations, to make such examination.

Retention period: Not specified. 25 CFR 184.25

**4.14 Traders on Navajo, Zuni, and Hopi Reservations.**

To keep accurate records of business activities. Receipts issued by the trader for Indian products must be recorded in the traders' books.

Retention period: Not specified. 25 CFR 252.7, 252.17

### 5. [Transferred to II 8.12–8.13]

### 6. [Transferred to II 8.14]

### 7. Bureau of Mines

7.1 NOTE (supplied by Bureau of Mines): [Revised]

Federal Coal Mine Health and Safety Act of 1969 (P.L. 91–173 Secs. 111 and 303(a); 83 Stat. 747; U.S.C. 813, 821).

(a) Records of the daily fan inspections and the fan pressure recording gage charts.

(b) The operator of a coal mine shall maintain at the mine a "Daily ledger: Coal-Mine Accidents" (Form 6–1498) in which shall be recorded for each accident, by date of occurrence, specified information with respect to the accident. A daily ledger shall be open for inspection by interested persons.

Retention period: (a) 1 year. 30 CFR 75.300–4(e); (b) 3 years from the date of the last accident which constitutes the last entry in the "Daily ledger: Coal-Mine Accidents." 30 CFR 80.31

**7.2 State and local authorities receiving aid for reclamation and rehabilitation of strip and surface mine areas under the Appalachian Regional Development Act of 1965.**

To maintain suitable records and accounts of transactions with and payments to project contractors.

Retention period: 3 years after completion of each individual project. 30 CFR 42.7

**7.3 Organizations or institutions (public and private) or individuals receiving Federal grants for solid waste disposal projects.**

To maintain records of all property and books of account (including papers explaining and proving validity of transactions recorded) of financial transactions involving Federal grants and those financed with matching funds from other sources.

Retention period: 3 years after last disbursement of such funds. 30 CFR 51.12

**7.4 States receiving grants for advancement of health and safety in coal mines.**

To maintain books of accounts which reflect the financial transactions involving such grants and transactions financed with matching funds from sources other than the Federal Government.

Retention period: Until the expiration of 3 years after payment under grant. 30 CFR 53.12

**7.5 Recipients of grants for support of research related to authorized Bureau of Mines programs.**

To maintain books of accounts which reflect the financial transactions involving grants financed under Public Law 85–934 (72 Stat. 1793, 42 U.S.C. 1891–1893), and also transactions financed with matching funds from sources other than the Federal Government.

Retention period: Until the expiration of 3 years after the grantee's last disbursement of such funds. 30 CFR 52.12

**7.6 Private helium distributors selling to Federal agencies.**

To keep such helium accounting records as are necessary to assure compliance with regulations in the section cited.

Retention period: At least 1 year following the dates of their applicability, and shall be made available to any duly authorized representative of the Bureau of Mines for examination. 30 CFR 2.4

### 8. National Park Service

**8.1 Concessioners.**

To keep records of their employees, payrolls, and other records with respect to compliance with labor standards established from time to time by or pursuant to Federal or State labor laws.

Retention period: 3 years. 36 CFR 8.6, 8.8

**8.2 Concessioners and subconcessioners operating under negotiated contracts in areas administered by National Park Service.**

To keep such records as the Secretary of the Interior may prescribe to enable the Secretary to determine that all terms of the concession contract have been and are being faithfully performed.

Retention period: 5 calendar years after the close of the business year of concessioner or subconcessioner. 16 U.S.C. 20g

### 9. Office of Water Resources Research

**9.1 Individuals and institutions receiving funds under the Water Resources Research Act of 1964.**

To maintain books and records reflecting financial transactions involving allotments, grants, contracts, or other arrangements and all papers necessary to explain or prove the validity of the transactions recorded.

Retention period: 3 years after allottee's or grantee's last disbursement of such funds or after last payment thereunder was received by the contractor. 18 CFR 505.6

### 10. [Transferred to XIVb]

### 11. Oil Import Administration

**11.1 Persons receiving allocations of imports of crude oil, unfinished oils, and finished products.**

To maintain complete and current records of imports, refinery inputs, petrochemical plant inputs and the outputs of such plants.

Retention period: 3 years. 32A CFR Ch. X, OI Reg. 1, Sec. 6

## VII. DEPARTMENT OF JUSTICE

**1.1 Foreign agents required to register under 22 U.S.C. 611 et seq.**

To keep all books and records relating to any activities which require registration, including correspondence, memoranda, and other written communications to and from foreign principals and other persons, names and addresses of persons to whom "political propaganda" has been sent, financial records, etc.

Retention period: 3 years following termination of registration. Upon good and sufficient cause shown in writing to the Assistant Attorney General in charge of the Internal Security Division, a registrant may be permitted to destroy books and records in support of the information furnished in the registration statement which was filed 5 or more years prior to the date of the application to destroy. 28 CFR 5.500

**1.2 Manufacturers of and dealers in gambling devices.**

To keep monthly records of sales and deliveries of gambling devices, showing the mark and number identifying each article together with the name and address of the buyer or consignee thereof and the name and address of the carrier, and including duplicate bills and invoices.

Retention period: 5 years. 15 U.S.C. 1173

**1.3 Importers of crude opium or coca leaves.**

To keep quintuplicate copy of permit to import.

Retention period: [8] 2 years. 21 CFR 302.10 (retention: 26 U.S.C. (I.R.C. 1954) 4705)

**1.4 Exporters of narcotic drugs.**

To keep triplicate copy of export permit.

Retention period: [8] 2 years. 21 CFR 302.21 (retention: 26 U.S.C. (I.R.C. 1954) 4705)

**1.5 Exporters of narcotic drugs.**

To keep a record of any serial numbers that might appear on packages of narcotic drugs in quantities of one ounce (28.3 grams) or more in such manner as will identify the foreign consignee.

Retention period: [8] Permanent. 21 CFR 302.27 (retention: 26 CFR 151.132)

**1.6 Importers of special coca leaves.**

To keep duplicate copy of quarterly return accounting for all transactions involving such leaves or substances derived therefrom containing narcotic drugs.

Retention period: [8] 2 years. 21 CFR 302.46 (retention: 26 U.S.C. (I.R.C. 1954) 4705)

**1.7 Persons surrendering narcotic drugs to the Regional Directors, Bureau of Narcotics and Dangerous Drugs.**

To retain duplicate copy of inventory of drugs shipped is required only by registrants rendering returns. All other registrants use Form BND-41, Registrants Inventory of Drugs Surrendered.

Retention period: [8] 2 years. 26 CFR 151.474(a)

**1.8 Forfeiters of narcotic drugs.**

To keep triplicate copy of inventory made at time of confiscation of narcotic drugs.

Retention period: [8] Not less than 2 years. 21 CFR 307.112

**1.9 Manufacturers of narcotic precursors.**

To keep a record of the quantity of precursors manufactured or otherwise acquired, dispositions thereof, names and addresses of persons supplied, quantity supplied to each, and use for which intended.

Retention period: [8] Not less than 2 years. 21 CFR 307.141

**1.10 Manufacturers, compounders, processors, dealers, wholesalers, retailers, jobbers, distributors, and any person otherwise disposing of depressant or stimulant drugs.**

To keep complete inventory and continuing records of each such drug manufactured, compounded, processed, stored, received, sold, purchased, delivered, or otherwise disposed of.

Retention period: [8] Not less than 3 years. 21 CFR 320.16, 320.17

## VIII. DEPARTMENT OF LABOR

### 1. Office of the Secretary

**1.1 Contractors or subcontractors engaged in construction, prosecution, completion, or repair of any public building, public work, or work financed in whole or in part by loans or grants from a Federal agency.**

To keep weekly payroll records setting out name and address of each laborer and mechanic, his correct classification, rate of pay, daily and weekly number of hours worked, deductions made, and actual wages paid.

Retention period: 3 years from date of completion of contract. 29 CFR 3.4; 32 CFR 18.703–1; 41 CFR 1–12.403–1

**1.2 Contractors or subcontractors subject to labor standards provisions applicable to contracts covering federally financed and assisted construction (see 29 CFR 5.1 and 5.5).**

(a) To keep payroll and basic records including name and address of each laborer or mechanic, correct classification, rate of pay (including rates of contributions or costs anticipated for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness insurance, or accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship programs, or for other bona fide fringe benefits), daily and weekly number of hours worked, deductions made, and actual wages paid to all laborers and mechanics.

(b) In the case of unfunded plans or programs for fringe benefits listed in the Davis-Bacon Act, which are approved by the Department of Labor, to maintain records showing: (1) that the contractor's commitment is enforceable, (2) that it has been communicated in writing to laborers or mechanics employed by him, and (3) that it is financially responsible.

Retention period: 3 years after termination of contract. 29 CFR 5.5(a)(3)(i) and (6)

**1.3 Contractors or subcontractors subject to labor standards provisions applicable to contracts subject only to the Contract Work Hours Standards Act.**

To keep records relating to wages and hours.

Retention period: 3 years from completion of contract. 29 CFR 5.5(e), 516.2(a); 32 CFR 12.303–1; 41 CFR 1–12.303

**1.4 Persons subject to the Farm Labor Contractor Registration Act of 1963.**

To keep payroll records showing specified information concerning earnings, hours worked, withholdings from wages, time periods constituting the basis for payment, piece rates, and units of work performed at piece rates for migrant workers engaged in interstate agricultural employment paid by such a contractor either on his own behalf or on behalf of another.

Retention period: Not specified. 29 CFR 40.10

**1.5 Contractors or subcontractors subject to Service Contract Act of 1965.**

To keep records relating to work classifications, wages, fringe benefits, hours worked, and safety and health standards.

Retention period: 3 years from completion of the work. 29 CFR 4.6(g), 4.185, 1516.3; 32 CFR 12.1004; 41 CFR 1–12.904–1

**1.6 Sponsors of apprenticeship and training programs registered with the Bureau of Apprenticeship and Training.**

To maintain records of the selection process which includes a brief summary of each interview, and the conclusions on each of the specific factors, e.g., motivation, ambition, willingness to accept direction, which are part of the total judgment. The records shall be made available to the Bureau upon request.

Retention period: 2 years. 29 CFR 30.4(a)(3)

**1.7 Sponsors of Neighborhood Youth Corps projects and work training and experience programs.**

To maintain such records as required by the Secretary for the purpose of the administration of the Economic Opportunity Act of 1964, as amended.

Retention period: Not specified. 29 CFR 50.41, 51.15

**1.8 Contractors or subcontractors subject to equal opportunity in employment regulations. [Amended]**

To keep employment or other records as required by the Director, Office of Federal Contract Compliance, the contracting agency, or an applicant for Federal assistance concerning the contract, including the development and retention of written affirmative action compliance programs to be updated annually.

Retention period: Not specified. 41 CFR 1–12.805–4, 60–1.7, 60–1.40, 60–2

### 2. Bureau of Employees' Compensation

**2.1 Physicians and hospitals treating Federal employees covered by the Employees' Compensation Act of 1916, as amended.**

To keep records of all injury cases treated by them sufficient to supply the Bureau of Employees' Compensation with a history of the employee's accident, the exact description, nature, location and extent of injury, the degree of disability arising therefrom, the X-ray findings if X-ray examination has been made, the nature of the treatment rendered, and the degree of disability arising from the injury.

Retention period: Not specified. 20 CFR 2.10

[8] For record retention requirements for tax purposes, see Internal Revenue Service, XI 4.89—4.119.

**2.2 Employers subject to the provisions of the Longshoremen's and Harbor Workers' Compensation Act, as extended by the Defense Base Act, the Outer Continental Shelf Lands Act, and the Nonappropriated Fund Instrumentalities Act.**

To keep records in respect to any injury to an employee, including information of disease, other disability, or death.
Retention period: Not specified. 20 CFR 31.23

**2.3 Employers in the District of Columbia subject to the Longshoremen's and Harbor Workers' Compensation Act.**

To keep records in respect to any injury to an employee, including information of disease, other disability, or death.
Retention period: Not specified. 20 CFR 41.22

## 3. Office of Labor-Management and Welfare-Pension Reports

**3.1 Every labor organization required to file a labor organization information report under the Labor-Management Reporting and Disclosure Act of 1959, or under regulations promulgated under Executive Order 11491. [Amended]**

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.
Retention period: Not less than 5 years after filing of documents. 29 CFR 204.24, 402.9

**3.2 Every person who pursuant to an agreement or arrangement with an employer undertakes certain activities or who has certain receipts or makes certain disbursements subject to the Labor-Management Reporting and Disclosure Act of 1959.**

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified and checked for accuracy and completeness, and shall include vouchers worksheets, receipts, and applicable resolutions.
Retention period: Not less than 5 years after filing of documents. 29 CFR 406.8

**3.3 Labor organizations required to file annual financial reports under the Labor-Management Reporting and Disclosure Act of 1959, or under regulations promulgated under Executive Order 11491. [Amended]**

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.
Retention period: Not less than 5 years after filing the documents. 29 CFR 204.24, 403.7

**3.4 Employers required to report payments or agreements or arrangements under the Labor-Management Reporting and Disclosure Act of 1959.**

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.
Retention period: Not less than 5 years after filing of documents. 29 CFR 405.9

**3.5 Persons required to file any report under labor organization trusteeship reports provision of the Labor-Management Reporting and Disclosure Act of 1959, or under regulations promulgated under Executive Order 11491. [Amended]**

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.
Retention period: Not less than 5 years after filing of documents. 29 CFR 204.24, 408.10

**3.6 Labor organization officers and employees who are required to file reports of certain income and interests under the Labor-Management Reporting and Disclosure Act of 1959.**

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.
Retention period: Not less than 5 years after filing of documents. 29 CFR 404.7

**3.7 Election officials designated in the constitution and bylaws, or the secretary if no other official is designated, of labor organizations conducting election by secret ballot provided for under the Labor-Management Reporting and Disclosure Act of 1959, or under regulations promulgated under Executive Order 11491. [Amended]**

To preserve all election records, including ballots.
Retention period: 1 year. 29 CFR 204.29, 452.12(d)

**3.8 Officials designated in the constitution and bylaws, or the secretary if no other official is designated, of national or international labor organizations conducting elections by a convention of delegates provided for under the Labor-Management Reporting and Disclosure Act of 1959, or under regulations promulgated under Executive Order 11491. [Amended]**

To preserve the credentials of delegates and all minutes and records pertaining to election.
Retention period: 1 year. 29 CFR 204.29, 452.13(c)

**3.9 Persons required to file any description or report or to certify any information therefor under the Welfare and Pension Plans Disclosure Act. [Amended]**

To maintain records on the matters of which disclosure is required which will provide in sufficient detail the necessary basic information and data from which the documents thus required may be verified, explained, or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, applicable resolutions and records of any written authorization delegating authority to sign any description or report.
Retention period: 5 years. 29 CFR 460.2(c), Part 486

**3.10 Surety companies required to file reports under section 211 of the Labor-Management Reporting and Disclosure Act of 1959.**

To maintain records on matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the reports may be verified, explained or clarified, and checked for accuracy and completeness.
Retention period: Not less than 5 years after filing of report. 29 CFR 409.5

## 4. Division of Public Contracts

**4.1 Supply contractors subject to Public Contracts Act (contracts with U.S. agencies or District of Columbia).**

To keep unexpired certificate of age of employee issued and held pursuant to regulations issued by the Secretary of Labor under the Fair Labor Standards Act, as protection against unintentional employment of underage minors.
Retention period: During period of employment of such minors. 41 CFR 50–201.105

**4.2 Contractors subject to Public Contracts Act (contracts with U.S. agencies or District of Columbia).**

(a) To keep employment records, including name, address, sex, occupation, date of birth of each employee under 19 years of age (if the employer has obtained a certificate of age to record the title and office issuing the certificate, the number of certificate, if any, the date

of its issuance, and the name, address, and date of birth of the minor, as the same appears on the certificate of age), wage and hour records.

Retention period: 3 years from date of last entry. 41 CFR 50–201.501(d)

(b) To keep basic employment and earnings records, wage rate tables, and work time schedules.

Retention period: 2 years from date of last entry or last effective date, whichever is later. 41 CFR 50–201.501(h)

## 5. Wage and Hour Division

**5.1 State agencies having agreements with Secretary of Labor, or Administrator of Wage and Hour Division, for utilization of their services in making investigations and inspections under Fair Labor Standards Act and Public Contracts Act.**

To keep accounting records and supporting data pertaining to expenditures for investigations and inspections.

Retention period: Not specified. 29 CFR 515.6, 1500.86

**5.2 Employers subject to the Fair Labor Standards Act making retroactive payment of wages to employees, including industrial homeworkers, under supervision of the Administrator.**

To record and preserve, as an entry on payroll or other pay records, the amount of such payment to each employee, the period covered by such payment, and the date of payment; and preserve a copy of the report of each such payment on the receipt form authorized by the Wage and Hour Division.

Retention period: 3 years. 29 CFR 516.2(b), 516.5, 516.24(b)(7), 545.7(d), 695.6(d)

**5.3 Employers subject to Fair Labor Standards Act.**

To keep employment records relating to wages, hours, sex, occupation, conditions of employment, etc.

Retention period: 3 years for records containing employee information, payrolls, and certificates, union agreements, and notices; and 2 years for basic employment and earnings records, wage rate tables, work time schedules, order shipping and billing records (customers bills, etc.), job evaluations, merit or seniority systems, or other matters which describe or explain the basis for payment of any wage differentials to employees of the opposite sex in the same establishment, records of deductions from or additions to pay. 29 CFR 516.2, 516.3, 516.5, 516.6, 516.8, 516.11–516.29

**5.4 Employers subject to Fair Labor Standards Act employing apprentices in skilled trade at wages lower than minimum wage applicable. [Amended]**

To keep records relating to wages, hours, conditions of employment, etc., as well as designation of apprentices on the payroll, and when applicable, the apprenticeship program apprenticeship agreement, and special certificate under which an apprentice is employed shall be retained.

Retention period: 3 years from termination of apprenticeship. 29 CFR 516.5, 521.8 (a) and (c)

**5.5 Joint apprenticeship committees holding certificates issued by Administrator. [Amended]**

To keep records of apprenticeship program, apprenticeship agreement, and special certificate under which an apprentice is employed by an employer; the cumulative amount of work experience gained by the apprentice, and a list of employers to whom apprentice was assigned and period of time worked for each employer.

Retention period: 3 years from date of termination of apprenticeship. 29 CFR 516.5, 521.8 (b) and (c)

**5.6 Employers subject to Fair Labor Standards Act employing learners under special learners certificates. [Amended]**

To keep payroll records of learners and occupation in which each learner is employed; any special learner certificates issued; statements obtained from learners employed under special learners certificates of experience acquired in the industry in the 3 years prior to employment as a learner; and to maintain file of all evidence and records, including correspondence, pertaining to filing or cancellation of job orders (in addition to requirements of 29 CFR Part 516).

Retention period: At least 3 years from last effective date of the certificate. 29 CFR 516.5, 522.7

**5.7 Employers subject to Fair Labor Standards Act employing student-learners as learners under certificates. [Amended]**

To keep payroll records of student-learners and occupation in which each student-learner is employed and copies of applications filed in accordance with 520.4(a) and of any special certificates issued under which student-learners are employed.

Retention period: At least 3 years from the last effective date of the certificate. 29 CFR 516.5, 520.7

**5.8 Employers subject to Fair Labor Standards Act employing handicapped workers.**

To keep a copy of special certificates authorizing employment of workers whose earning capacity is impaired by physical or mental deficiencies at wages lower than the minimum wages applicable under Fair Labor Standards Act with employment record.

Retention period: 3 years. 29 CFR 524.10 (retention: 516.5, 516.23)

**5.9 Sheltered workshops (as defined in 29 CFR 525.2(b)).**

To keep records of the nature of each client's disability and records that reflect the productivity of each client on a continuing basis or at periodic intervals not exceeding 6 months; learning periods when authorized by the certificate; designation of workers who are evaluees and trainees as authorized by certificate; indication of which workers are under each certificate where more than one certificate held; indication of workers for whom individual certificates held; pricing of work and time studies made to establish prices; documents relating to State certification; and records required under applicable provisions of 29 CFR Part 516.

Retention period: 2 years. 29 CFR 525.13

**5.10 Educational institutions employing student-workers as learners under certificates. [Amended]**

To keep payroll records showing rate of pay, including a copy of any special certificate issued.

Retention period: At least 3 years from the last effective date of the certificate. 29 CFR 516.5, 527.7

**5.11 Retail or service establishments subject to Fair Labor Standards Act employing full-time students outside of their school hours under special full-time student certificates.**

To keep payroll records of full-time students employed outside of their school hours in any retail or service establishment and occupations in which each such full-time student is employed; statements obtained by the employer from schools attended by such students that the employee receives primarily daytime instruction at the physical location of the school in accordance with the school's accepted definition of a full-time student; records of the monthly hours of employment of full-time students at special minimum wages under a full-time student certificate and of the total hours of employment during the month of all employees in the establishment; and any special certificates issued.

Retention period: At least 3 years from the last effective date of the certificate. 29 CFR 516.5, 516.23, 519.7

**5.11a Retail or service establishments subject to Fair Labor Standards Act employing commission employees exempt from overtime pay requirements pursuant to section 7(h).**

To keep employment records relating to wages, hours, circumstances and conditions of employment, including a symbol or letter to identify each such employee; an indication that the employee's regular rate of pay in each workweek meets requirements of the exemption and basic records demonstrating this fact; copy of the agreement or understanding or summary of its terms, including the basis of compensation, applicable representative period, and the date on which the agreement or understanding was entered into; and total compensation paid to each employee in each pay period stating separately the commission and noncommission straight time earnings.

Retention period: 3 years for records containing employee information, payrolls and certificates, union agreements, and notices; 2 years for basic employment and earning records, wage rate tables, work time schedules, orders, shipping and billing records (customers' bills, etc.), record of deductions from or

additions to pay. 29 CFR 516.2, 516.5, 516.6, 516.28

**5.12 Homeworkers and employers in the women's apparel industry, the jewelry manufacturing industry, the knitted outerwear industry, the gloves and mittens industry, the button and buckle manufacturing industry, the handkerchief manufacturing industry, and the embroideries industry.**

To maintain a copy of each certificate authorizing employment of industrial homeworkers in the above industries on file in the same place at which the worker's employment records are maintained.

Retention period: Not specified. 29 CFR 530.8

**5.13 Employers of industrial homeworkers in the women's apparel industry, the jewelry manufacturing industry, the knitted outerwear industry, the gloves and mittens industry, the button and buckle manufacturing industry, the handkerchief manufacturing industry, and the embroideries industry.**

To keep employment records required by 29 CFR Part 516.

Retention period: Not specified. 29 CFR 530.9

**5.14 Employers of industrial homeworkers engaged in making handfashioned jewelry on the Navajo, Pueblo, and Hopi Indian Reservations.**

To keep records, including name, address, and date of birth of the homeworker, if under 19 years of age, description of work performed, amount and date of cash payments for each pay period, and a schedule of piece rates paid, and all records required by Part 516, except those required by 516.2 and 516.24.

Retention period: Not specified. 29 CFR Part 530.12(b) (3)

**5.15 Employers of homeworkers in the fabric and leather glove industry; the handkerchief, scarf, and art linen industry; the children's dress and related products industry; the women's and children's underwear and women's blouse industry; the needlework and fabricated textile products industry; and the sweater and knit swimwear industry in Puerto Rico.**

To keep records including name and address of firms outside Puerto Rico from whom goods upon which work to be done are received; name and address of subcontractors, if any, to whom each lot delivered, or delivery tc homeworkers, and Labor Department permit number; dates goods delivered to and received from subcontractor with description of goods and rate of commission; name, address, age (if under 19) of homeworker; style number, description, amount of goods delivered, rates, etc.; date homeworker paid.

Retention period: 3 years. 29 CFR 545.7 (a) and (e), 545.8

**5.16 Employers of homeworkers in the fabric and leather glove industry; the handkerchief, scarf, and art linen industry; the children's dress and related products industry; the women's and children's underwear and women's blouse industry; the needlework and fabricated textile products industry; and the sweater and knit swimwear industry in Puerto Rico.**

To keep handbook furnished to employers by Wage and Hour Division, in which employer enters dates on which goods delivered to and received from (or purchased from) homeworker; style number; description, amount of goods, rates, etc.; date homeworker paid; signature of person acting for employer.

Retention period: 2 years subsequent to date of last entry. 29 CFR 545.7 (b) and (e)

**5.17 Employers of homeworkers in the fabric and leather glove industry; the handkerchief, scarf, and art linen industry; the children's dress and related products industry; the women's and children's underwear and women's blouse industry; the needlework and fabricated textile products industry; and the sweater and knit swimwear industry in Puerto Rico.**

To keep record of overtime (over 40 hours 1 week) including hours worked on each lot of work, total hours worked each week; wages paid at regular piece rates; extra amount paid for overtime; this in addition to other records required by 29 CFR 545.7.

Retention period: Employer, 3 years; employee handbook, 2 years. 29 CFR 545.7 (c) and (e).

**5.18 Employers of homeworkers in Puerto Rico (other than needlework industries).**

To keep records pertaining to employment of such homeworkers.

Retention period: 2 years. 29 CFR 681.7, 681.8

**5.19 Employers of homeworkers in industries in Puerto Rico (other than needlework industries).**

To keep handbook furnished to employers by Wage and Hour Division to record dates upon which goods in each lot were delivered; style number, if any; description of, and amount of goods in each lot; operations to be performed thereon; piece rate to be paid, and net amount paid for operations performed upon such goods, etc.

Retention period: 2 years. 29 CFR 681.7, 681.8

**5.20 Employers of homeworkers in industries in the Virgin Islands.**

To keep records pertaining to such homeworkers.

Retention period: 3 years. 29 CFR 695.6, 695.7

**5.21 Employers of homeworkers in industries in the Virgin Islands.**

To keep handbook records containing dates upon which goods in each lot were delivered and collected; style number, description, and amount of goods in each lot, operations to be performed, and piece rate to be paid; net amount actually paid for operations performed; date paid and signature of person acting in behalf of employer.

Retention period: 2 years subsequent to last entry. 29 CFR 695.6, 695.7

**5.22 Employers of local delivery drivers and helpers. [Amended]**

To keep records and computations with respect to employees for whom the overtime pay exemption is taken.

Retention period: Not specified. 29 CFR 516.11, 551.9

**5.23 Employers, employment agencies, and labor organizations subject to Age Discrimination in Employment Act of 1967.**

(a) *Employers*—(1) To keep records for each employee containing name, address, date of birth, occupation, rate of pay and compensation earned each week; (2) when made in the regular course of business, to keep personnel or employment records related to job applications, promotion or discharge, job orders submitted to employment agency or labor organization for recruitment of personnel, test papers of employer-administered aptitude or other employment test, results of physical examinations considered in connection with personnel action, and advertisements; (3) to keep any employee benefit plans; (4) to keep application forms for positions known to be of a temporary nature.

Retention period: (1) 3 years, (2) 1 year, (3) 1 year after termination of plan, (4) 90 days. 29 CFR 850.3

(b) *Employment agencies*—To keep records related to placements, referrals, job orders, job applications, test papers, and advertisements.

Retention period: 1 year. 29 CFR 850.4 (a) (1)

(c) *Labor organizations*—To keep records of name, address, and date of birth of members, and any individual seeking membership in the organization.

Retention period: 1 year. 29 CFR 850.5 (a) and (b)

## 6. [Reserved]

## 7. Bureau of Labor Standards

**7.1 Employers subject to child-labor provisions of the Fair Labor Standards Act.**

To keep certificates of age for employed minors under 18 years of age.

Retention period: Until termination of employment of minor. 29 CFR 1500.3

**7.2 State agencies having agreements with Secretary of Labor or Administrator of Wage and Hour Division, Labor Department, for utilization of their services in making investigations and inspections.**

To keep accounting records and supporting data pertaining to expenditures for investigations and inspections under Fair Labor Standards Act, and Public Contracts Act.

Retention period: Not specified. 29 CFR 515.6, 1500.86

**7.3 Employers subject to minimum age standards of child-labor provisions of Fair Labor Standards Act.**

To keep age certificate (a statement of a minor's age issued under regulations of Secretary of Labor) showing minor to be above minimum age requirements for employment as a protection from an unwitting violation of minimum age standards.

Retention period: Not specified. 29 CFR 1500.121

**7.4 Persons accredited for vessel cargo gear certification.**

To maintain records of all work performed on gear certification, including tests, proof loads, and heat treatment; of the status of the certification of each vessel issued a register by such accredited person.

Retention period: Permanent. 29 CFR 1505.10, 1505.11

**7.5 Operators or officers of vessels.**

To keep vessel's register and certificates relating to cargo gear.

Retention period: 4 years after date of the latest entry except for nonrecurring test certificates concerning gear which is kept in use for a longer period, in which case certificates are retained as long as that gear is in use. 29 CFR 1505.12

**7.6 Employers of maritime employees under the Longshoremen's and Harbor Workers' Compensation Act.**

(a) To keep records as are necessary to compute and permit verification of standard work-injury frequency and severity rate and employee hours worked.

Retention period: 3 years. 29 CFR 1506.2

(b) To maintain records of tests of strength of stevedoring gear.

Retention period: As long as such gear is in use. 29 CFR 1504.61

(c) To keep records of the dates, times, and locations of tests for carbon monoxide made when internal combustion engines exhaust into the hold or intermediate deck.

Retention period: 30 days after the work is completed. 29 CFR 1504.93

(d) To keep records relating to tests and inspections for the existence of hazardous flammable, explosive, or toxic liquids and gases.

Retention period: 3 months from the date of the completion of the job. 29 CFR 1501.10, 1502.10, 1503.10

**7.7 Employers subject to FLSA employing children in occupations in agriculture under Federal service extension exemption.**

To keep the certificate showing minor has fulfilled the requirements under provisions of Federal service extension exemption.

Retention period: Not specified. 29 CFR 1500.70(f)

**7.8 Contractors subject to Public Contracts Act (contracts with U.S. agencies or District of Columbia).**

To keep records of injury frequency rates of employees.

Retention period: 3 years after date of entry. 41 CFR 50–201.502

**7.9 Contractors subject to Public Contracts Act (contracts with U.S. agencies or District of Columbia).**

To maintain records of radiation exposure of all employees for whom personnel monitoring is required.

Retention period: Not specified. 41 CFR 50–204.32

**7.10 Employers subject to FLSA employing children in agriculture under the Vocational-Agriculture Training Exemption.**

To keep the certificate showing minor has fulfilled the requirements under provisions of vocational-agriculture training exemption.

Retention period: Not specified. 29 CFR 1500.70(g)

**7.11 Employers subject to FLSA employing children under the Experimental School Supervised and School Administered Work-Experience Program.**

To keep a copy of the written training agreement showing minor is a student participating in the work-experience and career exploration program.

Retention period: Duration of the program. 29 CFR 1500.35a(b)(vii)

## IX. POST OFFICE DEPARTMENT

**1.1 Postage meter licensees. [Amended]**

To keep a Meter Record Book (Form 3602–A), showing register readings of metered mail on each day of operation of the meter.

Retention period: At least 1 year from date of final entry. 39 CFR 144.3, 144.7

**1.2 [Deleted]**

**1.3 Apartment house managers.**

To maintain a record of the number of keys supplied by manufacturers and jobbers, relating the key number to the receptable number, so that, when necessary, new keys may be ordered. Key numbers shall not be placed on the barrels of the locks, as this would make it possible for unauthorized persons to secure keys and gain access to the boxes. Apartment house managers must keep a record of the combinations of keyless locks so that new tenants may be given the combination. These records of key numbers and combinations must be kept in the custody of the manager or a trusted employee.

Retention period: The record of key numbers must be kept until the lock has been changed when it may be destroyed. The record of combinations to the keyless locks must be maintained until the combination is changed, when it may be destroyed. 39 CFR 155.6

**1.4 Commercial mail receiving agencies. [Added]**

To maintain a copy of Form 1583, application for delivery of mail through agent.

Retention period: During period of agency. 39 CFR 154.2

## X. DEPARTMENT OF STATE

### 1. Office of Munitions Control

**1.1 Persons required to register as manufacturers or exporters of United States Munitions List articles.**

To maintain, subject to the inspection of the Secretary of State, or any person designated by him, records on the exportation of articles enumerated in the United States Munitions List. Records shall contain all information pertinent to the transaction.

Retention period: 6 years, except that the Secretary may prescribe a longer or shorter period in individual cases as he deems necessary. 22 CFR 122.05

### 2. Agency for International Development

**2.1 Foreign governments, U.S. voluntary agencies, or intergovernmental organizations involved in the transfer of food commodities for use in disaster relief, economic development, and other assistance.**

To maintain records and documents of all transactions pertaining to receipt, storage, inspection, and distribution of commodities, including records of receipt and disbursement of funds accruing from the operation of the program.

Retention period: 3 years from close of the U.S. fiscal year to which they pertain. 22 CFR 211.6

**2.2 AID suppliers of commodities and commodity-related services for AID-financed programs or projects.**

To maintain all records pertaining to the supplier's business together with all other documents bearing on supplier compliance with the undertakings and certifications of the Supplier's Certificate, AID Form 282.

Retention period: Not less than 5 years after date of execution of the Supplier's Certificate. 22 CFR Part 201, App. A., sec. 11

## XI. DEPARTMENT OF THE TREASURY

### 1. Bureau of Accounts

**1.1 Public and private agencies holding refugee relief loans.**

To maintain adequate books and records relating to the funds borrowed from the Secretary of the Treasury under the Refugee Relief Act of 1953, as amended, and resettlement loans made therefrom.

Retention period: During life of the loan. 31 CFR 290.5

### 2. Comptroller of the Currency

**2.1 National banks acting as insurance agents and as brokers or agent for loans on real estate.**

To keep records available for inspection by Examiners as specified in 12 CFR Part 2, including authorization statements and certificates, copies of agent-bank's reports, adequate records of insurance transactions and loans, with separate entries and accounts, and

records as may be required by insurance companies.

Retention period: Permanent, except for copies of reports made by the agent bank to each insurance company which it represents, which copies shall be kept for a period of 5 years, and except for records of loans negotiated by the bank in acting as broker or agent in making or procuring loans on real estate, which records shall be kept for a period of 5 years. 12 CFR 2.2, 2.4

**2.2 National banks exercising trust powers.**

To keep a separate set of books and records showing in proper detail all permissible fiduciary transactions engaged in under regulations and State and local law.

Retention period: Not specified. 12 CFR 9.8

**2.3 National banks' shareholder lists.**

To maintain a stock register book containing names and residences of all shareholders, such book to be kept in the main office of the bank.

Retention period: Permanent. 12 U.S.C. 62

**2.4 Certificates executed by national banks under Exception 13 of R.S. 5200.**

To keep certificates, executed by an officer of the bank designated by the board of directors for that purpose, in support of loans made based on negotiable or nonnegotiable installment consumer paper where the bank has in fact evaluated and is relying primarily on the makers for the payment of such obligations.

Retention period: Until repayment of the loan. 12 U.S.C. 84

**2.5 National banks with 500 or more shareholders of record.**

To retain copy of annual report, statements of beneficial ownership and changes in beneficial ownership of national bank securities.

Retention period: Not specified. 12 CFR 10.4, 12.3

## 3. Bureau of Customs

**3.1 Importers of alumina to be used in producing aluminum.**

To keep records to support blanket certificates issued to show sales of such alumina during a specific period to a specified manufacturer showing quantity and description of the alumina and identifying such alumina with the import entry.

Retention period: 3 years from date of liquidation of the entry. 19 CFR 54.4

3.2–3.4 [Reserved]

**3.5 Importers of Patna rice to be used in the manufacture of canned soups.[9]**

To keep records to support blanket certificates issued to show sales of such Patna rice during a specific period to a specified manufacturer showing quantity and description of the Patna rice and identifying such Patna rice with the import entry.

Retention period: 3 years from liquidation of the entry. 19 CFR 10.88

**3.6 Manufacturers, processors, or dealers entering or withdrawing wool or hair of the camel under bond or receiving wool or hair by transfer under bond.**

To keep records showing (a) in case of entry or withdrawal, the quantity, entered clean content, identity, and description of such wool or hair; (b) in case of receipt by transfer, the quantity, description, and date of transfer certificate of wool or hair and name and address of transferor.

Retention period: Records relating to bonded wool or hair—3 years after the imported wool or hair has been used in manufacturing; records of transferor, where the wool or hair has been charged against the transferee—3 years from date of transfer. 19 CFR 10.93 (retention: 10.95)

**3.7 Manufacturers or processors of products and substances resulting wholly or in part from bonded wool or hair of the camel.**

To keep records showing (a) date or inclusive dates of processing of each lot or inclusive dates of each period of manufacture; (b) quantity, identity, and description of wool or hair not previously processed put into process; (c) quantity and description of all intermediate products, stocks in process, and wastes not described put into process; (d) quantity and description of final products and quantity by weight of wool or hair content; (e) quantity of wastes remaining on hand; (f) inventory of wool and hair on hand at close of each abstract period; (g) quantities and description of any yarns spun.

Retention period: Records relating to bonded wool or hair—3 years after the imported wool or hair has been used in manufacturing; records of transferor, where the wool or hair has been charged against the transferee—3 years from date of transfer. 19 CFR 10.94 (retention: 10.95)

**3.8 Manufacturers, processors, or dealers of articles of wool or hair of the camel.**

To keep records showing quantity, description, and wool or hair content of all articles delivered from their premises pursuant to transfer under bond, purchase, consignment, or otherwise; date of delivery; name and address of person to whom delivered; exact designation; price paid or agreed upon.

Retention period: Records relating to bonded wool or hair—3 years after the imported wool or hair has been used in manufacturing; records of transferor, where the wool or hair has been charged against the transferee—3 years from date of transfer. 19 CFR 10.95

**3.9 Importers of rapeseed oil to be used in the manufacture of rubber substitutes or lubricating oil.[9]**

To keep records to support blanket certificates issued to show sales of such rapeseed oil during a specific period to a specified manufacturer showing quantity and description of the rapeseed oil and identifying such rapeseed oil with the import entry.

Retention period: 3 years from date of liquidation of the entry. 19 CFR 10.100

**3.10 Importers of limestone to be used in the manufacture of fertilizer.[9]**

To keep records to support blanket certificates issued to show sales of such limestone during a specific period to a specified manufacturer showing quantity and description of the limestone and identifying such limestone with the import entry.

Retention period: 3 years from date of liquidation of the entry. 19 CFR 10.101

3.11 [Reserved]

**3.12 Proprietors of bonded smelting and/or refining warehouses operating under section 312, Tariff Act of 1930.[9]**

To keep such records of the operation that will show the quantities of metal-bearing materials (a) on hand at the beginning of the period and the dutiable contents thereof; (b) received during the period and the dutiable contents thereof; (c) total to be accounted for and the dutiable contents thereof; (d) on hand at the end of the period and the dutiable contents thereof; and (e) worked during the period and the dutiable contents thereof.

Retention period: 5 years from date of statement. 19 CFR 19.19

**3.13 Importers, exporters, proprietors of customs bonded warehouses, bonded common carriers, and others handling imported wheat in continuous customs custody.**

To maintain such records as will enable customs officers to verify the handling to which imported wheat has been subjected and the proper accounting of any increase or shortage in quantity from shrinkage or other factor.

Retention period: 2 years after date of transaction. 19 CFR 19.34

**3.14 Manufacturers or producers of articles manufactured or produced in the United States with the use of imported duty-paid merchandise and intended for exportation with benefit of drawback under section 313(a), Tariff Act of 1930.[9]**

To keep records showing the date or inclusive dates of manufacture or production of the articles, the quantity and identity of the imported duty-paid merchandise used or appearing in the exported articles, the quantity and description of finished product obtained, and, if valuable waste is incurred in manufacture and claim is not based on the quantity of imported merchandise appearing in the exported articles, the value of the imported merchandise used in manufac-

[9] These records are required to be kept by manufacturers or producers, proprietors of bonded smelting and/or refining warehouses operating under section 312, Tariff Act of 1930, and importers.

ture and the quantity and value of the waste incurred, and, in cases where two or more products are obtained, the values thereof at the time of separation.

Retention period: At least 3 years after payment of drawback claims. 19 CFR 22.4, 22.6 (retention: 22.46)

**3.15 Manufacturers or producers of articles manufactured or produced in the United States with the use, in certain cases, of substituted merchandise in lieu of imported duty-paid merchandise and intended for exportation with benefit of drawback under section 313(b), Tariff Act of 1930, as amended.[9]**

To keep detailed records pertaining to duty-paid merchandise or other articles manufactured or produced under drawback regulations with the use of such merchandise designated as the basis for the allowance of drawback on the exported articles.

Retention period: At least 3 years after payment of drawback claims. 19 CFR 22.5, 22.6 (retention: 22.46)

**3.16 Manufacturers or producers of flavoring extracts and medicinal or toilet preparations (including perfumery) manufactured or produced in the United States with the use of domestic taxpaid alcohol and intended for exportation with benefit of drawback under section 313(d), Tariff Act of 1930, as amended.[9]**

To keep records similar to those required of manufacturers or producers in the case of articles manufactured or produced in the United States with the use of imported duty-paid merchandise and intended for exportation with benefit of drawback under section 313(a), Tariff Act of 1930.

Retention period: At least 3 years after payment of drawback claims. 19 CFR 22.23, 22.24 (retention: 22.46)

**3.17 Licensed customhouse brokers. [Amended]**

To keep current records of account reflecting all their financial transactions as customhouse brokers, including a copy of each entry made with all supporting papers, except those documents they are required to file with Customs, powers of attorney, copies of all correspondence and other papers relating to customs business and, except for certain specified limitations, a record of transactions of licensed customhouse broker (Customs Form 3079) in addition to the regular records of account.

Retention period: At least 6 years after the date of entry. When merchandise is withdrawn from a bonded warehouse, copies of papers relating to the withdrawal shall be retained for 6 years from the date of withdrawal. Powers of attorney shall be retained until revoked, and revoked powers of attorney and letters of revocation shall be retained for 6 years after the date of revocation. 19 CFR 111.23(a)

[9] These records are required to be kept by manufacturers or producers, proprietors of bonded smelting and/or refining warehouses operating under section 312, Tariff Act of 1930, and importers.

## 4. Internal Revenue Service

NOTE: The following items refer to requirements issued under the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954 which were in effect as of January 1, 1971. All regulations applicable under any provision of law in effect on August 16, 1954, the date of enactment of the 1954 Code, are applicable to the corresponding provisions of the 1954 Code insofar as such regulations are not inconsistent with the 1954 Code, and such regulations remain applicable to the 1954 Code until superseded by regulations under such Code. The Internal Revenue Service points out that the omission from this compilation of any record retention requirement provided for by law or regulation issued thereunder shall not be construed as authority to disregard any such requirement. The Service also points out that persons subject to income tax are bound by the retention requirement given in item 4.1 regardless of other requirements which for other purposes allow shorter retention periods.

The record retention requirements of the Internal Revenue Service are divided into the following categories: Income, Estate, Gift, Employment, Excise, Liquor, Tobacco, and Firearms Taxes.

Regulations issued pursuant to the Internal Revenue Code of 1939 and not entirely superseded are carried in the Code of Federal Regulations as Appendixes to Subchapters A and D of Chapter I of Title 26.

### INCOME TAX

**4.1 Persons subject to income tax.**

(a) *General.* Except as provided in paragraph (b), any person subject to tax, or any person required to file a return of information with respect to income shall keep such permanent books of account or records, including inventories, as are sufficient to establish the amount of gross income, deductions, credits, or other matters required to be shown by such person in any return of such tax or information.

(b) *Farmers and wage-earners.* Individuals deriving gross income from the business of farming, and individuals whose gross income includes salaries, wages, or similar compensation for personal services rendered, are required to keep such records as will enable the district director to determine the correct amount of income subject to the tax, but it is not necessary that these individuals keep the books of account or records required by paragraph (a).

(c) *Exempt organizations.* In addition to the books and records required by paragraph (a) with respect to the tax imposed or unrelated business income, every organization exempt from tax but required to file an annual return shall keep such permanent books of account or records, including inventories, as are sufficient to show specifically the items of gross income, receipts, and disbursements, and other required information.

Retention period: So long as the contents thereof may become material in the administration of any internal revenue law. 26 CFR 1.6001–1

**4.1a Section 38 property; computation of investment credit and qualified investment.**

(a) *Members of affiliated group.* Keep as a part of its records a copy of the consent of the common parent (or a copy of the statement containing all the required consents) to the apportionment of the $25,000 amount among such members. 26 CFR 1.46–1

(b) *Persons computing qualified investment in certain depreciable property.* Maintain sufficient records to determine whether section 47 of the Internal Revenue Code, relating to certain dispositions of section 38 property, applies with respect to any asset. 26 CFR 1.46–3

(c) *Recomputation of credit and qualified investment.* Maintain records which will establish with respect to each item of section 38 property, the following facts: (1) The date the property is disposed of or otherwise ceases to be section 38 property, (2) the estimated useful life which was assigned to the property for computing qualified investment, (3) the month and the taxable year in which property was placed in service, and (4) the basis (or cost), actually or reasonably determined, of the property.

Taxpayers who, for purposes of determining qualified investment, do not use a mortality dispersion table with respect to section 38 assets similar in kind but who consistently assign to such assets separate lives based on the estimated range of years taken into consideration in establishing the average useful life of such assets, must, in addition to the above records, maintain records which will establish to the satisfaction of the district director that such asset has not previously been considered as having been disposed of. 26 CFR 1.47–1

(d) *Disposition or cessation of section 38 property.* Any taxpayer who seeks to establish his interest in a trade or business, a former electing small business corporation, an estate or trust, or a partnership, shall maintain adequate records to demonstrate his indirect interest after any such transfer or transfers. 26 CFR 1.47–3, 1.47–4, 1.47–5, 1.47–6

(e) *Used section 38 property, $50,000 cost limitation.* Maintain records which permit specific identification of any item of used section 38 property selected, which was placed in service by the person selecting the property. Each member of an affiliated group shall maintain as part of its records a copy of the statement containing the apportionment schedule which was attached to the common parent's return. 26 CFR 1.48–3

(f) *Election of lessor of new section 38 property to treat lessee as purchaser.* The lessor and the lessee shall keep as a part of their records the statements filed with the lessee, signed by the lessor and including the written consent of the lessee. 26 CFR 1.48–4

Retention period: See Item 4.1

**4.2 Persons paying travel or other business expenses incurred by an employee in connection with the performance of his services.**

To maintain adequate and detailed records of ordinary and necessary travel, transportation, entertainment, and other similar business expenses, including identification of amount and nature of expenditures, and to keep supporting

documents, especially in connection with large or exceptional expenditures. 26 CFR 1.162–17, 1.274–5

Retention period: See Item 4.1.

**4.3 Persons claiming allowance for depreciation of property used in trade or business or property held for the production of income.**

To keep records of all factors entering into the computation of depreciation allowances. 26 CFR 1.167(a)–7

Retention period: See Item 4.1.

**4.3a Persons changing method of depreciation of section 1245 property.**

To maintain records which permit specific identification of the section 1245 property in the account with respect to which the election is made, and any other property in such account. The records shall also show for all the property in the account the date of acquisition, cost or other basis, amounts recovered through depreciation and other allowances, the estimated salvage value. the character of the property, and the remaining useful life of the property. 26 CFR 1.167(e)–1

Retention period: See Item 4.1.

**4.3b Persons claiming a deduction for amounts expended in maintaining certain students as a member of household.**

To keep adequate records of amounts actually paid in maintaining a student as a member of the household. For certain items, such as food, a record of amounts spent for all members of the household, with an equal portion thereof allocated to each member, will be acceptable. 26 CFR 1.170–2

Retention period: See Item 4.1.

**4.4 Persons electing to treat trademark or trade name expenditures as deferred expenses.**

To make an accounting segregation on his books and records of trademark and trade name expenditures, for which the election has been made, sufficient to permit an identification of the character and amount of each expenditure and the amortization period selected for each expenditure. 26 CFR 1.177–1

Retention period: See Item 4.1.

**4.5 Persons electing additional first-year depreciation allowance for small business.**

To maintain records which permit specific identification of each piece of "section 179 property" and reflect how and from whom such property was acquired. 26 CFR 1.179–4

Retention period: See Item 4.1.

**4.6 Persons receiving any class of exempt income or holding property or engaging in activities the income from which is exempt.**

To keep records as will enable allocation to be made of amounts of each class of exempt income and amounts of items or parts of items allocated to each class. 26 CFR 1.265–1

Retention period: See Item 4.1.

**4.7 Taxpayer substantiation of expenses for travel, entertainment, and gifts related to active conduct of trade or business.**

A taxpayer must substantiate each element of an expenditure by adequate records or sufficient evidence corroborating his own statements. 26 CFR 1.274–1, 1.274–5

Retention period: See Item 4.1.

**4.8 Corporations receiving distributions in complete liquidation of subsidiaries.**

To keep records showing information with respect to the plan of liquidation and its adoption. 26 CFR 1.332–6

Retention period: See Item 4.1.

**4.9 Qualified electing shareholders receiving distributions in complete liquidation of domestic corporations other than collapsible corporations.**

To keep records in substantial form showing all facts pertinent to the recognition and treatment of the gain realized upon shares of stock owned at the time of the adoption of the plan of liquidation. 26 CFR 1.333–6

Retention period: See Item 4.1.

**4.10 Persons who participate in a transfer of property to a corporation controlled by the transferor.**

To keep records in substantial form showing information to facilitate the determination of gain or loss from a subsequent disposition of stock or securities and other property, if any, received in the exchange. 26 CFR 1.351–3

Retention period: See Item 4.1.

**4.11 Persons who participate in a tax-free exchange in connection with a corporate reorganization.**

To keep records in substantial form showing the cost or other basis of the transferred property and the amount of stock or securities and other property or money received (including any liabilities assumed upon the exchange, or any liabilities to which any of the properties received were subject), in order to facilitate the determination of gain or loss from a subsequent disposition of such stock or securities and other property received from the exchange. 26 CFR 1.368–3

Retention period: See Item 4.1.

**4.12 Persons who exchange stock and securities in corporations in accordance with plans of reorganizations approved by the courts in receivership, foreclosure, or similar proceedings, or in proceedings under chapter X of the Bankruptcy Act.**

To keep records in substantial form showing the cost or other basis of the transferred property and the amount of stock or securities and other property or money received (including any liabilities assumed upon the exchange), in order to facilitate the determination of gain or loss from a subsequent disposition of such stock or securities and other property received from the exchange. 26 CFR 1.371–2

Retention period: See Item 4.1.

**4.13 Corporations which are parties to reorganizations in pursuance of court orders in receivership, foreclosure, or similar proceedings, or in proceedings under chapter X of the Bankruptcy Act.**

To keep records in substantial form showing the cost or other basis of the transferred property and the amount of stock or securities and other property or money received (including any liabilities assumed upon the exchange), in order to facilitate the determination of gain or loss from a subsequent disposition of such stock or securities and other property received from the exchange. 26 CFR 1.371–1

Retention period: See Item 4.1.

**4.14 Railroads participating in a tax-free reorganization.**

Records in substantial form must be kept by every railroad corporation which participates in a tax-free exchange in connection with a reorganization under section 374(a) of the Internal Revenue Code, showing the cost or other basis of the transferred property and the amount of stock or securities and other property or money received, including any liabilities assumed upon the exchange, in order to facilitate the determination of gain or loss from a subsequent disposition of such stock or securities and other property received from the exchange.

Retention period: Permanent. 26 CFR 1.374–3

**4.15 Records required in computing depreciation allowance carryovers of acquiring corporations in certain corporate acquisitions.**

Records shall be maintained in sufficient detail to identify any depreciable property to which section 1.381(c)(6)–1 of the regulations applies and to establish the basis thereof. 26 CFR 1.381(c)(6)–1

Retention period: See Item 4.1.

**4.16 Corporations and shareholders for whom elections are filed with respect to the tax treatment of corporate reorganizations.**

To keep permanent records of all relevant data in order to facilitate the determination of gain or loss from a subsequent disposition of stock or securities or other property acquired in the transaction in respect of which the election was filed. 26 CFR 1.393–3

Retention period: See Item 4.1.

**4.16a Qualified pension or annuity plans with provisions for certain medical benefits.**

To keep a separate account for record-keeping purposes with respect to contributions received to fund medical benefits described in section 401(h) of the Internal Revenue Code. 26 CFR 1.401–14

Retention period: See Item 4.1.

**4.17 Employers claiming deductions for contributions to an employees' trust or annuity plan or compensating an employee under a deferred-payment plan.**

To keep records substantiating all data and information required to be filed with

respect to each plan and the deductions claimed thereunder.

Retention period: To be kept at all times available for inspection. 26 CFR 1.404(a)–2

**4.18 Persons required to seek the approval of the Commissioner in order to change their annual accounting period.**

To keep adequate and accurate records of their taxable income for the short period involved in the change and for the fiscal year proposed. 26 CFR 1.442–1

Retention period: See Item 4.1.

**4.19 Persons selling by the installment method.**

(a) *Installment method.* In adopting the installment method of accounting the seller must maintain such records as are necessary to clearly reflect income. A dealer who desires to compute income by the installment method shall maintain accounting records in such a manner as to enable an accurate computation to be made by such method.

(b) *Revolving credit plan.* The percentage of charges under a revolving credit plan which will be treated as sales on the installment plan shall be computed by making an actual segregation of charges in a probability sample of the revolving credit accounts in order to determine what percentage of charges in the sample is to be treated as sales on the installment plan. The taxpayer shall maintain records in sufficient detail to show the method of computing and applying the sample. 26 CFR 1.453–1, 1.453–2

Retention period: See Item 4.1.

**4.19a Prepaid dues income.**

A taxpayer who makes an election with respect to prepaid dues income shall maintain books and records in sufficient detail to enable the district director to determine upon audit that additional amounts were included in the taxpayer's gross income for any of the three taxable years preceding such first taxable year. 26 CFR 1.456–7

Retention period: See Item 4.1.

**4.20 Persons engaged in the production, purchase, or sale of merchandise.**

To keep a record of inventory conforming to the best accounting practice in the trade or business which clearly reflects income and is consistent from year to year. 26 CFR 1.471–1, 1.471–2

Retention period: See Item 4.1.

**4.20a Supplemental Unemployment Benefit Trusts.**

To maintain records indicating the amount of separation benefits and sick and accident benefits which have been provided to each employee. If a plan is financed, in whole or in part, by employee contributions to the trust, the trust must maintain records indicating the amount of each employee's total contributions allocable to separation benefits. 26 CFR 1.501(c)(17)–2(j)

Retention period: See Item 4.1.

**4.20b Farmer's cooperative marketing and purchasing associations.**

To keep permanent records of the business done both with members and nonmembers, which show that the association was operating during the taxable year on a cooperative basis in the distribution of patronage dividends to all producers. While under the Code patronage dividends must be paid to all producers on the same basis, this requirement is complied with if an association, instead of paying patronage dividends to nonmember producers in cash, keeps permanent records from which the proportionate shares of the patronage dividends due to nonmember producers can be determined, and such shares are made applicable toward the purchase price of a share of stock or of a membership in the association. 26 CFR 1.521–1

Retention period: See Item 4.1.

**4.20c Controlled entities arm's length charges.**

To maintain adequate books and records to permit verification of costs or deductions when a factor in determining the arm's length charge for services rendered to other members of a controlled group. 26 CFR 1.482–2(b)(3)

Retention period: See Item 4.1.

**4.21 Corporations claiming deduction for dividends paid.**

To keep permanent records necessary (a) to establish that dividends with respect to which the deduction is claimed were actually paid during the taxable year, and (b) to supply the information required to be filed with the income tax return of the corporation. To also keep canceled dividend checks and receipts obtained from shareholders acknowledging payment. 26 CFR 1.561–2

Retention period: See Item 4.1.

**4.21a Mutual savings banks, etc., maintaining reserves for bad debts.**

To maintain as a permanent part of its regular books of account, an account for: (1) a reserve for losses on nonqualifying loans, (2) a reserve for losses on qualifying real property loans, and (3) if required, a supplemental reserve for losses on loans. A permanent subsidiary ledger containing an account for each of such reserves may be maintained. 26 CFR 1.593–7

Retention period: See Item 4.1.

**4.21b Mutual savings banks, etc., making capital improvements on land acquired by foreclosure.**

To maintain such records as are necessary to reflect clearly, with respect to each particular acquired property, the cost of each capital improvement and whether the taxpayer treated minor capital improvements with respect to such property in the same manner as the acquired property. 26 CFR 1.595–1

Retention period: See Item 4.1.

**4.22 Persons claiming allowance for cost depletion of natural gas property without reference to discovery value or percentage depletion.**

To keep accurate records of periodical pressure determinations where the annual production is not metered. 26 CFR 1.611–2

Retention period: See Item 4.1.

**4.23 Persons claiming an allowance for depletion and depreciation of mineral property, oil and gas wells, and other natural deposits.**

(a) *General.* To keep a separate account in which shall be accurately recorded the cost or other basis of such property together with subsequent allowable capital additions to each account and all other required adjustments; and, to assemble, segregate, and have readily available at his principal place of business, all the supporting data which is used in compiling certain summary statements required to be attached to returns.

(b) *Mineral property.* The information on which the summary statement is based and for which supporting data must be kept includes:

(1) An adequate map showing the name, description, location, date of surveys, and identification of the deposit or deposits;

(2) A description of the character of the taxpayer's property, accompanied by a copy of the instrument or instruments by which it was acquired;

(3) The date of acquisition of the property, the exact terms and dates of expiration of all leases involved, and if terminated, the reasons therefor;

(4) The cost of the mineral property and improvements, stating the amount paid to each vendor, with his name and address;

(5) The date as of which the mineral property and improvements are valued, if a valuation is necessary to establish the basis;

(6) The value of mineral property and improvements on that date with a statement of the precise method by which it was determined;

(7) An allocation of the cost or value among the mineral property, improvements and the surface of the land for purposes other than mineral production;

(8) The estimated number of units of each kind of mineral at the end of the taxable year, and also at the date of acquisition, if acquired during the taxable year or at the date as of which any valuation is made, together with an explanation of the method used in the estimation, the name and address of the person making the estimate, and an average analysis which will indicate the quality of the mineral valued, including the grade or gravity in the case of oil;

(9) The number of the units sold and the number of units for which payment was received or accrued during the year for which the return is made (in the case of newly developed oil and gas deposits it is desirable that this information be furnished by months);

(10) The gross amount received from the sale of mineral;

(11) The amount of depreciation for the taxable year and the amount of cost depletion for the taxable year;

(12) The amounts of depletion and depreciation, if any, stated separately, which for each and every prior year: (i) Were allowed, (ii) Were allowable, and (iii) Would have been allowable without reference to percentage or discovery depletion;

(13) The fractions (however measured) of gross production from the deposit or deposits to which the taxpayer and other persons are entitled together with the names and addresses of such other persons; and

(14) Any other data which will be helpful in determining the reasonableness of the valuation asserted or of the deductions claimed.

(c) *Oil and gas properties.* The following information with respect to each property is required in addition to that information set forth in paragraphs (a) and (b):

(1) The number of acres of producing oil or gas land and, if additional acreage is claimed to be proven, the amount of such acreage and the reasons for believing it to be proven;

(2) The number of wells producing at the beginning and end of the taxable year;

(3) The date of completion of each well finished during the taxable year;

(4) The date of abandonment of each well abandoned during the taxable year;

(5) Maps showing the location of the tracts or leases and of the producing and abandoned wells, dryholes, and proven oil and gas lands (maps should show depth, initial production, and date of completion of each well, etc., to the extent that these data are available);

(6) The number of pay sands and average thickness of each pay sand or zone;

(7) The average depth to the top of each of the different pay sands;

(8) The annual production of the deposit or of the individual wells, if the latter information is available, from the beginning of its productivity to the end of the taxable year, the average number of wells producing during each year, and the initial daily production of each well (the extent to which oil or gas is used for fuel on the premises should be stated with reasonable accuracy);

(9) All available data regarding change in operating conditions, such as unit operation, proration, flooding, use of air-gas lift, vacuum, shooting, and similar information, which have a direct effect on the production of the deposit; and

(10) Available geological information having a probable bearing on the oil and gas content; information with respect to edge water, water drive, bottom hole pressures, oil-gas ratio, porosity of reservoir rock, percentage of recovery, expected date of cessation of natural flow, decline in estimated potential, and characteristics similar to characteristics of other known fields.

(d) *Statement to be attached to return when depletion is claimed on percentage basis.* In addition to the requirements set forth in paragraphs (a), (b) and (c), a taxpayer who claims the percentage depletion deduction for any taxable year shall attach to his return for such year a statement setting forth in complete, summary form, with respect to each property for which such deduction is allowable, the following information:

(1) All data necessary for the determination of the "gross income from the property," as defined in 26 CFR 1.613–3, including, (i) Amounts paid as rents or royalties including amounts which the recipient treats under section 631(c) of the Internal Revenue Code, (ii) Proportion and amount of bonus excluded, and (iii) Amounts paid to holders of other interests in the mineral deposit;

(2) All additional data necessary for the determination of the "taxable income from the property computed without the allowance for depletion," as defined in 26 CFR 1.613–4. 26 CFR 1.611–2, 1.613–5

Retention period: See Item 4.1.

**4.23a Mineral property, taxable income computation, allocation of section 1245 gain.**

Taxpayer shall have available permanent records of all the facts necessary to determine with reasonable accuracy the portion of any gain recognized under section 1245(a)(1) of the Code which is properly allocable to the mineral property in respect of which the taxable income is being computed. In the absence of such records, none of the gain recognized under section 1245(a)(1) shall be allocable to such mineral property. 26 CFR 1.613–4

Retention period: See Item 4.1.

**4.24 Persons claiming an allowance for depletion of timber property.**

To keep accurate ledger accounts in which shall be recorded the cost or other basis of the property and land together with subsequent allowable capital additions in each account and all other adjustments. In such accounts there shall be set up separately the quantity of timber, the quantity of land, and the quantity of other resources, if any, and a proper part of the total cost or value shall be allocated to each after proper provision for immature timber growth. The timber accounts shall be credited each year with the amount of the charges to the depletion accounts or the amount of the charges to the depletion accounts shall be credited to depletion reserves accounts. 26 CFR 1.611–3

Retention period: See Item 4.1.

**4.25 Persons electing to aggregate separate operating mineral interests.**

To maintain adequate records and maps that shall contain a description of the aggregation and the operating mineral interests within the operating unit which are to be treated as separate properties apart from the aggregation. A general description, accompanied by appropriately marked maps, which accurately circumscribes the scope of the aggregation and identifies the properties which are to be treated separately will be sufficient. There shall also be included a description of the operating unit in sufficient detail to show that the aggregated operating mineral interests are properly within a single operating unit. 26 CFR 1.614–2

Retention period: See Item 4.1.

**4.26 Rules relating to separate operating mineral interests in the case of mines.**

To maintain adequate records and maps that shall contain the following information:

(a) Whether the taxpayer is making an election or elections with respect to the operating unit in accordance with section 614(c)(3) (A) or (B) of the Internal Revenue Code;

(b) A description of the operating unit of the taxpayer in sufficient detail to identify the operating mineral interests which are included within such operating unit;

(c) A description of each aggregation to be formed within the operating unit, in sufficient detail to show that each aggregation consists of all the separate operating mineral interests which comprise any one mine or any two or more mines;

(d) A description of each separate operating mineral interest within the operating unit which is to be treated as a separate property, in sufficient detail to show that such interest is not a part of any mine for which an election to aggregate has been made;

(e) The taxable year in which the first expenditure for development or operation was made by the taxpayer with respect to each separate operating mineral interest within the operating unit, but if the first expenditure for development or operation has not been made with respect to a separate operating mineral interest before the close of the taxable year for which the election is made, such information should also be included;

(f) A description of each separate operating mineral interest within the operating unit which the taxpayer elects to treat as more than one such interest under section 614(c)(2) of the Internal Revenue Code, in sufficient detail to show that the separate operating mineral interest was not a part of an aggregation formed by the taxpayer under section 614(c)(1) of the Code for any taxable year prior to the taxable year for which the election under section 614(c)(2) of the Code is made, and to show that the mineral deposit representing the separate operating mineral interest is being developed or extracted by means of two or more mines;

(g) The taxable year in which the first expenditure for development or operation was made by the taxpayer with respect to each mine on the separate operating mineral interest that the taxpayer is electing to treat as more than one such interest; and

(h) The allocation of the mineral deposit representing the separate operating mineral interest between (or

among) the newly formed interests and the method by which such allocation was made. 26 CFR 1.614–3

Retention period: See Item 4.1.

**4.26a Persons aggregating operating mineral interests in oil and gas wells in a single tract or parcel of land.**

To obtain accurate and reliable information, and keep records with respect thereto, establishing all facts necessary for making the computations prescribed for the fair market value method of determining basis on the aggregation. 26 CFR 1.614–6

Retention period: See Item 4.1.

**4.26b Life insurance companies, contracts with reserves based on segregated asset accounts.**

Separately account for each and every income, exclusion, deduction, asset, reserve, and other liability item which is properly attributable to such segregated asset accounts and keep such permanent records and other data relating to such contracts as is necessary to enable the district director to determine the correctness of the application of the separate accounting rules and the accuracy of the computations. 26 CFR 1.801–8(c)

Retention period: See Item 4.1.

**4.27 Life insurance companies distributing dividends to policyholders.**

Every life insurance company claiming a deduction for dividends to policyholders shall keep such permanent records as are necessary to establish the amount of dividends actually paid during the taxable year. Such company shall also keep a copy of the dividend resolution and any necessary supporting data relating to the amounts of dividends declared and to the amounts held or set aside as reserves for dividends to policyholders during the taxable year.

Retention period: Permanent. 26 CFR 1.811–2

**4.28 Record retention requirements for life insurance companies with respect to the optional treatment of policies reinsured under modified coinsurance contracts.**

The reinsured and reinsurer shall maintain as part of their permanent books of account any subsequent amendments to the original modified coinsurance contract between the reinsured and reinsurer. 26 CFR 1.820–2

Retention period: See Item 4.1.

**4.29 Regulated investment companies.**

To maintain records showing the information relative to the actual owners of its stock contained in the written statements to be demanded from the shareholders. For the purposes of determining whether a domestic corporation claiming to be a regulated investment company is a personal holding company the records of the company shall show the maximum number of shares of the corporation (including the number and face value of securities convertible into stock of the corporation) to be considered as actually or constructively owned by each of the actual owners of any of its stock at any time during the last half of the corporation's taxable year. Also to maintain a list of the persons failing or refusing to comply with demand for statements respecting ownership of shares. 26 CFR 1.852–6, 1.852–7

Retention period: See Item 4.1.

**4.30 Real estate investment trust.**

(a) To maintain in the internal revenue district in which it is required to file its income tax return such permanent records as will disclose the actual ownership of its outstanding stock.

(b) Shareholders of record may not be the actual owners of the stock; accordingly, the real estate investment trust shall demand a written statement from shareholders of record disclosing the actual owner of the stock. Section 1.856–6(d). A list of the persons failing or refusing to comply in whole or in part with the trust's demand for such statement shall be maintained as a part of the trust's records.

(c) For the purpose of determining whether a trust, claiming to be a real estate investment trust, is a personal holding company, the permanent records of the trust shall show the maximum number of shares of the trust (including the number and face value of securities convertible into stock of the trust) to be considered as actually or constructively owned by each of the actual owners of any of its stock at any time during the last half of the trust's taxable year, as provided in section 544 of the Internal Revenue Code. 26 CFR 1.857–6

Retention period: See Item 4.1.

**4.31 Persons claiming credit for taxes paid or accrued to foreign countries and possessions of the United States.**

To keep readily available for comparison on request the original receipt for each such tax payment, or the original return on which each such accrued tax was based, a duplicate original, or a duly certified or authenticated copy, in case only a sworn copy of a receipt or return is submitted. 26 CFR 1.905–2

Retention period: See Item 4.1.

**4.32 Western Hemisphere trade corporations.**

To keep records substantiating income tax statement showing that its entire business is done within the Western Hemisphere and if any purchases are made outside the Western Hemisphere, the amount of such purchases, the amount of its gross receipts from all sources, and any other pertinent information. 26 CFR 1.921–1

Retention period: See Item 4.1.

**4.32a Persons or corporations seeking to come within the exception to the limitation on reduction in income tax liability incurred to the Virgin Islands, under section 934 of the Internal Revenue Code of 1954.**

Must maintain such records and other documents as are necessary to determine the applicability of the exception. 26 CFR 1.934–1

Retention period: See Item 4.1.

**4.32b United States shareholders of controlled foreign corporations.**

To provide permanent books of account or records which are sufficient to verify for the taxable year subpart F, export trade, and certain other classes of income and the increase in earnings invested in United States property. 26 CFR 1.964–3

Retention period: See Item 4.1.

**4.33 Executors or other legal representatives of decedents, fiduciaries of trusts under wills, life tenants and other persons to whom a uniform basis with respect to property transmitted at death is applicable.**

To make and maintain records showing in detail all deductions, distributions, or other items for which adjustment to basis is required to be made. 26 CFR 1.1014–4

Retention period: See Item 4.1.

**4.34 Persons making or receiving gifts of property acquired by gift after December 31, 1920.**

To preserve and keep accessible a record of the facts necessary to determine the cost of the property and, if pertinent, its fair market value as of March 1, 1913, or its fair market value as of the date of the gift, to insure a fair and adequate determination of the proper basis. 26 CFR 1.1015–1.

Retention period: See Item 4.1.

**4.35 Persons participating in exchanges or distributions made in obedience to orders of the Securities and Exchange Commission.**

To keep records in substantial form showing the cost or other basis of the property transferred and the amount of stock or securities and other property (including money) received. 26 CFR 1.1081–11

Retention period: See Item 4.1.

**4.36 Stock or security holders records of distribution pursuant to the Bank Holding Company Act of 1956.**

Each stock or security holder who receives stock or securities or other property upon a distribution made by a qualified bank holding corporation under section 1101 of the Internal Revenue Code shall maintain records of all facts pertinent to the nonrecognition of gain upon such distribution. 26 CFR 1.1101–4

Retention period: See Item 4.1.

**4.36a Gain upon sale or exchange of obligations issued at an original issue discount after December 31, 1954.**

Taxpayer shall keep a record of the issue price and issue date upon or with each such obligation (if known or reasonably ascertainable by him). If the obligation held is an obligation of the United States received from the United States in an exchange upon which gain or loss is not recognized because of section 1037(a) of the Code (or so much of section 1031 (b) or (c) as relates to section 1037(a)), the taxpayer shall keep sufficient records to determine the issue price of such obligations for purposes of applying section 1.1037–1 of the regula-

tions upon the disposition or redemption of such obligations. 26 CFR 1.1232-3(f)
Retention period: See Item 4.1.

**4.37 Persons engaged in arbitrage operations in stock and securities.**

To keep records that will clearly show that a transaction has been timely and properly identified as an arbitrage operation. Such identification must ordinarily be entered in the taxpayer's records on the day of the transaction. 26 CFR 1.1233-1
Retention period: See Item 4.1.

**4.38 Record retention requirements for corporations and shareholders with respect to the substantiation of ordinary loss deductions on small business corporation stock.**

(a) *Corporations.* The plan to issue stock which qualifies under section 1244 of the Internal Revenue Code must appear upon the records of the corporation. In addition, in order to substantiate an ordinary loss deduction claimed by its shareholders, the corporation should maintain records showing the following:

(1) The persons to whom stock was issued pursuant to the plan, the date of issuance to each, and a description of the amount and type of consideration received from each;

(2) If the consideration received is property, the basis in the hands of the shareholders and the fair market value of such property when received by the corporation;

(3) Which certificates represent stock issued pursuant to the plan;

(4) The amount of money and the basis in the hands of the corporation of other property received after June 30, 1958, and before the adoption of the plan for its stock, as a contribution to capital and as paid-in surplus;

(5) The equity capital of the corporation on the date of adoption of the plan; and

(6) Information relating to any tax-free stock dividend made with respect to stock issued pursuant to the plan and any reorganization in which stock is transferred by the corporation in exchange for stock issued pursuant to the plan.

(b) *Shareholders.* Any person who claims a deduction for an ordinary loss on stock under section 1244 of the Code shall file with his income tax return for the year in which a deduction for the loss is claimed a statement setting forth:

(1) The address of the corporation that issued the stock;

(2) The manner in which the stock was acquired by such person and the nature and amount of the consideration paid; and

(3) If the stock was acquired in a nontaxable transaction in exchange for property other than money—the type of property, its fair market value on the date of transfer to the corporation, and its adjusted basis on such date.

In addition, a person who owns "section 1244 stock" in a corporation shall maintain records sufficient to distinguish such stock from any other stock he may own in the corporation. 26 CFR 1.1244(e)-1
Retention period: See Item 4.1.

**4.38a Foreign investment companies.**

To maintain and preserve such permanent books of account, records, and other documents as are sufficient to establish what its taxable income would be if it were a domestic corporation. Generally, if the books and records are maintained in the manner prescribed by regulations under section 30 of the Investment Company Act of 1940, the requirements shall be considered satisfied. 26 CFR 1.1247-5
Retention period: See Item 4.1.

**4.39 Persons involved in the liquidation and replacement of lifo inventories.**

To keep detailed records such as will enable the Commissioner, in his examination of the taxpayer's return for the year of replacement, readily to verify the extent of the inventory decrease claimed to be involuntary in character and the facts upon which such claim is based, all subsequent inventory increases and decreases, and all other facts material to the replacement adjustment authorized. 26 CFR 1.1321-1, 1.1321-2
Retention period: See Item 4.1.

**4.40 Unincorporated business enterprise electing to be taxed as a domestic corporation.**

(a) *General.* Except as otherwise provided in paragraph (b), any unincorporated business enterprise electing to be taxed as a domestic corporation under section 1361 of the Internal Revenue Code is required to keep records, render statements, and make returns in the same manner as a domestic corporation.

(b) *Other records.* The following other records shall be maintained by a "section 1361 corporation:"

(1) Separate records shall be maintained for payments to owners of a "section 1361 corporation" in order that a determination may be made as to whether such payments are compensation for personal services to which section 1361(j) of the Internal Revenue Code applies, or are distributions which may be treated either as corporate distributions or as distributions of personal holding company income.

(2) In the case of a partnership, separate capital accounts shall be maintained for each partner. Such accounts shall set forth the original capital contribution, adjustments thereto (for example, because of an owner's share of undistributed personal holding company income), and any other information necessary to establish each partner's interest in the "section 1361 corporation."

(3) A "section 1361 corporation" shall maintain records of all transfers of interests by its owners made at any time during the period the election under section 1361 applies, showing the names of the transferor and the transferee, the relationship between them, and the interest transferred.

(4) The records of a "section 1361 corporation" shall be maintained in such a manner that assets, liabilities, income, and expenses of the "section 1361 corporation" are shown separately and distinctly from assets, liabilities, income, and expenses of the owners which do not relate to the enterprise. Moreover, separate records shall be maintained for personal holding income and deductions attributable thereto.

(5) A "section 1361 corporation" shall maintain an earnings and profits account which shall be computed in accordance with the rules applicable generally to domestic corporations, except that the receipt and distribution of personal holding company income (and expenses attributable thereto) shall not be taken into account in determining the amount of earnings and profits for the taxable year or accumulated earnings and profits. 26 CFR 1.1361-10, 1.1361-14
Retention period: See Item 4.1.

**4.41 Records by small business corporations of (1) distributions of previously taxed income and (2) undistributed taxable income.**

A small business corporation must keep records of (1) distributions of the net share of the previously taxed income of each shareholder and (2) each person's share of undistributed taxable income. In addition, each shareholder of such corporation shall keep a record of his own net share of previously taxed income and undistributed taxable income and shall make such record available to the corporation for its information. 26 CFR 1.1375-4; 1.1375-6
Retention period: See Item 4.1.

**4.41a Persons required to withhold tax on nonresidential aliens, foreign corporations, and tax-free covenant bonds on payments of income made on and after January 1, 1957.**

To keep copies of Forms 1042 and 1042S. 26 CFR 1.1461-2
Retention period: See Item 4.1.

**4.41b Affiliated group; (1) intercompany transactions, accounting for deferred gain or loss, and (2) allocation of Federal income tax liability.**

(1) Maintain permanent records (including work papers) which will properly reflect the amount of deferred gain or loss and enable the group to identify the character and source of the deferred gain or loss to the selling member and apply the applicable restoration rules. (2) If an affiliated group elects to use the method of allocating Federal income tax liability provided in section 1.1502-33(d)(2)(i) of the regulations, it must maintain specific records to substantiate the tax liability of each member on a separate return basis for purposes of paragraphs (a)(1) and (b)(1) of such subdivision (i). In addition, allocations of tax liability may be made in accordance with any other method approved by the Commissioner, but a condition of such approval shall be that the group maintain specific records to substantiate its computations pursuant to such method. 26 CFR 1.1502-13(c)(5), 1.1502-33, 1.1552-1
Retention period: See Item 4.1.

**4.42 Tax-exempt organizations.**

(a) *General.* To keep records and books of account pertaining to information included in the annual return, including items of gross income, receipts, disbursements, and contributions and gifts received, and to keep other pertinent information which will enable the district director to inquire into the organization's exempt status. An organizations claiming an exception from the filing of an information return must maintain adequate records to substantiate such claim.

(b) *Employees' trusts.* To keep as a part of its records, written notification from an employer to the trustee that the employer has or will timely file the information required under section 404 of the Internal Revenue Code. 26 CFR 1.6033–1

Retention period: See Item 4.1.

**4.42a Banking institutions, trust companies, or brokerage firms, who elect to file Form 1087, Nominee's Information Return, for each actual owner for whom it acts as nominee.**

Must maintain such records as will permit a prompt substantiation of each payments of dividends made to the actual owner. 26 CFR 1.6042–1

Retention period: See Item 4.1.

**4.42b Any trustee, insurance company, or other person, which is notified under section 6047(b) of the Code that contributions to a trust or under a retirement plan have been made on behalf of an owner-employee.**

Shall maintain a record of such notification.

Retention period: Until all funds of the trust or under the plan on behalf of the owner-employee have been distributed. 26 CFR 1.6047–1

**4.42c Persons making payments of estimated tax installments in foreign currency.**

Maintain a copy of the statement certified by the foundation, commission, or other person having control of the payments to the taxpayer in nonconvertible foreign currency which are expected to be received during the taxable year for the purpose of exhibiting it to the disbursing officer when making installment deposits of foreign currency. 26 CFR 301.6316–6

Retention period: See Item 4.1.

**4.43 Persons engaged in construction of aircraft for the Army and the Air Force.**

To keep books, records, and original evidences of costs pertinent to the determination of the true profit, excess profit, deficiency in profit, or net loss from the performance of a contract or subcontract.

Retention period: So long as the contents thereof may become material in the administration of the act of March 27, 1934, as amended. 26 CFR App. A 16.13

**4.44 Persons engaged in construction of naval vessels or aircraft for the Navy.**

To keep books, records, and original evidences of costs pertinent to the determination of the true profit, excess profit, deficiency in profit, or net loss from the performance of a contract or subcontract.

Retention period: So long as the contents thereof may become material in the administration of the act of March 27, 1934, as amended. 26 CFR App. A 17.14

**4.44a Domestic building and loan associations.**

To maintain adequate records to establish to the satisfaction of the district director that various assets tests are met for taxable years beginning after October 16, 1962, and ending before November 1, 1964. 26 CFR 301.7701–13

Retention period: See Item 4.1.

ESTATE TAX

**4.45 Executors of estates.**

To keep detailed records of the affairs of the estate as will enable the district director to determine the amount of the estate tax liability, including copies of documents relating to the estate, appraisal lists of items included in the gross estate, copies of balance sheets or other financial statements relating to value of stock, and any other information necessary in determining the tax.

Retention period: Not specified. 26 CFR 20.6001–1

GIFT TAX

**4.46 Persons making transfers of property by gift.**

To maintain books of account or records as are necessary to establish the amount of the total gifts together with the deductions allowable in determining the amount of taxable gifts, and other information required to be shown in their gift tax returns.

Retention period: Permanent. 26 CFR 25.6001–1

EMPLOYMENT TAX

**4.47 General record retention requirements for employment taxes.**

(a) *Form of records.* Records shall be kept accurately, but no particular form is required. Such forms and systems of accounting shall be used as will enable the district director to ascertain whether liability for tax is incurred and, if so, the amount thereof.

(b) *Copies of returns, schedules, and statements.* Every person who is required to keep any copy of any return, schedule, statement, or other document, shall keep such copy as a part of his records.

(c) *Records of claimants.* Any person (including an employee) who claims a refund, credit, or abatement, shall keep a complete and detailed record with respect to the tax, interest, addition to the tax, additional amount, or assessable penalty to which the claim relates. Such record shall include any records required of the claimant by paragraph (b) of this section which relate to the claim.

(d) *Records of employees.* While not mandatory (except in the case of claims), it is advisable for each employee to keep permanent, accurate records showing the name and address of each employer for whom he performs services as an employee, the dates of beginning and termination of such services, the information with respect to himself which is required to be kept by employers, and all receipts furnished by employers.

(e) *Place for keeping records.* All records required shall be kept, by the person required to keep them, at one or more convenient and safe locations accessible to internal revenue officers, and shall at all times be available for inspection by such officers.

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. The records of claimants required by paragraph (c) shall be maintained for a period of at least 4 years after the date the claim is filed. 26 CFR 31.6001–1

**4.48 [Reserved]**

**4.49 Employers required to deduct and withhold income tax on wages which include sick pay.**

To keep records with respect to payments (sick pay) made directly by the employer to his employees after December 31, 1955, under a wage continuation plan showing, with respect to each employee, the beginning and ending dates of each period of absence from work for which any such payment was made, and sufficient information to establish the amount and weekly rate of each such payment; and, to the extent that income tax is not withheld on the amount of any such payment excludable from the gross income of the employee, the amount of the payment and the excludable portion thereof, and data substantiating the employee's entitlement to the exclusion from gross income.

Retention period: So long as the contents thereof may become material in the administration of any internal revenue law. 26 CFR 31.3401(a)–1, 31.6001–5 (retention: 1.6001–1)

**4.50 Employers liable for tax under the Federal Insurance Contributions Act.**

(a) *General.* (1) To keep records of all remuneration, whether in cash or in a medium other than cash, paid to his employees after 1954 for services (other than agricultural labor which constitutes or is deemed to constitute employment, domestic service in a private home of the employer, or service not in the course of the employer's trade or business) performed for him after 1936; and records of all remuneration in the form of tips received by employees after 1965 and reported to him. Records shall show with respect to each employee receiving such remuneration:

(i) The name, address, and account number of the employee and such additional information with respect to the employee as is required when the employee does not advise the employer what his account number and name are as shown on an account number card issued to the employee by the Social Security Administration.

(ii) The total amount and date of each payment of remuneration (includ-

ing any sum withheld therefrom as tax or for any other reason) and the period of services covered by such payment.

(iii) The amount of each such remuneration payment which constitutes wages subject to tax.

(iv) The amount of employee tax, or any amount equivalent to employee tax, collected with respect to such payment, and, if collected at a time other than the time such payment was made, the date collected.

(v) If the total remuneration payment and the amount thereof which is taxable are not equal, the reason therefor.

(2) Every employer shall keep records of the details of each adjustment or settlement of taxes under the Federal Insurance Contributions Act and a copy of each statement furnished.

(3) Every employer shall keep employee statements of tips furnished him (unless the information disclosed by such statements is recorded on another document retained by the employer) and copies of employer statements furnished employees.

(b) *Agricultural labor, domestic service, and service not in the course of employer's trade or business.* (1) Every employer who pays cash remuneration after 1954 for the performance for him after 1950 of agricultural labor which constitutes or is deemed to constitute employment, of domestic service in a private home of the employer not on a farm operated for profit, or of service not in the course of his trade or business shall keep records of all such cash remuneration with respect to which he incurs, or expects to incur, liability for the taxes imposed by the Federal Insurance Contributions Act, or with respect to which amounts equivalent to employee tax are deducted. Such records shall show with respect to each employee receiving such cash remuneration:

(i) The name of the employee.

(ii) The account number of each employee to whom wages for such services are paid and such additional information as is required when the employee does not advise the employer what his account number and name are as shown on the account number card issued to the employee by the Social Security Administration.

(iii) The amount of such cash remuneration paid to the employee (including any sum withheld therefrom as tax or for any other reason) for agricultural labor which constitutes or is deemed to constitute employment, for domestic service in a private home of the employer not on a farm operated for profit, or for service not in the course of the employer's trade or business; the calendar month in which such cash remuneration was paid; and the character of the services for which such cash remuneration was paid. When the employer incurs liability for the taxes imposed by the Federal Insurance Contributions Act with respect to any such cash remuneration which he did not previously expect would be subject to the taxes, the amounts of any cash remuneration not previously made a matter of record shall be determined by the employer to the best of his knowledge and belief.

(iv) The amount of employee tax, or any amount equivalent to employee tax, collected with respect to such cash remuneration and the calendar month in which collected.

(v) To the extent material to a determination of tax liability, the number of days during each calendar year after 1956 on which agricultural labor which constitutes or is deemed to constitute employment is performed by the employee for cash remuneration computed on a time basis.

(2) Every person to whom a "crew leader" furnishes individuals for the performance of agricultural labor after December 31, 1958, shall keep records of the name; permanent mailing address, or if none, present address; and identification number, if any, of such "crew leader."

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. 26 CFR 31.6001–2 (retention: 31.6001–1)

**4.51 Persons subject to the Railroad Retirement Tax Act.**

(a) *Records of employers.* (1) To keep records of all remuneration (whether in money or in something which may be used in lieu of money) other than tips, paid to his employees after 1954 for services rendered to him (including "time lost") after 1954. Such records shall show with respect to each employee:

(i) The name and address of the employee.

(ii) The total amount and date of each payment of remuneration to the employee (including any sum withheld therefrom as tax or for any other reason) and the period of service (including any period of absence from active service) covered by such payment.

(iii) The amount of such remuneration payment with respect to which the tax is imposed.

(iv) The amount of employee tax collected with respect to such payment, and, if collected at a time other than the time such payment was made, the date collected.

(v) If the total payment of remuneration and the amount thereof with respect to which the tax is imposed are not equal, the reason therefor.

(2) The employer shall keep records of the details of each adjustment or settlement of taxes under the Railroad Retirement Tax Act.

(b) *Records of employee representatives.* Every individual liable for employee representative tax under the Railroad Retirement Tax Act shall keep records of all remuneration (whether in money or in something which may be used in lieu of money) paid to him after 1954 for services rendered (including "time lost") by him as an employee representative after 1954. Such record shall show:

(1) The name and address of each employee organization employing him.

(2) The total amount and date of each payment of remuneration for services rendered as an employee representative (including any sum withheld therefrom as tax or for any other reason) and the period of service, including any period of absence from active service, covered by such payment.

(3) The amount of such remuneration payment with respect to which the employee representative tax is imposed.

(4) If the total payment of remuneration and the amount thereof with respect to which the employee representative tax is imposed are not equal, the reason therefor.

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. 26 CFR 31.6001–3 (retention: 31.6000–1)

**4.52 Employers subject to tax under the Federal Unemployment Tax Act.**

(a) *Records of employers.* To keep such records as are necessary to establish:

(1) The total amount of remuneration (including any sum withheld therefrom as tax or for any other reason) paid to his employees during the calendar year for services performed after 1938.

(2) The amount of such remuneration which constitutes wages subject to the tax.

(3) The amount of contributions paid by him into each State unemployment fund, with respect to services subject to the law of such State, showing separately (i) payments made and neither deducted nor to be deducted from the remuneration of his employees, and (ii) payments made and deducted or to be deducted from the remuneration of his employees.

(4) The information required to be shown on the prescribed return and the extent to which the employer is liable for the tax.

(5) If the total remuneration paid and the amount thereof which is subject to the tax are not equal, the reason therefor.

(6) To the extent material to the determination of a tax liability, the dates, in each calendar quarter, on which each employee performed services not in the course of the employer's trade or business, and the amount of cash remuneration paid at any time for such services performed within such quarter.

The term "remuneration," as used in this paragraph, includes all payments whether in cash or in a medium other than cash, except that the term does not include payments in a medium other than cash for services not in the course of the employer's trade or business.

(b) *Records of persons who are not employers.* Any person who employs individuals in employment during any calendar year but who considers that he is not an employer subject to the tax shall, with respect to each such year, be prepared to establish by proper records (including, where necessary, records of the number of employees employed each

day) that he is not an employer subject to the tax.

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. 26 CFR 31.6001–4 (retention: 31.6001–1)

**4.53 Employers required to deduct and withhold income tax on wages paid. [Amended]**

(a) Every employer required to deduct and withhold income tax upon the wages of employees shall keep records of all remuneration paid to such employees and tips received by employees and reported to him. Such records shall show with respect to each employee:

(1) The name and address of the employee and, after December 31, 1962, the account number of the employee.

(2) The total amount and date of each payment of remuneration (including any sum withheld therefrom as tax or for any other reason) and the period of services covered by such payment.

(3) The amount of such remuneration payment which constitutes wages subject to withholding.

(4) The amount of tax collected with respect to such remuneration payment and, if collected at a time other than the time such payment was made, the date collected.

(5) If the total remuneration payment and the amount thereof which is taxable are not equal, the reason therefor.

(6) Copies of any statements furnished by the employee relating to permanent residents of the Virgin Islands. (See 26 CFR 31.3401(a)–1(b)(12).)

(7) Copies of any statements furnished by the employee relating to nonresident alien individuals. (See 26 CFR 31.3401(a)(6)–1 and 31.3401(a)(7)–1.)

(8) Copies of any statements furnished by the employee relating to residence or physical presence in a foreign country. (See 26 CFR 31.3401(a)(8)(A)–1.)

(9) Copies of any statements furnished by the employee relating to citizens resident in Puerto Rico. (See 26 CFR 31.3401(a)(8)(C)–1.)

(10) The fair market value and date of each payment of noncash remuneration, made to an employee after August 9, 1955, for services performed as a retail commission salesman, with respect to which no income tax is withheld.

(11) With respect to payments made in 1955 under a wage continuation plan, the records required to be kept in respect of such payments must (i) separately show the amounts of such payments, and distinguish such amounts from all other payments, and (ii) establish the facts necessary to show that the employee is entitled to the exclusion, either by means of a written statement from the employee as to the injury, illness, or hospitalization, or by any other information which the employer believes to be accurate and which he is willing to accept. (See 26 CFR 31.3401(a)–1(b)(8)(i).)

(12) With respect to payments made directly by an employer after December 31, 1955, under a wage continuation plan, the records must show (i) the beginning and ending dates of each period of absence from work for which any such payment was made; and (ii) sufficient information to establish the amount and weekly rate of each such payment.

(13) The withholding exemption certificates (Forms W–4 and W–4E) filed with the employer by the employee.

(14) The agreement, if any, between the employer and the employee for the withholding of additional amounts of tax. (See 26 CFR 31.3402(i)–1.)

(15) To the extent material to a determination of tax liability, the dates, in each calendar quarter, on which the employee performed services not in the course of the employer's trade or business, and the amount of cash remuneration paid at any time for such services performed within such quarter. (See 26 CFR 31.3401(a)(4)–1.)

(16) Every employer shall keep employee statements of tips furnished him (unless the information disclosed by such statements is recorded on another document retained by the employer) and copies of employer statements furnished employees. (See 26 CFR 31.3401(a)(11)–1, 31.3401(a)(16)–1.)

(17) The employer shall keep records of the details of each adjustment or settlement of income tax withheld. (See 26 CFR 31.3402.)

(18) The written request of an employee to have the amount of tax withheld from his wages computed on the basis of his cumulative wages, and any notice of revocation thereof. (See 26 CFR 31.6001–5)

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is later. 26 CFR 31.6001–5 (retention: 31.6001–1)

**4.54 Employers claiming a refund, credit, or abatement of tax under the Federal Insurance Contributions Act or Railroad Retirement Tax Act.**

Every employer who has filed a claim for refund, credit, or abatement of employee tax under section 3101 or section 3201 of the Internal Revenue Code, or a corresponding provision of prior law, collected from an employee shall retain as part of his records the written receipt of the employee showing the date and amount of the repayment, or the written consent of the employee, whichever is used in support of the claim. Where employee tax was collected under section 3101 of the Code, or a corresponding provision of prior law, from an employee in a calendar year prior to the year in which the credit or refund is claimed, the employer shall also retain as part of his records a written statement from the employee (a) that the employee has not claimed refund or credit of the amount of the overcollection, or if so, such claim has been rejected, and (b) that the employee will not claim refund or credit of such amount.

Retention period: 4 years after the date the claim is filed. 26 CFR 31.6402(a)–2, 31.6404(a)–1 (retention: 31.6001–1)

**4.55 Repayment by employer of tax erroneously collected from employee under the Federal Insurance Contributions Act or the Railroad Retirement Tax Act and of income tax withheld from wages.**

(a) Before employer files return. To obtain and keep as part of his records the written receipt of the employee showing the date and amount of the repayment.

(b) *After employer files return.* If the amount of an overcollection is repaid to an employee, the employer shall obtain and keep as part of his records the written receipt of the employee, showing the date and amount of the repayment. If in any calendar year, an employer repays or reimburses an employee in the amount of an overcollection of employee tax under section 3101 of the Internal Revenue Code, or a corresponding provision of prior law, which was collected from the employee in a prior calendar year, the employer shall obtain from the employee and keep as part of his records a written statement (a) that the employee has not claimed refund or credit of the amount of the overcollection, or if so, such claim has been rejected, and (b) that the employee will not claim refund or credit of such amount.

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. The records of claimants shall be maintained for a period of at least 4 years after the date the claim is filed. 26 CFR 31.6413(a)–1 (retention: 31.6001–1)

### Excise Tax

**4.56 Persons required to file a return and pay tax on the sale or use of any article subject to manufacturers' excise tax, or disposing of articles free of tax.**

To keep accurate records, including duplicates of returns, and accounts of all transactions. To keep, in the case of dispositions of products to other manufacturers free of tax, accurate records of all such transactions including certificates from purchasers certifying to the fact that the products are purchased for further manufacture of taxable articles, with supporting invoices, etc. To maintain evidence with respect to sales for export, or shipment to a possession of the United States, and sales to States or political subdivisions thereof, upon which no tax is due, and other tax-free sales, and evidence required to support a claim for credit or refund.

Retention period: 4 years from the date the tax became due; with respect to tax-free sales, for a period of 4 years from the last day of the month following the month in which the sale was made; and with respect to credits or refunds, 4 years from the date any credit is taken or refund is claimed. 26 CFR 40.4220–3, 40.4220–4, 48.4041–5—48.4041–9, 48.4071–2, 48.6416, 48.6420, 48.6421; App. D 314.62, 316.7, 316.202

4.57–4.59 [Reserved]

**4.59a Persons acquiring secondhand highway motor vehicles.**

To maintain as part of his records evidence showing whether there was taxable use of such vehicle at any time in the taxable period prior to the time when the vehicle was registered in his name. If evidence is not obtained showing whether there was such use, the person must keep as part of his records a written statement of the reasons why he was unable to obtain such evidence.

Retention period: At least 3 years after the date the tax becomes due or the date the tax is paid, whichever is later. 26 CFR 41.4481–2 (retention: 41.6001–1)

**4.60 Persons subject to the tax on use of certain highway motor vehicles.**

(a) *Person in whose name vehicle registered.* Every person in whose name any highway motor vehicle having a taxable gross weight in excess of 26,000 pounds is registered at any time in the taxable period shall keep certain specified records with respect to each vehicle to enable the district director to determine whether such person is liable for the tax and, if so, the amount thereof.

(b) *Transit systems.* Every person engaged in the operation of a transit system who claims exemption from tax with respect to a transit-type bus shall keep records sufficient to show, with respect to each taxable period, whether he meets the 60-percent passenger fare revenue test for the period prescribed as the test period for such system for such taxable period.

(c) *Claimants.* Any person claiming refund, credit, or abatement of the tax, interest, additional amount, addition to the tax, or assessable penalty, shall keep a complete and detailed record with respect to the claim.

Retention period: Records required by paragraphs (a) and (b) shall be maintained for a period of at least 3 years after the date the tax becomes due or the dates the tax is paid, whichever is later. Records required by paragraph (c) (including any record required by paragraph (a) or (b) which relates to the claim) shall be maintained for a period of at least 3 years after the date the claim is filed. 26 CFR 41.6001–1

**4.61 Persons required to collect taxes on amounts paid for local and toll telephone services and teletypewriter services.**

To keep accurate records and accounts of all such services and facilities furnished upon which the tax is imposed and evidence of the right to exemption relative to any such services or facilities furnished in respect of which tax is not collected. A complete and detailed record of all credits taken and a duplicate of the return shall also be kept.

Retention period: 4 years from the date the tax is due; with respect to evidence of the right to exemption, 4 years from the date the tax would have become due if applicable; and, with respect to credits, 4 years from the date of the return on which the credit appears. 26 CFR 49.4253–11; App. D 130.71, 130.77

4.62–4.64 [Reserved]

**4.65 Persons required to collect taxes on amount paid for the transportation of persons and seating or sleeping accommodations in connection therewith.**

To keep accurate records to show with respect to each ticket or order sold or fare collected, or other individual transaction, the amount of tax collected or evidence of the right to exemption where tax is not collected. A complete and detailed record of all credits taken and a duplicate of the return shall also be kept.

Retention period: (a) Except as provided in paragraph (b) *below*, 4 years from the date the tax is due; with respect to evidence of the right to exemption, 4 years from the date the tax would have become due if payable; and, with respect to credits, 4 years from the date of the return on which the credit appears.

(b) On or after October 1, 1956, carriers furnishing transportation or facilities paid by a State, a Territory of the United States, or any political subdivision thereof, or the District of Columbia, shall retain all exemption certificates accepted, with the record of services and facilities rendered for a period of at least 3 years from the date the tax would have become due if payable. 26 CFR 42.4292–1(b), 49.4261–6(e); App. D 130.54, 130.62, 130.71, 130.77

**4.65a Shippers or other persons making payment subject to tax on transportation of property by air; exportation by continuous movement. [Added]**

To maintain the duplicate of Form 1363, Export Exemption Certificate, with the shipping papers or other evidence of exportation. Carrier shall maintain the original certificate.

Retention period: 3 years from the last day of the month during which shipment was made from the point of origin. 26 CFR 154.2–1

**4.66 Persons required to pay excise tax on wagering.**

(a) *General.* To keep records as will clearly show as to each day's operation: (a) Gross amount of all wagers accepted; (b) gross amount of each class or type of wager accepted on each separate event, contest, or other wagering medium; (c) separately, the gross amount of wagers: (1) accepted directly by the taxpayer or at any registered place of business of the taxpayer (other than laid-off wagers), (2) accepted for his account by agents at other than a registered place of business of the taxpayer (other than laid-off wagers), (3) accepted as laid-off wagers from persons subject to the excise tax; (d) with respect to wagers laid-off with others: (1) The name, address and registration number of each person with whom placed, (2) the gross amount laid-off with each person showing separately the gross amounts of laid-off wagers with respect to each contest, event, or other wagering medium; and (e) the gross amount of tax collected from or charged to bettors as a separate item. To keep, in the case of the taxpayer's employees or agents receiving wagers on his behalf, separate records showing the name, address, the period of employment of, and number of the special tax stamp issued to, such employee or agent. To also keep duplicates of returns and a complete and detailed record of each overpayment.

(b) *Records of agent or employee.* Every person who is engaged in receiving for or on behalf of another person (at any place other than a registered place of business of such other person) wagers of a type subject to tax shall keep a record showing for each day (1) the gross amount of such wagers received by him, (2) the amount, if any, retained as a commission or as compensation for receiving such wagers, and (3) the amount turned over to the person on whose behalf the wagers were received, and the name and address of such person.

(c) *Records of claimants.* Any person claiming a credit or refund shall keep a complete and detailed record of each overpayment and of each laid-off wager for which credit is taken or refund is claimed, including a copy of the required certificate.

(d) *Place for keeping records.* Every person required to pay the tax on wagering shall keep or cause to be kept, at his office or principal place of business, or, if he has no office or principal place of business, at his residence or some other convenient or safe location, all such records as are required pursuant to paragraphs (a) and (c).

Retention period: All records required by the regulations in this part shall at all times be available for inspection by internal revenue officers. Records required by § 44.4403–1 and by paragraph (a) of this section shall be maintained for a period of at least 3 years from the date the tax became due. Records required by paragraph (b) of this section shall be maintained for a period of at least 3 years from the date the wager was received. Records required by paragraph (c) of this section shall be maintained for a period of at least 3 years from the date any credit is taken or refund is claimed. 26 CFR 44.4403–1, 44.6001–1

4.67 [Reserved]

**4.68 Manufacturers of white phosphorus matches.**

(a) *General.* Every manufacturer is required to keep a daily record showing the total of each material used each day and the total number of matches produced and the number of stamped packages and original packages in which packed; also the total number of stamped packages and original packages, together with the total number of matches, disposed of each day.

(b) *Names of customers.* The names of customers to whom matches are consigned and the quantities so sold will not be entered in the manufacturers' daily record and quarterly returns, but the manufacturer shall, upon request of any internal revenue officer, furnish a record of all sales for such period as may be desired.

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. 26 CFR 45.4804–10 (retention: 45.6001–1)

**4.69 Persons making contracts of sale of cotton for future delivery, and persons who act in the capacity of a clearing house or association for such transactions.**

(a) All persons who make contracts of sale of cotton for future delivery at, on, or in any exchange, board of trade, or similar institution or place of business, whether said contracts shall be cleared and adjusted through a clearing association, or direct between seller and buyer, or otherwise, shall keep a record (in accordance with forms prescribed in § 45.4872–3 of the regulations) thereof showing: (1) name and address of contracting person keeping record; (2) name and address of other party to contract; (3) date contract was made; (4) quantity of cotton involved, in bales or pounds; (5) time specified in contract for delivery; (6) whether transaction is a purchase or a sale; (7) whether the contract is a contract subject to section 4863, 4864, or 4865 of the Internal Revenue Code, and the basis grade; (8) grade, type, sample, or description of cotton, if not basis grade; (9) specified price per pound; (10) date of delivery or settlement; (11) method of actual fulfillment or settlement; and (12) amount of tax paid (or, if exempt, so state).

(b) All persons who act in the capacity of a clearinghouse or clearing association for the purpose of clearing, settling, or adjusting transactions mentioned in section 4851(a) of the Internal Revenue Code shall keep a record (see forms prescribed in § 45.4872–3 of the regulations) thereof showing: (1) name and address of clearinghouse or clearing association keeping record; (2) name and address of person for whom contract is cleared; (3) date contract was made; (4) quantity of cotton involved, in bales or pounds; (5) time specified in contract for delivery; (6) whether transaction is a purchase or a sale; (7) whether the contract is a contract subject to section 4863, 4864, or 4865 of the Internal Revenue Code, and the basis grade; (8) grade, type, sample, or description of cotton, if not basis contract; (9) specified price per pound; (10) date of delivery or settlement; and (11) method of actual fulfillment or settlement.

(c) *Records to be kept in separate books and open for inspection.* All records required by the regulations in this subpart must be in writing and shall be kept in separate books, and not mixed with records of other accounts or transactions, and shall be open to inspection, when demand is made therefor by officers and agents of the Internal Revenue Service. Agents duly appointed shall have authority to examine the books and records kept in pursuance to §§ 45.4872–1 to 45.4872–3, inclusive, and may require the production of any other books, papers, records, or statements of account necessary to determine any liability to the tax imposed by section 4851 of the Internal Revenue Code.

Retention period: Not less than 3 years. 26 CFR 45.4872–1, 45.4872–2 (retention: 45.4872–4)

**4.70 [Reserved]**

**4.71 Persons subject to certain miscellaneous stamp taxes.**

(a) *General.* The records required by Part 45 of the regulations shall be kept accurately, but no particular form is required for keeping such records. See, however, the requirements in § 45.4804–10, relating to form for daily record in the case of manufacturers of white phosphorus matches, and §§ 45.4872–1 to 45.4872–4, inclusive, relating to records regarding sales of cotton for future delivery. Such forms and systems of accounting shall be used as will enable the district director to ascertain whether liability for tax is incurred and, if so, the amount thereof.

(b) *Copies of returns, schedules, and statements.* Every person who is required, by the regulations in this part or by instructions applicable to any form prescribed thereunder, to keep any copy of any return, schedule, statement, or other document, shall keep such copy as a part of his records.

(c) *Records of claimants.* Any person who, pursuant to the regulations in this part, claims a refund, credit, or abatement, shall keep a complete and detailed record with respect to the tax, interest, addition to the tax, additional amount, or assessable penalty to which the claim relates. Such record shall include any records required of the claimant by paragraph (b) and by §§ 45.6001–2 to 45.6001–5, inclusive, which relate to the claim.

(d) *Place for retention of records.* All records required by the regulations in this part shall be maintained, by the person required to keep them, at one or more convenient and safe locations accessible to internal revenue officers, and shall at all times be available for inspection by such officers.

(e) *Microfilm reproduction.* General books of account, such as cash books, journals, voucher registers, ledgers, etc., shall be maintained and preserved in their original form. However, microfilm reproductions of supporting records of details, such as invoices, vouchers, production reports, sales records, certificates, proofs of exportation, etc., may be kept in lieu of the original records provided the person required to keep such records retains such microfilmed copies for the required period, provides adequate facilities for the preservation of such films and for the ready inspection and location thereof, including a projector for viewing such records in the event inspection is necessary for tax purposes, and makes any transcription which may be required of the information contained on the microfilm.

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. The records of claimants required by paragraph (c) shall be retained for a period of at least 3 years after the date the claim is filed. 26 CFR 45.6001–1

**4.72 Manufacturers of adulterated butter, process or renovated butter, or filled cheese.**

(a) *General.* A manufacturer shall keep at his place of business separate records of adulterated butter, of process or renovated butter, and of filled cheese. If the record is kept as hereinafter prescribed in the manufacturer's own books or in other convenient form no other record will be necessary. Care should be taken to exclude from the record any product other than adulterated butter, process or renovated butter, filled cheese, and the materials or ingredients used in the manufacture of each product.

Entry shall be made not later than the day following that on which each transaction occurred. Quantities reported shall be as indicated by the tax-paid stamps affixed to the packages, except that where the product is withdrawn free of tax for export, or where the product is returned to the factory, the actual quantity will be recorded. A fraction of a pound shall be accounted as a pound.

(b) *Item.* The record must show:

(1) The number of pounds of each material or ingredient used in the production of adulterated butter, process or renovated butter, or filled cheese, and the number of such materials used for other purposes.

(2) The number of pounds of each product produced.

(3) The number of pounds in each lot disposed of, the name of the consignee, the address to which delivered, and the date of shipment.

(4) The number of pounds in each lot returned to the factory, the name of the person by whom returned, the address from which returned, and the date of receipt.

(5) The number of pounds reworked, disposed of as grease, dumped, or otherwise destroyed.

(6) The total value of tax stamps purchased and used.

(c) *Transactions.* The following rules will apply:

(1) *Samples.* Sample packages of tax-paid adulterated butter, process or renovated butter or filled cheese distributed gratuitously shall be recorded in the same manner as if the packages were sold.

(2) *Transfers to self.* Where adulterated butter, process or renovated butter, or filled cheese is transferred by a manufacturer to himself as a wholesale or retail dealer, the transaction shall be recorded in the same manner as a transfer to another person.

(3) *Sales to chain stores.* Where adulterated butter, process or renovated butter, or filled cheese is shipped to one person doing business at different places, as in the case of chain stores, the deliveries to each address shall be recorded separately.

(4) *Drop shipment.* Where a manufacturer receives an order from one person to ship adulterated butter, process or renovated butter, or filled cheese to an-

other, the transaction shall be recorded in the name and address of the consignee, followed by "acc't. of" and the name and address of the person for whose account the shipment was made. A manufacturer shall not record consignments on orders in the names of agents, solicitors, or other persons transmitting an order for another party.

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later.

The records of claimants required by paragraph (c) of § 45.6001–1 of the regulations shall be retained for a period of at least 3 years after the date the claim is filed. 26 CFR 45.6001–2 (retention: 45.6001–1)

**4.73 Wholesale dealers in adulterated butter.**

(a) *General.* A wholesale dealer shall keep at his place of business records of transactions in adulterated butter. If the record is kept as hereinafter prescribed in the dealer's own books or in other convenient form no other record will be necessary. Care should be taken to exclude from the record any product other than tax-paid and branded adulterated butter.

Entry shall be made not later than the day following that on which the transaction occurred. Quantities reported shall be as indicated by the tax-paid stamp affixed to the packages, except that where goods are returned to or by the wholesaler the actual quantity shall be recorded. A fraction of a pound shall be accounted as a pound.

(b) *Items.* The record must show:

(1) The number of pounds in each consignment of adulterated butter received, the name and address of the consignor, and the date of receipt.

(2) The number of pounds in each lot disposed of, the name of the consignee, the address to which delivered, and the date of shipment.

(c) *Transactions.* The following rules will apply:

(1) *Samples.* Sample packages of tax-paid adulterated butter received and disposed of gratuitously shall be recorded in the same manner as adulterated butter which is purchased and sold.

(2) *Transfers to self.* Where adulterated butter is transferred by a wholesale dealer to himself as a retail dealer, the transaction shall be recorded in the same manner as a sale to another person.

(3) *Sales to chain stores.* Where adulterated butter is shipped to one person doing business at different places, as in the case of chain stores, the deliveries to each address shall be recorded separately.

(4) *Drop shipments.* A wholesale dealer shall not record the receipt of adulterated butter which he orders delivered direct to a third party. The dealer's connection with the transaction shall be shown by the manufacturer as provided in paragraph (c) of § 45.6001–2. Where a wholesale dealer receives an order from one person to ship adulterated butter to another, the transaction shall be recorded in the name and address of the consignee followed by "acc't. of" and the name and address of the person giving the order. A wholesale dealer shall not record consignments in the names of agents, solicitors, or other persons transmitting orders for other parties.

(5) *Returned goods.* Where adulterated butter is returned by a customer to a wholesale dealer the transaction shall be recorded separately from other receipts. The sale of repossessed goods shall be recorded with other disposals. Adulterated butter returned by a wholesale dealer to the manufacturer or other wholesale dealer from whom received shall be recorded separately from other disposals (see paragraph (c)(6) of § 45.4821–3 as to resales).

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid whichever is the later. The records of claimants required by paragraph (c) of section 45.6001–1 of the regulations shall be retained for a period of at least 3 years after the date the claim is filed. 26 CFR 45.6001–3 (retention: 45.6001–1)

**4.74 Wholesale dealers in filled cheese.**

Every wholesale dealer in filled cheese shall keep at his place of business a daily record of (a) the number of pounds in each consignment of filled cheese received by him, giving the name and address of the consignor and date of receipt, and (b) the number of pounds of filled cheese disposed of in each instance, name of person to whom shipped or delivered, date of shipment or delivery, and address to which sent.

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. The records of claimants required by paragraph (c) of section 45.6001–1 of the regulations shall be retained for a period of at least 3 years after the date the claim is filed. 26 CFR 45.6001–4 (retention: 45.6001–1)

**4.75 Persons liable for miscellaneous excise taxes payable by return. [Amended]**

(a) *General.*—(1) *Form of records.* Records shall be kept accurately, but no particular form is required. Such forms and systems of accounting shall be used as will enable the District Director of Internal Revenue to ascertain whether liability for tax is incurred and, if so, the amount thereof.

(2) *Copies of returns, schedules, and statements.* Every person who is required to keep any copy of any return, schedule, statement, or other document, shall keep such copy as a part of his records.

(3) *Records of Claimants.* Any person who claims a refund, credit, or abatement, shall keep a complete and detailed record with respect to the tax, interest, addition to the tax, additional amount, or assessable penalty to which the claim relates. Such record shall include any record required of the claimant by paragraph (a)(2), and by paragraph (b) below.

(4) *Place for keeping records.* All records required shall be kept, by the person required to keep them, at one or more convenient and safe locations accessible to internal revenue officers, and shall at all times be available for inspection by such officers.

(5) *Microfilm reproductions.* General books of account, such as cash books, journals, voucher registers, ledgers, etc., shall be maintained and preserved in their original form. However, microfilm reproductions of supporting records of details, such as invoices, vouchers, production reports, sales records, certificates, proofs of exportation, etc., may be kept in lieu of the original records provided the person required to keep such records (i) retains such microfilmed copies for the specified retention period, (ii) provides adequate facilities for the preservation of such films and for the ready inspection and location thereof, including a projector for viewing such records in the event inspection is necessary for tax purposes, and (iii) makes any transcription which may be required of the information contained on the microfilm.

(b) *Manufactured sugar*—(1) *Manufacturing records.* Every person who manufactured sugar shall keep an accurate monthly record of the manufacturing done by him.

(2) *Content of records.* Such records shall show:

(i) The quantity of manufactured sugar and other sugar on hand at the beginning of the month;

(ii) The quantity received during the month;

(iii) The quantity of manufactured sugar produced during the month;

(iv) The quantity sold during the month;

(v) The quantity of manufactured sugar used during the month in the production of other articles for sale; and

(vi) The quantity of manufactured sugar and other sugar on hand at the end of the month.

For periods prior to August 31, 1963, the records shall show the polariscopic test or total sugars of each grade and type of sugar and manufactured sugar.

For periods after August 30, 1963, the records shall show the total sugars of each grade and type of sugar and manufactured sugar.

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. The records of claimants required by paragraph (a)(3) shall be maintained for a period of at least 3 years after the date the claim is filed. 26 CFR 46.6001–1, 46.6001–2 (retention: 46.6001–1)

**4.76–4.78 [Reserved]**

**4.79 Persons required to keep records with respect to foreign insurance policies. [Amended]**

(a) *Records to be kept by solicitors, brokers, etc.* Each person, solicitor, or broker, accepting, placing, soliciting, or

making, directly or indirectly, or paying or receiving compensation with respect to, a policy or other instrument subject to the tax imposed by section 4371 of the Code shall keep a record of such policy or other instrument with respect to the issuance thereof and shall be prepared to furnish full information to the district director at any time upon demand.

(b) *Records to be kept by policy holder.* The person having control or possession of a policy of insurance, or reinsurance, or other instrument to which documentary stamps must be affixed shall retain such instrument with respect to the issuance thereof to enable internal revenue officers to ascertain whether the requisite stamps have been affixed and cancelled.

(c) *Records to be kept by persons paying premiums on or after January 1, 1966.* Resident persons making premium payments to a foreign insurer, reinsurer, nonresident agent, solicitor or broker shall keep or cause to be kept accurate records of all policies or other instruments, identifying each such policy or instrument to establish (1) gross premium paid, (2) policy of casualty insurance or bond, life, sickness or accident insurance, annuity contract, or reinsurance policy, (3) identity of insured, (4) identity of foreign insurer or reinsurer, and (5) total premiums charged and if paid in installments, the amount and anniversary date of such installment.

Retention period: (a) and (b) At least 3 years from date any part of the tax was paid, 26 CFR 47.6001–2; (c) 3 years from date any part of the tax became due or date tax is paid, whichever is later, 26 CFR 46.6001–4.

**4.80–4.81 [Reserved]**

**4.82 Sellers of tax-free sales and purchases of aircraft fuel for non-taxable purposes. [Added]**

To maintain exemption certificates and proper supporting records such as invoices, orders, etc., relative to tax-free sales.

Retention period: 4 years from the last day of the month following the month in which the sale was made. 26 CFR 154.1–1

**4.83 Persons claiming exemption from tax on the sale or use of diesel fuel, special motor fuel, and lubricating oil.**

(a) *Bulk purchases by users.* Persons who purchase taxable liquid in bulk delivered into storage tanks or other containers and use it for various purposes, both taxable and nontaxable, or in both registered and nonregistered vehicles, must maintain adequate records of all fuel used for each purpose to permit verification of the tax paid and any of the credits, refunds, or exemptions claimed.

(b) *Dual use of taxable liquid.* If the taxable liquid used in a separate motor, or during a period the vehicle does not have the essential characteristics of a motor vehicle, is drawn from the same tank as the one which supplies fuel for the propulsion of the vehicle, a reasonable determination of the quantity of taxable liquid used in such separate motor or during such period will be acceptable for purposes of application of the tax. Such determination must be based, however, on the operating experience of the person using the taxable liquid and the taxpayer must maintain records which will support the allocation used.

(c) *Use as supplies for vessels or aircraft.* Seller must obtain and retain a properly executed exemption certificate, maintain records of invoices, orders, etc., relative to tax-free sales.

(d) *Use on a farm for farming purposes.* Maintain adequate records to establish that the taxable liquid was used on a farm for farming purposes.

(e) *Sales to State, Territory of the United States or a political subdivision or the District of Columbia.* Vendor must retain clearly identified orders or contracts properly signed by an authorized officer that the liquid sold was purchased for the exclusive use of a State, Territory of the United States, or a political subdivision, or the District of Columbia.

(f) *Sales for export.* Vendor must maintain adequate records, such as export bill of lading, certificate of carrier or customs officer, or statement of foreign consignee, to establish that the liquid was sold for export and actual exportation.

(g) *Sales to nonprofit educational organizations.* Retailer must obtain from purchaser and retain a properly executed exemption certificate.

Retention period: 4 years from the date the tax became due or, in the case of tax-free sales, for a period of at least 4 years from the last day of the month following the month in which the sale was made. 26 CFR 48.4041–5, 48.4041–6, 48.4041–8, 48.4041–9, 148.1–4 (retention: App. D 314.62, 324.42)

**4.83a Manufacturers, producers, or importers selling automobile tires or tread rubber.**

To maintain records of tires sold with metal rims or rim bases attached which will establish what portion of the finished product represents the weight of the tire exclusive of the metal rim or base; and for tax-free sales of tread rubber, to retain exemption certificates and to keep records of invoices, orders, etc., for inspection by the district director.

Retention period: Not specified. 26 CFR 48.4071–2, 48.4073–3

**4.84 Sales on or after July 1, 1966, of lubricating oil seldom used as a lubricant.**

Manufacturers must obtain from the purchaser and retain in his possession a properly executed exemption certificate. The certificates and proper records of invoices, orders, etc., relative to such sales must be kept for inspection by the district director.

Retention period: So long as the contents thereof may become material in the administration of any internal revenue law. 26 CFR 48.4091–6

**4.85 Claims by suppliers for credit or refund due to repeal of tax by Excise Tax Reduction Act of 1965.**

(1) An inventory statement of articles held for sale on the first moment of June 22, 1965, by a retailer, and not used, must be kept in the supplier's records; (2) either evidence that the supplier has reimbursed the retailer or the written consent of the retailer to the allowance of the credit or refund to the supplier must be kept in the supplier's records.

Retention period: Not specified. 26 CFR 48.6011(c)–1

**4.86 Persons claiming a credit or refund for diesel fuel, special motor fuel, lubricating oil, or gasoline used for certain nonhighway purposes, by a local transit system, or for farming purposes.**

(a) *General.* To keep in accordance with the form outlined in the regulations an accurate record of the number of gallons purchased and the dates of purchases, the name and address of each vendor, the number of gallons used during the period covered by the claim and such other information as is necessary to establish the correctness of the claim.

(b) *Local transit systems.* In addition to the records required by paragraph (a), to keep records that establish for each calendar quarter: (1) the total passenger fare revenue (not including with respect to gasoline used before November 16, 1962, the tax imposed by section 4261 of the Internal Revenue Code) derived from scheduled common carrier public passenger land transportation service along regular routes, and (2) the commuter fare revenue derived from such scheduled service.

(c) *Farming purposes.* To keep a record of the gasoline purchased and used by the claimant on a farm which he is the owner, tenant, or operator, and to show, in cases where trucks or other vehicles are used both on and off the farm an allocation of the number of gallons used in such trucks or vehicles for farming purposes. Where the claimant is entitled to claim payment for gasoline used on his farm by a person other than the owner, tenant, or operator thereof, the records must show: (1) the name and address of the person who performed the farming operation, (2) a description of the type of work and the type of equipment used, (3) the date or dates on which the work was done, and (4) the number of gallons of gasoline so used.

Retention period: At least 3 years from the last date prescribed for the filing of the claim. 26 CFR 48.6416(b)–2, 48.6420(f)–1, 48.6421(g)–1

**4.86a Manufacturer of tires and tubes floor stocks inventories October 1, 1966.**

Maintain physical inventory of tires and inner tubes held at each retail outlet as of 12:01 a.m., on October 1, 1966.

Retention period: Not specified. 26 CFR 144.1–2(d)

4.87–4.88 [Reserved]

**4.88a Persons seeking credit or refund due to tax reduction or repeal.**

(a) *Floor stocks.* Every manufacturer filing a claim for credit or refund shall support the claim by keeping as a part of his records dealer's inventory statements and records showing: (1) the name and address of the dealer; (2) quantities of each article; (3) the amount of tax paid on each article held by the dealer; (4) the amount of tax computed at the new rate; (5) the total amount of reimbursement due the dealer; (6) the date the reimbursement request was received from the dealer; (7) the date and amount of each payment to the dealer or the date of receipt from the dealer of written consent to the credit or refund.

(b) *Consumer purchases.* Every manufacturer filing a claim for credit or refund shall support the claim by keeping as a part of his records: (1) the name and address of the ultimate purchaser of the article; (2) the name and address of the dealer from whom the ultimate purchaser purchased the article; (3) the date of the sale of the article to the ultimate purchaser; (4) the invoice number of the sales slip; (5) the serial or identification number of the item sold; and (6) the date and amount of reimbursement to the ultimate purchaser with a receipt or cancelled check.

(c) *Installment sales.* The vendor, either a manufacturer or retailer, shall retain sufficient evidence of reimbursement or the reimbursement obligation.

Retention period: Not specified. 26 CFR 145.2–1, 145.2–2, 145.2–4, 145.2–5

**4.88b Manufacturers making tax-free sales of supplies for vessels and aircraft.**

To retain in his possession properly executed exemption certificates and supporting invoices, orders, etc., relative to the tax-free sales.

Retention period: Not specified. 26 CFR 145.4–1

4.88c [Deleted]

**4.88d Interest equalization tax; acquisitions of foreign stock or debt obligations. [Amended]**

(a) *Exclusion of original or new Japanese issues.* A participating custodian will with respect to all debt obligations included in the original or new issue of which such debt obligation is part (and all other debt obligations with an identical description not included in such original or new issue) maintain in the United States separate records, readily available for inspection by authorized officers or employees of the Internal Revenue Service, relating to the authentication, registration, and physical replacement and conversion of all debt obligations. Such records will specifically identify each transaction involving a bond, debenture, or other written evidence of any such debt obligation. 26 CFR 147.4–7

(b) *Exemption for prior American ownership.* A nominee, member or member organization of a national securities exchange or association registered with the Securities and Exchange Commission (acting as a nominee) shall maintain records sufficient to identify the U.S. owner for whom the stock or debt obligations were held and to establish the status of such owner as a U.S. person eligible to execute a certificate of American ownership for purposes of section 4918(a) of the Code. 26 CFR 147.5–1

(c) *Participating firm withholding money.* Keep records showing: (1) the written consent of each seller to such withholding; (2) specific information concerning all sales (involving withholding) made by each seller, including daily entries denoting each amount withheld with respect to each sale; (3) specific information regarding the release of any part of the amount withheld; and (4) any document furnished by a seller to obtain a release of all or part of the amount withheld. 26 CFR 147.5–2(g)

(d) *Election to treat foreign branch office as a foreign corporation or partnership.* Foreign branch office to maintain separate books and records reasonably reflecting the assets and liabilities properly attributable to such office. 26 CFR 147.7–3, 147.7–6

(e) *Election to treat certain domestic financing companies as foreign issuers or obligors.* The electing corporation shall maintain records relating to the acquisition and sale of debt obligations as are necessary to establish their qualification for the election as well as data to substantiate the information to be furnished with the election notice. 26 CFR 147.7–7

(f) *U.S. persons' acquisitions for own account.* Keep adequate records of acquisitions after July 18, 1963; sufficient to determine tax liability with respect to such acquisitions. Retain written confirmations which accompany any acquisitions. 26 CFR 147.8–4(c)

(g) *Members or member organizations of certain securities exchanges or associations effecting transactions as brokers.* Keep separate files of (1) certificates of American ownership or blanket certificates of American ownership; (2) copies of confirmations; and (3) documents relating to acquisitions. Arrange each file in the same order as the customer accounts and chronologically within each account. 26 CFR 147.8–4(c)

(h) *Domestic financing companies, acquiring or servicing debt obligations.* Maintain records to identify certificates representing its stock and debt obligations. 26 U.S.C. 4920

Retention period: So long as the contents thereof may become material in the administration of any internal revenue law. 26 CFR 147.8–4(d)

**4.89 Manufacturers of smoking opium.**

To keep a book conforming to Form 271 which shall contain a daily accurate account of (a) the quantity of crude gum opium (including all forms, preparations, or derivatives suitable for manufacturing opium for smoking purposes) and other materials purchased and sold; (b) name and address of purchaser or seller; (c) if articles are shipped or delivered to some other person, the name of such other person and place of delivery; (d) the sizes of the packages and number of packages of each size purchased and sold; (e) the total quantity of prepared smoking opium (1) manufactured, (2) sold, (3) removed tax paid, and (f) the number and value of stamps purchased and used.

Retention period: Permanent. 26 CFR 150.10

**4.90 Persons making application for registry or reregistry as retail dealers, physicians, dentists, veterinary surgeons, etc., manufacturers of and dealers in exempt preparations, and those entitled to obtain and use narcotics in a laboratory.**

To keep the duplicates of inventories required to be made of the narcotic drugs and preparations on hand at the time of making the inventories.

Retention period: 2 years. 26 CFR 151.27

**4.91 Manufacturers or producers of packages containing one ounce or more of morphine, cocaine or isonipecaine or any of their salts or derivatives, and of packages containing tablets, pills, or preparations the content of which amounts to one ounce or more of such drugs, and wholesale dealers disposing of such packages.**

(a) *Manufacturers or producers.* To keep a record of the individual identification number placed on each package manufactured and produced together with the name and address of the purchaser, so arranged that upon disclosure of the identification number the identity of the purchaser can be readily ascertained.

(b) *Wholesale dealers.* To keep a record showing as to each package disposed of the manufacturer's name, location, and identification number, the name and address of the purchaser, and the date of disposal, so arranged that upon disclosure of the identity of the manufacturer and the identification number, the identity of the purchaser can be readily ascertained.

Retention period: Permanent. 26 CFR 151.131

**4.92 Manufacturers, importers, producers, compounders, wholesale dealers and other authorized persons filling orders for narcotic drugs.**

To keep as a part of their permanent records order forms for narcotic drugs, including orders of exempt officials.

Retention period: 2 years. 26 CFR 151.162, 151.201

**4.93 Registrants authorized to execute and present order forms for narcotic drugs.**

(a) To keep on file duplicate order forms.

(b) To keep on file original and duplicate order forms which are improperly executed or mutilated so as to make them unusable.

(c) To keep on file with the duplicates thereof original order forms returned because of improper preparation.

(d) To keep on file attached to the duplicates thereof original order forms

which are not accepted, or cannot be filled, and are returned with a letter of explanation. The letter of explanation is also attached to the duplicate.

(e) To file with the duplicates of order forms, the unfilled originals of which have been lost, the duplicates of second orders and of the affidavits accompanying the second orders, and to attach, if returned, the originals of the first order forms to the duplicates and affidavits.

Retention period: 2 years. 26 CFR 151.162, 151.188, 151.201, 151.202

**4.94 Narcotic registrants or exempt officials purchasing narcotics from court officers under judicial proceedings.**

To retain duplicates of official order forms or purchase orders.

Retention period: 2 years. 26 CFR 151.162, 151.475

**4.95 Persons registered for the purpose of engaging in any activity involving the use of narcotic drugs.**

To file with their official order forms and records receipts for samples of narcotics furnished to Federal and State enforcement officers.

Retention period: Not less than 2 years. 26 CFR 151.227

**4.96 Importers, manufacturers, producers, compounders, wholesale dealers, and others filling orders for narcotic drugs submitted by qualified dealers or practitioners in the Virgin Islands.**

To keep records in the same manner as in the case of domestic sales, except that in lieu of the record of the registry number of the purchaser, there shall be kept a record of the date the order was approved by the Commissioner of Health of the Virgin Islands and the date the order was received by them.

Retention period: Not less than 2 years. 26 CFR 151.243

**4.97 Manufacturers, importers, producers, and compounders of, and wholesale dealers in taxable narcotics.**

To keep invoices, original sales orders, delivery or duplicate sales slips, or other papers or records as may be required to evidence any unrecorded purchase, receipt, or disposition. Also manufacturers must keep available such batch tags, production orders, or other papers as may be required to evidence any unrecorded quantity used or produced.

Retention period: Until the information is recorded on Forms 810 and 811. 26 CFR 151.262, 151.263, 151.264, 151.479

**4.98 Manufacturers importing opium or medicinal coca leaves.**

To keep, where factory procedure is such that partial withdrawals are made from individual containers, a complete record of all such withdrawals on a stock record card attached to each container.

Retention period: Until the information is recorded on Form 163 and its supplements. 26 CFR 151.287, 151.317

**4.99 Manufacturers, producers, compounders, and importers of, and wholesale dealers in narcotic drugs.**

To retain on file together with other narcotic records duplicate copies of all returns, properly sworn to as in the case of original copies.

Retention period: Not less than 2 years. 26 CFR 151.375

**4.100 Retail dealers and other persons qualified to sell narcotic drugs at retail.**

To keep written prescriptions and written records of oral prescriptions for narcotic drugs in a separate file.

Retention period: Not less than 2 years. 26 CFR 151.400

**4.101 Physicians, dentists, veterinary surgeons, and other practitioners (including hospitals and institutions).**

To keep daily records showing the kind and quantity of narcotics dispensed or administered, the names and addresses of persons to whom dispensed or administered, the names and addresses of persons upon whose authority, and the purpose for which dispensed or administered. In lieu of these records practitioners who, in their office practices, administer minute quantities of narcotics in stock preparations, may keep, as to such preparations, records of the date when each stock preparation is made or purchased and the date when the preparation is exhausted. Hospitals and institutions registered in Classes III and IV may keep single set of records.

Retention period: Not less than 2 years. 26 CFR 151.412, 151.413, 151.414

**4.102 Manufacturers, producers, compounders, and vendors (including dispensing physicians) of pharmaceutical preparations (containing a narcotic drug) classified as Class "X" preparations.**

To keep a record in accordance with the form outlined in the regulations of all sales, exchanges, gifts or other dispositions of such Class "X" preparations, the entries to be made at the time of delivery. The requirement that such records be maintained as herein provided is absolute, independent and not merely a condition precedent to securing exemption granted under section 4702(a) of the Internal Revenue Code, as amended (§ 151.423), to manufacturers, producers, compounders or vendors (including dispensing physicians), of exempt preparations. Such records shall be kept in such a way as to be readily accessible to inspection by any duly authorized officer or employee of the Treasury Department and the State, territorial, district, municipal or insular officers named in section 4773 of the Code. Separate records shall be kept of disposition to registrants and disposition to consumers. The record of disposition to registrants shall show the name, address, and registry number of the registrant to whom disposed, the name and quantity of the preparation and the date upon which delivery to the registrant, his agent or carrier is made. The record of disposition to consumers shall show the name of the recipient, his address, the name and quantity of the preparation, and the date of delivery. Any person required to keep records pursuant to this paragraph and failing to do so is guilty of a violation of law and liable to the penalties provided for violation of the provision of law relating to narcotic drugs.

In the case of manufacturers of or dealers in preparations classified as Class "X" products who are also registered as manufacturers of or dealers in taxable drugs in Class I or II, the requirement of this section as to records of dispositions to registrants shall be deemed to be complied with if all such dispositions are evidenced by vouchers or invoices containing all the required information. As to records required in the case of registrants supplying preparations classified as Class "X" products to consumers pursuant to prescriptions issued by registered physicians, the requirement of this paragraph as to records of disposition to consumers shall be deemed to be complied with if each such prescription shows the name and address of the recipient, the name and quantity of the preparation, and the date of filling, and the prescriptions are kept on the narcotic prescription file.

Retention period: Not less than 2 years. 26 CFR 151.424

**4.103 Laboratories using narcotics.**

To keep complete records of receipts, disposals, and stocks on hand, of all narcotic drugs and preparations; to keep duplicate copies of official order forms used to obtain narcotic drugs; to keep the original of the return of inventory the duplicate of which is forwarded to the district director; and to keep a special record in accordance with the form outlined in the regulations showing date, kind, and quantity of narcotic drug or preparation used, the particular purpose or object of such use, and the identification and disposition of the narcotics or resulting products or residues so used, showing the date, quantity of resulting products or residues, and manner of disposition.

Retention period: Not less than 2 years from date of last transaction shown therein. 26 CFR 151.441

**4.104 Laboratories transferring and receiving narcotic drugs for chemical or pharmacological tests.**

(a) *Transferors.* To keep on file with the official order form or with the order and exempt certificate, as the case may be, the writen approval of the Commissioner of Narcotics to the transfer of an appropriate quantity of a narcotic drug to another qualified registrant or to an exempt official for the purpose of having the desired tests made.

(b) *Transferees.* To keep a record of such drugs used and disposed of in the manner described in item 4.103 above with additional data, in the case of pharmacological tests, accounting for quantities dispensed to humans and animals. A copy of the report to the transferor of the results of the tests made, if such report includes data from which a complete accounting for the narcotic drug used and disposed of can be ascertained, may be kept on file by the transferee as the special record required.

Retention period: Not less than 2 years from the date of the last transaction therein. 26 CFR 151.443

**4.105 Persons required to make statements with respect to narcotics lost or destroyed.**

(a) *Persons having title to narcotics lost or destroyed through breakage of container or other accident, other than in transit.* To retain a copy of statement, forwarded to narcotic district supervisor, as to kinds and quantities of narcotics lost or destroyed and the circumstances involved.

(b) *Consignees of narcotics lost by theft, or otherwise lost or destroyed in transit.* To retain a copy of the signed statement of the facts, filed with the narcotics district supervisor immediately upon ascertainment of the occurrence, including a list of the narcotics stolen, lost, or destroyed, and documentary evidence that the local authorities were notified.

Retention period: Not less than 2 years. 26 CFR 151.472

**4.106 Persons desiring to discontinue a business, involving the use of narcotic drugs, on any date other than June 30.**

To retain on file with narcotic records special-tax stamps returned by district director after being marked "Business discontinued" with the date.

Retention period: 2 years. 26 CFR 151.473

**4.107 Narcotic registrants disposing of excess of undesired narcotics.**

To retain duplicate copy of inventories of excess or undesired narcotics shipped to narcotic district supervisor and a copy of Form 142 for narcotics held in class for which returns are not required.

Retention period: 2 years. 26 CFR 151.474

**4.108 Applicants for registry required to submit inventories of marihuana and preparations thereof on hand.**

To keep duplicates of inventories required to be made of marihuana and preparations thereof on hand at the time of making such inventories.

Retention period: 2 years. 26 CFR 152.26

**4.109 Transferors and transferees of marihuana.**

(a) *Transferors.* To preserve the originals of order forms for marihuana.

(b) *Transferees.* To preserve the duplicates of order forms for marihuana.

Retention period: 2 years. 26 CFR 152.69

**4.110 Physicians, dentists, veterinary surgeons, hospitals, sanatoriums, medical schools, and other practitioners dispensing or administering marihuana to patients.**

To keep daily records showing the kind and quantity of marihuana dispensed or administered, the name and address of each person to whom dispensed or administered, the name and address of the person under whose authority the marihuana is dispensed or administered and the purpose for which it is dispensed or administered.

Retention period: 2 years. 26 CFR 152.73, 152.74

**4.111 Dealers filling marihuana prescriptions.**

To keep marihuana prescriptions in a separate file. Dealers registered under the Harrison Narcotics Law, as amended, as retail dealers, who keep marihuana prescriptions on the narcotic prescription file, will be deemed in compliance with this provision.

Retention period: 2 years. 26 CFR 152.84

**4.112 Transferors and transferees of unsterilized marihuana seeds or the plant Cannabis sativa L.**

To keep records covering dispositions and receipts of such seeds or such plant.

Retention period: 2 years. 26 CFR 152.88, 152.89, 152.102

**4.113 Persons required to render returns with respect to marihuana.**

To retain duplicates of such returns.

Retention period: 2 years. 26 CFR 152.98, 152.102

**4.114 Persons registered to obtain marihuana for laboratory use.**

To keep complete records relating to the receipt, disposal, and stock on hand of all marihuana; to keep in accordance with the form outlined in the regulations a special record showing the date, the quantity and kind of marihuana used, the particular purpose or object of such use, and also showing as to the resulting product or residue, the date, quantity and kind, and manner of disposition.

Retention period: 2 years. 26 CFR 152.100, 152.102

**4.115 Persons registered to process the Cannabis sativa L plants and parts thereof for the purpose of extracting any fiber or fiber products therefrom.**

To keep in accordance with the form outlined in the regulations complete records relating to the receipt, disposal, and stock on hand, of all such plants and parts thereof and products therefrom.

Retention period: 2 years. 26 CFR 152.101, 152.102

**4.116 Persons taxable under the Marihuana Tax Act.**

To retain all order forms, duplicate forms, prescription records, returns, and inventories required to be kept on file.

Retention period: 2 years. 26 CFR 152.102

**4.117 Persons required to make statements with respect to marihuana lost or destroyed.**

(a) *Persons having title to marihuana lost or destroyed through breakage of container or other accident, other than in transit.* To keep a copy of affidavit, forwarded to narcotic district supervisor, as to the kind and quantity of marihuana items lost or destroyed and the circumstances involved.

(b) *Consignees of marihuana lost by theft, or otherwise lost or destroyed in transit.* To retain a copy of the sworn statement of the facts, filed with the narcotic district supervisor immediately upon ascertainment of the occurrence, including a list of marihuana items stolen, lost, or destroyed, and documentary evidence that the local authorities were notified.

Retention period: Not less than 2 years. 26 CFR 152.127

**4.118 Persons desiring to discontinue a business, involving the use of marihuana, on any date other than June 30.**

To retain on file with marihuana records special-tax stamps returned by district director after being marked "Business discontinued" with the date.

Retention period: 2 years. 26 CFR 152.128

**4.119 Marihuana registrants disposing of excess, undesirable, or useless marihuana.**

To retain copies of inventories of excess, undesirable, or useless marihuana shipped to narcotic district supervisor.

Retention period: 2 years. 26 CFR 152.128

**4.120–4.122 [Reserved]**

**4.123 Persons required to file returns and pay tax on the sale or use of gasoline, lubricating oil, or matches.**

To keep accurate and complete records, including accounts with respect to sales or use of gasoline, lubricating oil, or matches. Duplicates of returns, supporting information with respect to exempt or tax-free sales must also be kept.

Retention period: 4 years from the date the tax became due, or, in the case of exempt or tax-free sales, 4 years from the last day of the month immediately following that in which the sale occurs. 26 CFR App. D 314.62

**4.124–4.125 [Reserved]**

**4.126 Persons required to file a return and pay tax on the sale or use of diesel fuel and special motor fuel.**

To keep accurate records and accounts of all taxable transactions.

Retention period: 4 years from the date the tax became due. 26 CFR App. D 324.42

LIQUORS

**4.127 Manufacturers recovering taxpaid alcohol.**

To keep records of distilled spirits recovered from dregs or marc of percolation or extraction, or from medicines, medicinal preparations, food products, flavors, or flavoring extracts and the subsequent use to which such recovered spirits are put.

Retention period: Not less than 2 years. 26 CFR 170.617

**4.128 Persons disposing of substances or articles of the character used in manufacturing distilled spirits, or disposing of containers of the character used for packaging distilled spirits.**

To keep records pertaining to the disposition of such substances or articles or containers.

Retention period: 3 years. 26 CFR 173.15

**4.129 Persons manufacturing liquor bottles.**

To keep records of the receipt, manufacture, and disposition of liquor bottles.

Retention period: 3 years. 26 CFR 173.39 (retention: 173.15)

**4.130 Wholesale dealers in distilled spirits (except proprietors of distilled spirits plants, who are subject to the record keeping provisions of 26 CFR Part 201).**

To keep (a) daily records of the physical receipt and disposition of distilled spirits (including any spirits transferred between wholesale and retail departments of the dealer's own premises), copies of all invoices and delivery receipts (or bills of lading if delivered to a common carrier), and a daily (or less frequent, interval if authorized) recapitulation record showing total quantities of bottled and packaged spirits received and disposed of during the day; and (b) file copies of reports on Forms 52A and 52B (unless the requirement to prepare and submit such forms is waived) and 338.

Retention period: Not less than 2 years. (a) 26 CFR 194.231, 194.223, 194.225—194.230, 194.238; (b) 194.231, 194.234—194.238 (retention: 194.242)

**4.131 Wholesale dealers in wine and/or beer.**

To keep a complete record of all wines and beer received, showing the quantities thereof, from whom received, and the receiving dates.

Retention period: Not less than 2 years. 26 CFR 194.222, 194.223 (retention: 194.222, 194.242)

**4.132 Retail liquor dealers.**

To keep a complete record of all distilled spirits, wines, and beer received, showing the quantities thereof, from whom received, and the receiving dates; a record of each sale of distilled spirits, wines, or beer in quantities of 20 wine gallons or more to the same person at the same time, showing the date of sale, the name and address of the purchaser, the kind and quantity of each kind of liquors sold, the serial numbers of all full cases of distilled spirits included in the sale; and the delivery receipt supporting each entry in the sales record.

Retention period: Not less than 2 years. 26 CFR 194.223, 194.238, 194.239 (retention: 194.242)

**4.133 Liquor dealers packaging alcohol for industrial uses. [Amended]**

To keep records, daily, showing bulk alcohol received, dumped for packaging, packaged, strip stamped, and disposed of, including the name and address of each consignor and consignee. To keep copies of quarterly reports of strip stamp transactions (Form 2260) and monthly reports of bulk alcohol transactions (Form 2733).

Retention period: Not less than 2 years. 26 CFR 194.271 (retention: 194.242)

**4.134 Proprietors of vinegar factories.**

To keep daily records of operations, showing the kind and quantity of fermenting and distilling material received, produced, used and removed from the premises, the quantity of mash set, the quantity of low wines produced and used, the quantity of vinegar produced and removed, and the identity of each consignor and consignee; and copies of monthly reports (Form 1623).

Retention period: Not less than 2 years. 26 CFR 195.152, 195.153, 195.155, 195.159—195.161, 195.175, 195.176 (retention: 195.177)

**4.135 Manufacturers and vendors of distilling apparatus.**

(1) In the case of any distilling apparatus removed for exportation without payment of tax, to keep a copy of each bill of lading covering exportation or consignment to a foreign-trade zone;

(2) In the case of distilling apparatus for domestic use for purposes other than distilling (as defined in 26 CFR 196.10), to keep a record showing the apparatus manufactured, received, and removed or otherwise disposed of, the name and address of each purchaser, and the purpose for which each still is to be used.

Retention period: Not less than 2 years. 26 CFR 196.62, 196.80, 196.82

**4.136 Manufacturers of nonbeverage products claiming drawback.**

(a) To keep a copy of each approved quantitative formula (Form 1678).

Retention period: Not less than 2 years from the date of filing last claim for drawback under such formula. 26 CFR 197.95 (retention: 197.133)

(b) To keep records showing the distilled spirits received and used, the products produced, and the disposition of such products; and all Forms 179 and bills of lading relating to the spirits shipped to him.

Retention period: Not less than 2 years. 26 CFR 197.95, 197.99, 197.130–197.132 (retention: 197.133)

**4.137 Proprietors of volatile fruit-flavor concentrate plants.**

(a) To keep daily records showing processing material used; processing material removed and the reason for such removal; concentrate produced, used, and removed, and returned concentrates received; substances received for use in rendering concentrate unfit for use as a beverage, and the use or other disposition of such substances; and the name and address of each person to whom processing material or concentrate is shipped and, in the case of concentrates shipped to or returned by a bonded wine cellar, the registry number of such bonded wine cellar and the identity of such concentrate.

(b) To keep file copies of Form 3874, Notice of Transfer of Fruit-Flavor Concentrate.

(c) To keep file copies of monthly reports (Form 1695).

Retention period: Not less than 2 years. 26 CFR 198.111, 198.112, 198.116, 198.117, 198.121—198.125 (retention: 198.121)

**4.138 Scientific institutions and colleges of learning authorized to conduct experimental or research operations.**

To keep records, daily, of quantities of spirits produced, received, and used.

Retention period: Not less than 4 years. 26 CFR 201.72 (retention: 201.612)

**4.139 Persons receiving distilling material from the bonded premises of a distilled spirits plant.**

To keep records of the receipt, use, and disposition of such material.

Retention period: Not less than 4 years. 26 CFR 201.74 (retention: 201.612)

**4.140 Proprietors of distilled spirits plants. [Amended]**

(a) *Production.* To keep, as prescribed by regulations, records and copies of the applications, schedules, notices, and reports of transactions and operations relating to production facilities, including the receipt, use, and disposition of fermenting and distilling materials; the production of spirits and denatured spirits; the production and disposition of distillates and chemical byproducts; losses in production processes; inventories; and the taking of samples.

Retention period: Not less than 4 years. 26 CFR 201.261, 201.262, 201.264, 201.265, 201.268, 201.269, 201.271, 201.274, 201.275, 201.278, 201.279, 201.562, 201.582, 201.587, 201.603, 201.611, 201.612, 201.616–201.620, 201.626, 201.627, 201.630, 201.632, 201.633 (retention: 201.612)

(b) *Storage in bond.* To keep, as prescribed by regulations, records and copies of the applications, schedules, notices, and reports of transactions and operations relating to the receipt and storage of spirits and denatured spirits; quick-aging; addition of oak chips or caramel; repairing, filling, and changing packages; mingling and consolidation of spirits; blending of beverage rums or brandies; losses and voluntary destruction; inventories; and the taking of samples.

Retention period: Not less than 4 years from the date thereof, the date transferred to an inactive file, or the date the spirits covered thereby are removed from the proprietor's bonded premises, as applicable. 26 CFR 201.291, 201.292, 201.294, 201.295, 201.298, 201.302–201.308, 201.311, 201.312, 201.312c, 201.313, 201.562, 201.582, 201.583, 201.587, 201.603, 201.611, 201.612, 201.616–201.618, 201.622, 201.626–201.630, 201.632–201.635 (retention: 201.612)

(c) *Bottling on bonded premises.* To keep, as prescribed by regulations, records and copies of applications and reports relating to bottling operations on bonded premises, including bottling in bond, bottling of alcohol before taxpayment, bottling losses and gains, strip stamp transactions, and rebottling, relabeling, and restamping operations.

Retention period: Not less than 4 years from the date the bottled spirits are removed from the proprietor's bonded premises. 26 CFR 201.322, 201.327, 201.336–201.338, 201.341–201.343, 201.346–201.348, 201.352, 201.543, 201.546, 201.611, 201.612, 201.616–201.618, 201.622, 201.624,

201.632, 201.633, 201.633a (retention: 201.612)

(d) *Transfers and withdrawals.* To keep, as prescribed by regulations, records and copies of applications, notices, and withdrawal and taxpayment forms relating to transfer and withdrawal of spirits and denatured spirits, including transfers between bonded premises, removals from storage to production facilities, determination and payment of tax and removal of spirits after taxpayment, withdrawals without payment of tax, and withdrawals free of tax.

Retention period: Not less than 4 years from the date thereon, the date transferred to an inactive file, or the date the spirits covered thereby are removed from the proprietor's bonded premises, as applicable. 26 CFR 201.363, 201.364, 201.366–201.380, 201.381–201.385, 201.387, 201.388, 201.390, 201.393, 201.394, 201.602, 201.603, 201.606, 201.611, 201.612, 201.614, 201.616–201.618, 201.622, 201.624, 201.628, 201.629, 201.632, 201.633 (retention: 201.612)

(e) *Denaturation.* To keep, as prescribed by regulations, records and copies of statements, certifications, applications, notices, and reports relating to denaturing transactions and operations, including receipt, test, use, and disposition of denaturants and the denaturation of spirits (including redenaturation and restoration of recovered denatured spirits and articles).

Retention period: Not less than 4 years. 26 CFR 201.404, 201.406–201.408, 201.410, 201.602, 201.603, 201.611, 201.612, 201.614, 201.616-201.618, 201.621, 201.626, 201.630, 201.632, 201.633 (retention: 201.612)

(f) *Rectification and bottling on bottling premises.* To keep, as prescribed by regulations, records and copies of applications, affidavits, statements, reports, and taxpayment forms relating to transactions and operations on bottling premises, including the receipt, use, and disposition of flavoring materials and of taxpaid spirits and wines; rectification of spirits and wines; production of vodka and gin by redistillation; packaging, bottling, and removal of rectified and unrectified spirits and wines; tax liability accounts; tax payment; stamping; operational losses; disaster losses; voluntary destruction of spirits; inventories; and rebottling, relabeling, and restamping operations.

Retention period: Not less than 4 years. 26 CFR 170.60, 170.61, 170.62, 201.426, 201.427, 201.430, 201.432, 201.435, 201.444, 201.446, 201.448, 201.450, 201.451, 201.452, 201.454, 201.455, 201.460, 201.463–201.466, 201.470, 201.482–201.484, 201.487, 201.490, 201.492, 201.543, 201.551, 201.562, 201.563, 201.611, 201.612, 201.614, 201.616–201.618, 201.623, 201.624, 201.627, 201.630, 201.632, 201.633, 201.633a (retention: 201.612)

(g) *Wholesale liquor dealer and taxpaid storeroom operations.* To keep daily records of the receipt and disposition of distilled spirits and wines at such premises, and of restamping operations, and to keep copies of periodic reports of spirits received at and removed from such premises.

Retention period: Not less than 4 years. 26 CFR 201.611, 201.612, 201.614, 201.616, 201.618, 201.625, 201.634 (retention: 201.612)

(h) *Receipt, use, and disposition of liquor bottles.* To keep, as prescribed by regulations, records covering the receipt, use, and disposition of liquor bottles in such manner as to enable any internal revenue officer to verify and trace the receipt and disposition of such bottles.

Retention period: Not less than 4 years. 26 CFR 201.630a (retention: 201.612)

**4.141 Dealers in and users of completely denatured alcohol.**

To keep such records as will enable an internal revenue officer to verify and trace the receipt, storage, and disposal of such alcohol.

Retention period: 3 to 6 years. 26 CFR 211.118, 211.125, 211.261, 211.273, 211.274 (retention: 211.273)

**4.142 Manufacturers of and dealers in proprietary anti-freeze made with completely denatured alcohol.**

To keep such records as will enable an internal revenue officer to verify and trace the production, receipts, storage, and disposal of such products.

Retention period: 3 to 6 years. 26 CFR 211.125, 211.262, 211.273, 211.274 (retention: 211.273)

**4.143 Persons recovering completely denatured alcohol and articles.**

To keep such records as will enable an internal revenue officer to verify and trace recovery, redenaturation (if any) and reuse; to keep copies of monthly reports.

Retention period: 3 to 6 years. 26 CFR 211.212, 211.214, 211.215, 211.218, 211.263, 211.269, 211.273, 211.274 (retention: 211.273)

**4.144 Dealers in specially denatured spirits.**

To keep records and copies of all applications, notices, and reports reflecting details of procurement, packaging, losses, and disposition of specially denatured spirits.

Retention period: 3 to 6 years. 26 CFR 211.139, 211.145, 211.148, 211.234, 211.241, 211.243, 211.251–211.253, 211.255, 211.264, 211.270, 211.272–211.274, 211.285 (retention: 211.273)

**4.145 Users of specially denatured spirits.**

To keep records and copies of all applications, notices, and reports reflecting details of (a) specially denatured spirits received, used, recovered (including redenaturation), lost, and otherwise disposed of, and (b) products and articles manufactured and the disposition of such products and articles.

Retention period: 3 to 6 years. 26 CFR 211.139, 211.168, 211.212, 211.214, 211.215, 211.218, 211.241–211.243, 211.251–211.253, 211.255, 211.265–211.267, 211.271–211.274 (retention: 211.273)

**4.146 Reprocessors, repackagers, and bottlers of bay rum, skin and hair lotions, and similar products and purchasers of such products in containers larger than 1 gallon for resale.**

To keep records of receipt, manufacture, packaging, bottling, and sales.

Retention period: 3 to 6 years. 26 CFR 211.265–211.267, 211.272–211.274 (retention: 211.273)

**4.147 Dealers in and users of proprietary solvents and special industrial solvents.**

To keep records of receipt, use, and disposition.

Retention period: 3 to 6 years. 26 CFR 211.268, 211.272–211.274 (retention: 211.273)

**4.148 Users of tax-free alcohol.**

To keep records and copies of all applications, notices, and reports relating to receipt, use, recovery (including restoration), losses, and inventories of tax-free alcohol.

Retention period: 3 to 6 years. 26 CFR 213.116, 213.134, 213.151–213.153, 213.161–213.163, 213.165, 213.171–213.176 (retention: 213.175)

**4.149 Proprietors of taxpaid wine bottling houses.**

To keep records of wine received, bottled, packaged, and removed, and of semiannual and special inventories.

Retention period: 3 years. 26 CFR 231.110–231.114 (retention: 231.114)

**4.150 Persons (other than proprietors of bonded wine cellars) producing wine for family use. [Amended]**

To keep the copy of the registration (Form 1541), with production data entered thereon, at the place of manufacture.

Retention period: While the wine produced pursuant thereto remains on hand. 26 CFR 240.542

**4.151 Universities, colleges of learning, and institutions of scientific research authorized to conduct wine experimental or research operations.**

To keep copies of approved applications and appropriate records of experiments and research.

Retention period: 3 to 6 years. 26 CFR 240.546–240.549, 240.731, 240.732, 240.924 (retention: 240.924)

**4.152 Proprietors of vinegar plants receiving wine free of tax for use in manufacturing vinegar.**

To keep records showing receipt and use of wine, and vinegar produced and disposed of.

Retention period: Not specified. 26 CFR 240.656, 240.657

**4.153 Proprietors of bonded wine cellars. [Amended]**

(a) Production of wine, nonbeverage wine, distilling material, vinegar stock, and commercial fruit products. To keep, as prescribed by regulations, records and copies of all applications, notices, statements, and reports of transactions and

operations relating to the receipt and use or other disposition of basic winemaking materials such as fruit, or juice, or concentrated juice, and of sugar, acids, chemicals, preservatives, distillates, wine spirits, volatile fruit-flavor concentrates, and other materials used in production of wine, nonbeverage wine, and allied products and in cellar and finishing operations; fermentation; amelioration and sweetening; baking; use of carbon dioxide in still wines; removal of excess color in white wine; reduction of acid content; and other cellar and finishing treatment of wines.

Retention period: 3 to 6 years. 26 CFR 170.683, 170.686, 170.690, 240.359a, 240.362, 240.363, 240.366, 240.367, 240.368, 240.375–240.379, 240.382–240.385, 240.402, 240.406, 240.407, 240.408, 240.409, 240.443, 240.484–240.487, 240.491, 240.525–240.527a, 240.532, 240.537, 240.771, 240.773, 240.822, 240.826, 240.832–240.834, 240.836, 240.837, 240.890, 240.892, 240.900, 240.904, 240.908–240.911, 240.913–240.919, 240.922–240.925 (retention: 240.924)

(b) Storage in bond, filling bottles and containers, voluntary destruction, reconditioning of foreign wine, losses, and inventories. To keep, as prescribed by regulations, records and copies of all applications, notices, and reports relating to the receipt and storage of wine, wine spirits, nonbeverage wine, and volatile fruit-flavor concentrates on bonded premises; bottling, casing, and the filling of containers; losses and voluntary destruction; and semiannual and special inventories.

Retention period: 3 to 6 years. 26 CFR 170.691, 240.359a, 240.534, 240.561, 240.751, 240.753, 240.783, 240.786–240.789, 240.804, 240.854–240.858, 240.871, 240.900, 240.903, 240.912, 240.913, 240.916, 240.922–240.925 (retention: 240.924)

(c) Transfers and removals. To keep, as required by regulations, records and copies of all applications, notices, transfer and withdrawal forms, and returns relating to wine, wine spirits, and nonbeverage wine, including transfers between bonded premises, return of wine to bonded storage, return of concentrates to volatile fruit-flavor concentrate plants, tax payment and removal, withdrawal free of tax and without payment of tax, disposition of lees and other residues, and the disposition of commercial fruit products and other allied products.

Retention period: 3 to 6 years. 26 CFR 170.687, 240.359b, 240.590–240.592, 240.600, 240.613–240.615, 240.618–240.620, 240.630, 240.633, 240.652, 240.660, 240.662, 240.672, 240.722, 240.726, 240.730, 240.732, 240.741, 240.743, 240.746, 240.761–240.763, 240.802, 240.804, 240.839, 240.871, 240.892, 240.900–240.902, 240.904, 240.920, 240.922–240.925 (retention: 240.924)

(d) Taxpaid storeroom operations. To keep records of receipt and disposition.

Retention period: 3 to 6 years. 26 CFR 170.690, 240.801, 240.921–240.925 (retention: 240.924)

**4.154 Brewers.**

To keep, as required by regulations, records and copies of all applications, statements, notices, tax returns, and reports of brewery operations and transactions relating to receipt and use or disposition of brewing materials; production of beer and cereal beverages; production of wort, wort concentrate, malt sirup, and malt extract for sale or removal; beer entered into concentration process; concentrate produced, received, and used in reconstituting beer; beer reconstituted; transfers of beer and beer concentrate between breweries of same ownership; removals of yeast and malt; removal of beer unfit for beverage use; racking and bottling operations; losses; voluntary destruction; beer returned to the brewery; beer procured from another brewer; removal of cereal beverage; removal of beer for sale or consumption; removal of beer free of tax; removal of beer and beer concentrate without payment of tax; removal of wort, wort concentrate, malt sirup, and malt extract; beer consumed at the brewery and inventories of brewing materials, beer and cereal beverage in process, concentrate, and finished beer and cereal beverage on hand.

Retention period: Not less than 4 years. 26 CFR 245.135, 245.136, 245.145–245.148, 245.152, 245.153, 245.155, 245.157, 245.158, 245.161, 245.205–245.208, 245.210, 245.215, 245.225–245.227, 245.230, 245.232, 245.233, 245.243, 245.245 (retention: 245.232)

**4.154a Operators of experimental breweries.**

To keep, as required by regulations, records including information sufficient to account for the receipt, production, and disposition of all beer received or produced on the premises and the receipt (and disposition, if removed) of all brewing materials.

Retention period: Not specified. 26 CFR 245.256

**4.155 Proprietors of bonded warehouses or bonded processing rooms in Puerto Rico withdrawing spirits of Puerto Rican manufacture for shipment to the United States.**

To keep file copies of Forms 2899, 2901, 2925, and 2630.

Retention period: Not less than 2 years. 26 CFR 250.78–250.81, 250.112 (retention: 250.276)

**4.156 Proprietors of rectifying plants in Puerto Rico withdrawing spirits of Puerto Rican manufacture for shipment to the United States.**

To keep file copies of Forms 2925 and 2926.

Retention period: Not less than 2 years. 26 CFR 250.85 (retention: 250.276)

**4.157 Proprietors of bonded premises in Puerto Rico withdrawing wine of Puerto Rican manufacture for shipment to the United States.**

To keep file copies of Forms 2900, 2927, and 2928.

Retention period: Not less than 2 years. 26 CFR 250.93–250.96, 250.112 (retention: 250.276)

**4.158 Proprietors of bonded premises in Puerto Rico withdrawing beer of Puerto Rican manufacture for shipment to the United States.**

To keep file copies of Forms 2900, 2929, and 2930.

Retention period: Not less than 2 years. 26 CFR 250.102–250.105, 250.112 (retention: 250.276)

**4.159 Shippers of liquors and articles of Puerto Rican manufacture to the United States.**

To keep file copies of Forms 487–B and 3039.

Retention period: Not less than 2 years. 26 CFR 250.88, 250.89, 250.116 (retention: 250.276)

**4.160 Persons, other than tourists, bringing liquors into the United States from Puerto Rico or the Virgin Islands (except proprietors of distilled spirits plants).**

To keep records and copies of reports pertaining to receipt and disposition of such liquors (except while in customs custody) in accordance with 26 CFR Part 194 (Liquor Dealer).

Retention period: At least 2 years. 26 CFR 250.163, 250.272 (retention: 194.242)

**4.161 Proprietors of distilled spirits plants bringing liquors into the United States from Puerto Rico or the Virgin Islands.**

To keep records and copies of reports of transactions pertaining to such liquors in accordance with 26 CFR Part 201 (Distilled Spirits Plants).

Retention period: Not less than 4 years. 26 CFR 250.164, 250.273 (retention: 201.612)

**4.162 Importers bringing bottled distilled spirits into the United States from the Virgin Islands.**

To keep daily records and copies of strip stamp reports.

Retention period: Not less than 2 years. 26 CFR 250.270, 250.271 (retention: 250.276)

**4.162a Importers of distilled spirits receiving and storing used liquor bottles pending return to Puerto Rico or the Virgin Islands or exportation.**

To keep records of the receipt and disposition of used liquor bottles.

Retention period: Not less than 2 years. 26 CFR 250.319, 251.209 (retention: 250.276, 251.137)

**4.163 Importers of distilled spirits.**

To keep daily records and copies of strip stamp reports.

Retention period: Not less than 2 years. 26 CFR 251.130, 251.131 (retention: 251.137)

**4.164 Importers of distilled spirits, wines, or beer (except proprietors of premises qualified under the provisions of Chapter 51, I.R.C.).**

To keep records and copies of reports of the receipt and disposition of such liquors (except while in customs custody) in accordance with 26 CFR Part 194 (Liquor Dealers).

Retention period: At least 2 years. 26 CFR 251.133 (retention: 251.137)

**4.165 Proprietors of premises qualified under the provisions of Chapter 51, Internal Revenue Code, importing liquors.**

To keep records and copies of reports of transactions in accordance with the regulations governing the operations of such premises.

Retention period: Not less than 2 years. 26 CFR 251.134 (retention: 251.137)

**4.166 Importers of liquors.**

To keep records, documents or copies of documents supporting such records, and copies of reports required to be submitted to the assistant regional commissioner or to the collector of customs.

Retention period: Not less than 2 years. 26 CFR 251.136, 251.137 (retention: 251.137)

**4.167 Proprietors of distilled spirits plants who transfer distilled spirits from customs custody to their bonded premises.**

To keep file copies of Form 2609.

Retention period: Not less than 2 years. 26 CFR 251.172 (retention: 251.137)

**4.168 Proprietors or claimants exporting liquors under the provisions of 26 CFR Part 252.**

To keep file copies of all export forms involved, and the records, documents, or copies of the records and documents supporting such forms.

Retention period: Not less than 2 years. 26 CFR 252.45

**4.169 Proprietors of distilled spirits plants.**

(1) To keep a copy of each Form 206 (with attached Form 2630, if any) covering distilled spirits withdrawn without payment of tax for exportation, use on vessels and aircraft, transfer to a foreign-trade zone, or transfer to a manufacturing bonded warehouse, and any return of the spirits so withdrawn to the distilled spirits plant.

Retention period: Not less than 2 years. 26 CFR 252.107, 252.118 (retention: 252.45)

(2) To keep a copy of each Form 206 (with attachments, if any) covering the withdrawal of specially denatured spirits, free of tax, for exportation or transfer to a foreign-trade zone, and any return of the spirits so withdrawn to the distilled spirits plant.

Retention period: Not less than 2 years. 26 CFR 252.153 (retention: 252.45)

**4.170 Proprietors of bonded wine cellars.**

To keep a copy of each Form 206 covering the withdrawal of wine without payment of tax for exportation, use on vessels and aircraft, or transfer to a manufacturing bonded warehouse, and any return of the wine so withdrawn to the bonded wine cellar.

Retention period: Not less than 2 years. 26 CFR 252.125, 252.133 (retention: 252.45)

**4.171 Brewers.**

To keep a copy of each Form 1689 covering beer removed without payment of tax for use as supplies on vessels and aircraft; and a copy of each Form 1689 covering beer, and Form 3021 covering beer concentrate, removed without payment of tax for exportation or transfer to a foreign-trade zone, and any return to the brewery of the beer or beer concentrate so removed.

Retention period: Not less than 2 years. 26 CFR 252.145, 252.146, 252.-150f—252.150h (retention: 252.45)

**4.172 [Reserved]**

**4.173 Bottlers or packagers of distilled spirits stamped or restamped and marked, especially for export with benefit of drawback.**

To keep a copy of each Form 1582 (with attachments, if any) on which claim for drawback is filed.

Retention period: Not less than 2 years. 26 CFR 252.195, 252.195a (retention: 252.45)

**4.174 Exporters of wine.**

To keep a copy of each Form 1582–A on which claim for drawback is filed and the supporting tax certification Form 2605.

Retention period: Not less than 2 years. 26 CFR 252.215, 252.218 (retention: 252.45)

**4.175 Brewers.**

To keep a copy of each Form 1582–B on which a claim for drawback is filed.

Retention period: Not less than 2 years. 26 CFR 252.225–252.227 (retention: 252.45)

**4.176 Airlines withdrawing distilled spirits or wines from its stock held in customs custody.**

To keep a copy of each requisition.

Retention period: Not less than 2 years. 26 CFR 252.280 (retention: 252.45)

TOBACCO

**4.177 Manufacturers of tobacco products.**

To keep authorizations to employ alternate methods or procedures, to employ emergency variations from requirements, to engage in another business within the factory, to use alternate means for marking packages of cigars or cigarettes, to repackage cigars or cigarettes, to remove cigars or cigarettes in bond for experimental purposes, to temporarily store cigars or cigarettes outside of factory, and to destroy cigars or cigarettes without supervision.

Retention period: 3 years following close of calendar year in which operations under authorizations granted under Parts 270 and 295 are concluded. Not specified for authorizations granted under Part 290. 26 CFR 270.45, 270.46, 270.47, 270.212, 270.217, 270.232, 270.251, 270.253, 290.72, 290.73, 290.184, 295.21, 295.22 (retention under Part 270: 270.185)

**4.178 Manufacturers of tobacco products.**

To keep receipted copy of each semimonthly tax return, Form 3071, and of each prepayment tax return, Form 2617.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 270.162, 270.167 (retention: 270.185)

**4.179 Manufacturers of tobacco products.**

To keep daily records of his operations, either commercial records or internal revenue Form 3065 or Form 3066, together with auxiliary and supplemental records from which such records are compiled, supporting records of cigars and cigarettes removed subject to tax and transferred in bond, and separate records with respect to Puerto Rican cigars and cigarettes released from customs custody, without payment of tax. To keep daily records of his operations in tobacco.

Retention period: 3 years following close of calendar year in which made. 26 CFR 270.181, 270.182, 270.183, 270.184, 270.136, 275.139 (retention: 270.185, 275.22)

**4.180 Manufacturers of tobacco products.**

To keep a copy of each inventory, Form 3067.

Retention period: 3 years following the close of calendar year in which made. 26 CFR 270.201 (retention: 270.185)

**4.181 Manufacturers of tobacco products.**

To keep a copy of each monthly report, Form 3068, together with copy of any supplemental report covering cigars and cigarettes of Puerto Rican manufacture.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 270.202, 275.141 (retention: 270.185, 275.22)

**4.182 Manufacturers of tobacco products.**

To keep a copy of each claim for abatement or refund, Form 843, and of each claim for allowance, credit, or remission, Form 2635, together with any verified supporting schedules, Form 3069.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 270.281, 270.282, 270.283, 270.284, 270.286, 270.287 (retention: 270.185)

**4.183 Manufacturers of tobacco products.**

To keep a copy of each notice of release, Form 2145 or Form 3072, covering the release from customs custody without payment of tax or certain duty of imported, returned, or Puerto Rican cigars, cigarettes, or cigarette papers or tubes.

Retention period: 3 years following close of calendar year in which release is made. 26 CFR 275.86, 275.138 (retention: 275.22)

**4.184 Manufacturers of tobacco products.**

To keep a copy of each notice of removal, Form 2149, covering shipment of

cigars and cigarettes removed, without payment of tax, for export, and notice of removal, Form 2150, covering the return of such products to the factory.

Retention period: 2 years following close of calendar year in which shipment was removed or received. 26 CFR 290.199, 290.201

**4.185 Manufacturers of tobacco products.**

To keep a supporting record showing appropriate entries with respect to removals of cigars and cigarettes, without payment of tax, for use of the United States.

Retention period: 3 years following close of year in which removal was made. 26 CFR 295.51

**4.186 Manufacturers of cigarette papers and tubes.**

To keep a copy of each notice of release, Form 2145 or Form 3072, covering the release from customs custody without payment of tax or certain duty of imported, returned, or Puerto Rican cigarette papers or tubes.

Retention period: 3 years following close of calendar year in which release is made. 26 CFR 275.86, 275.138 (retention: 275.22)

**4.187 Manufacturers of cigarette papers and tubes.**

To keep a receipted copy of each monthly tax return, Form 2137.

Retention period: 3 years following close of calendar year in which made. 26 CFR 285.25 (retention: 285.31)

**4.188 Manufacturers of cigarette papers and tubes.**

To keep authorizations to employ alternate methods or procedures and to employ emergency variations from requirements.

Retention period: 3 years following close of calendar year in which operations under authorizations granted under Parts 285 and 295 are concluded. Not specified for authorizations under Part 290. 26 CFR 285.34a, 285.35, 290.73, 295.21, 295.22 (retention under Part 285: 285.31)

**4.189 Manufacturers of cigarette papers and tubes.**

To keep a copy of each inventory, Form 2132.

Retention period: 3 years following close of calendar year in which made. 26 CFR 285.91 (retention: 285.31)

**4.190 Manufacturers of cigarette papers and tubes.**

To keep daily records of his operations and transactions, and also separate records with respect to Puerto Rican cigarette papers and tubes released from customs custody, without payment of tax.

Retention period: 3 years following close of calendar year in which made. 26 CFR 275.139, 285.101 (retention: 275.22, 285.31)

**4.191 Manufacturers of cigarette papers and tubes.**

To keep a copy of each report, Form 2138, together with copy of any supplemental report covering cigarette papers and tubes of Puerto Rican manufacture.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.141, 285.111 (retention: 275.22, 285.31)

**4.192 Manufacturers of cigarette papers and tubes.**

To keep a copy of each claim for abatement or refund, Form 843, and of each claim for allowance, credit, or remission, Form 2635, together with any verified supporting schedules, Form 3069.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 285.171, 285.172, 285.173, 285.174 (retention: 285.175)

**4.193 Manufacturers of cigarette papers and tubes.**

To keep a copy of each notice of removal, Form 2149, covering shipment of cigarette papers and tubes removed, without payment of tax, for export, and notice of removal, Form 2150, covering the return of such articles to the factory.

Retention period: 2 years following close of calendar year in which shipment was removed or received. 26 CFR 290.199, 290.201

**4.194 Manufacturers of cigarette papers and tubes.**

To keep a supporting record showing appropriate entries with respect to removals of cigarette papers and tubes, without payment of tax, for use of the United States.

Retention period: 3 years following close of year in which removal was made. 26 CFR 295.51

**4.195 Persons shipping Puerto Rican cigars, cigarettes, or cigarette papers or tubes to the United States.**

To keep receipted copy of each prepayment return, Form 3073.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.105 (retention: 275.22)

**4.196 Persons shipping Puerto Rican cigars, cigarettes, or cigarette papers or tubes to the United States.**

To keep certified copy of notice of release, Form 3072.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.137 (retention: 275.22)

**4.197 Puerto Rican manufacturer shipping cigars, cigarettes, or cigarette papers or tubes to the United States.**

To keep receipted copy of semimonthly tax return, Form 2988.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.112 (retention: 275.22)

**4.198 Importers of cigars, cigarettes, or cigarette papers or tubes.**

To keep receipted copy of each return made on customs form.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.81 (retention: 275.22)

**4.199 Importers of cigars, cigarettes, and cigarette papers and tubes.**

To keep authorizations to employ alternate methods or procedures and to employ emergency variations from requirements.

Retention period: 3 years following close of calendar year in which operation under the authorization is concluded. 26 CFR 275.26, 275.27 (retention: 275.22)

**4.200 Persons filing claims for tax assessed or paid on imported cigars, cigarettes, and cigarette papers and tubes.**

To keep a copy of each claim for abatement or refund, Form 843, together with verified supporting schedules, Form 3069.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.161, 275.163 (retention: 275.22)

**4.201 Proprietors of bonded internal revenue tobacco export warehouses.**

To keep authorizations to employ alternate methods or procedures and to employ emergency variations from requirements.

Retention period: Not specified. 26 CFR 290.72, 290.73

**4.202 Proprietors of bonded internal revenue tobacco export warehouses.**

To keep complete and adequate daily records of operations of his warehouse, with a copy of each notice of removal, Form 2149 or 2150, covering receipt of cigars, cigarettes, and cigarette papers and tubes from a manufacturer, another export warehouse proprietor, or customs warehouse proprietor, and of each Form 2150 covering such articles removed from his warehouse.

Retention period: 2 years following close of calendar year in which shipment was removed or received. 26 CFR 290.142, 290.199, 290.200, 290.201

**4.203 Proprietors of bonded internal revenue tobacco export warehouses.**

To keep a copy of each inventory made.

Retention period: 2 years following close of calendar year in which made. 26 CFR 290.143

**4.204 Proprietors of bonded internal revenue tobacco export warehouses.**

To keep a copy of each monthly report, Form 2140.

Retention period: 2 years following close of calendar year in which filed. 26 CFR 290.147

**4.204a Proprietors of bonded internal revenue tobacco export warehouses.**

To keep a copy of each claim for remission, Form 2635, and for refund, Form 843.

Retention period: 2 years following close of calendar year in which filed. 26 CFR 290.152, 290.154

**4.205 Proprietors of customs bonded manufacturing warehouse, class 6.**

To keep a copy of each notice of removal of cigars, Form 2149, withdrawn from the customs warehouse, without payment of tax for export, and of each notice of removal, Forms 2149 and 2150, relating to the return of cigars to the customs warehouse.

Retention period: 2 years following close of calendar year in which shipment

was withdrawn or received. 26 CFR 290.201, 290.257, 290.266, 290.267

FIREARMS

**4.206 Persons responsible for returns and payment of tax on sales of pistols and revolvers.**

To keep such records and memoranda as will clearly show the amount of the sales of pistols and revolvers for each month; evidence of the right to exemption from the tax; and a complete and detailed record of overpayments for which credits are taken. A duplicate of the return shall also be kept.

Retention period: 4 years from the date the tax becomes due and, with respect to credits, 4 years from the date the credit is taken. 26 CFR (1939) 302.9, 302.12, 302.15

**4.207 Persons making exports of pistols and revolvers.**

(a) *Manufacturers selling pistols and revolvers for export and in due course so exported.* To preserve the orders or contracts of sale, and certificates with respect to shipment to a foreign destination, and "proofs of exportation."

(b) *Persons, other than manufacturers, exporting pistols and revolvers.* To carefully preserve in their own files copies of export bills of lading or other shipping documents and all other papers bearing on the transactions.

Retention period: Not specified. 26 CFR (1939) 302.16, 302.17, 302.18

**4.208 Licensed firearms manufacturers, importers, dealers, and collectors. [Amended]**

To maintain complete and adequate records and supporting documents reflecting the production, importation, receipt, and disposition of all firearms and ammunition produced, imported, received or disposed of in the course of licensed operations, except that no record need be kept of retail sales of shotgun ammunition, ammunition suitable for use only in rifles, or components for such shotgun and rifle ammunition.

Retention period: For ammunition 2 years from date transaction occurs. For firearms—permanent. Upon discontinuance of business, firearms and ammunition records must be delivered to successor, or, if discontinuance of the business is absolute, to Assistant Regional Commissioner, Alcohol, Tobacco and Firearms. 26 CFR 178.122–178.127, Public Law 91–128 (83 Stat. 269)

**4.209 Transferees of firearms. [Revised]**

To maintain the application (filed by the transferor and approved by the Director, Alcohol, Tobacco and Firearms Division) for the transfer of a firearm. This includes transfers exempt from, as well as subject to, the transfer tax.

Retention period: Transferee retains approved application for duration of his ownership of the related firearm. 26 CFR 179.98–179.106

**4.210 Manufacturers, importers, or dealers in firearms (including pawnbrokers).**

To keep records showing (a) the manufacture, receipt, transfer or other disposition of all firearms taxable under the Internal Revenue Code, (b) date of such manufacture, receipt, transfer or disposition, (c) the number, model, and trade name or other mark identifying each firearm, (d) the name and address of the person to whom any firearm is transferred.

Retention period: At least 4 years from date of disposition of the firearm. 26 CFR 179.150

**4.211 [Deleted]**

**4.212 Registered importers of arms, ammunition, or implements of war, shown on the Import List. [Added]**

Importers who are required to register under 26 CFR Part 180 shall maintain records of articles on the U.S. Munitions Import List that are imported, their acquisition and disposition.

Retention period: 6 years. The Director, Alcohol, Tobacco and Firearms Division may prescribe a longer or shorter period in individual cases as he deems necessary. 26 CFR 180.24

### 5. Office of Foreign Assets Control

**5.1 Persons engaged in transactions subject to Foreign Assets Control Regulations, Transaction Control Regulations, Cuban Assets Control Regulations, Foreign Funds Control Regulations, and Rhodesian Sanctions Regulations.**

To keep a full record of each transaction subject to the provisions of 31 CFR Ch. V, whether effected pursuant to license or not.

Retention period: Shall be available for examination at least 2 years after date of transaction. 31 CFR 500.601, 500.804, 505.40, 505.60, 515.601, 515.804, 520.601, 520.804, 530.601, 530.804.

### 6. Office of Domestic Gold and Silver Operations

**6.1 Persons authorized by license or by 31 CFR 54.18 or 54.21 to acquire, hold, process, and dispose of gold.**

To keep full and accurate records of all operations and transactions respecting gold, including the name, address, and Treasury gold license number of each person from whom it is acquired or to whom it is delivered (or, when no Treasury gold license is held, the section of regulations in this part pursuant to which the gold was held or acquired by such person), the amount, date, description and purchase or sales price of each acquisition and delivery, any other papers and records required to be kept by a Treasury Department gold license, and costs and expenses in computation of total domestic value of articles of fabricated or semiprocessed gold.

Retention period: Until end of the fifth calendar year (or fifth fiscal year, if accounts are so maintained). 31 CFR 54.26

**6.2 Licensed importers of gold-bearing materials for reexport of gold refined therefrom.**

To cause to be kept at the plant of first treatment an exact record of percentages and weights as specified, for each importation, an attested copy of such record to be filed with the assay office at New York or the assay office at San Francisco, whichever is designated.

Retention period: At least 1 year after date of disposition of gold. 31 CFR 54.32

**6.3 Persons delivering silver to a mint or assay office pursuant to the Coinage Act of 1965.**

To maintain records of all acquisitions and dispositions of newly-mined domestic silver.

Retention period: 5 years following date of transaction to which they relate. 31 CFR 81.8, 81.10

### 7. [Reserved]

### 8. Bureau of the Public Debt

**8.1 [Reserved]**

**8.2 Treasury savings stamp agents selling U.S. savings stamps in schools. [Revised]**

To keep records concerning stamps or proceeds of stamp sales lost, stolen, or destroyed in transit, or for other reasons have not been accounted for in full.

Retention period: 1 calendar month after claim is settled. 31 CFR 338.10

## XII. DEPARTMENT OF TRANSPORTATION

### 1. Federal Aviation Administration

**1.1 Aircraft and related products manufacturers.**

To maintain records of inspection identified with the completed product and records of Materials Review Board action applying to materials, parts, assemblies, and the completed product.

Retention period: At least 2 years. 14 CFR 21.125

**1.2 Aircraft and related products manufacturers.**

To maintain records of inspection applying to the manufacture of replacement or modification parts and identifiable with the completed part.

Retention period: At least 2 years. 14 CFR 21.303

**1.3 Certificated air carrier and commercial operator.**

To keep records pertaining to the maintenance, rebuilding, and alteration, of aircraft, airframes, aircraft engines, propellers, appliances, or parts thereof, including: (a) For major repairs, major alterations, and rebuilding—identification of the approved data under which the work was performed, the individual approving the work, and the date of approval; (b) for the last complete overhaul; (c) for all other maintenance, repairs and alterations—a description of the work, the date the work was completed, the person performing the work if performed by a person other than the certificate holder, and the individual approving the work.

Retention period: (a) Until work is repeated, superseded or until the aircraft, etc., is sold or retired; (b) until next complete overhaul; (c) until the earliest of (1) work repeated or super-

seded, (2) the aircraft, etc., on which work was performed is overhauled, (3) 1 year after work performed. Records transferred on sale—all maintenance, rebuilding, and alteration records required to be kept at time product or appliance sold (in plain language unless transferee elects to receive in coded form). 14 CFR 121.380, 121.698, 127.141, 127.308

**1.4 Certificated repair stations or airframe, powerplant, propeller, or appliance manufacturers.**

To maintain a duplicate copy of the customer's work order, when accepted in lieu of the Major Repair and Alteration Form (FAA–337 or equivalent).

Retention period: At least 2 years. 14 CFR Part 43, App. B

**1.5 Domestic, flag, and supplemental air carriers and commercial operators of large aircraft.**

To retain information taped by flight recorders.

Retention period: At least 60 days or, for a particular flight or series of flights, for a longer period if requested by a representative of the Federal Aviation Administration or the National Transportation Safety Board. 14 CFR 121.343

**1.6 Domestic, flag, and supplemental air carriers and commercial operators of large aircraft.**

To maintain current records of every crewmember and aircraft dispatcher, as is necessary to show compliance with the appropriate requirements of Federal Aviation Regulations and each action taken concerning the release from employment or physical or professional disqualification of flight crewmembers or aircraft dispatchers.

Retention period: At least 6 months after termination of employment. 14 CFR 121.683

**1.7 Domestic, flag, and supplemental air carriers and commercial operators of large aircraft.**

To maintain (a) records of total time in service, time since last overhaul, and time since last inspection on major components of airframe, engines, propellers, and where practicable, appliances; (b) an aircraft maintenance log; (c) copies of alteration and repair reports; and (d) copies of airworthiness release forms.

Retention period: Not specified for (a), (b), and (c); 2 months for (d). 14 CFR 121.699, 121.701, 121.707, 121.709

**1.8 Flag and domestic air carriers.**

To maintain a list of aircraft in current operation and airplanes operated under interchange agreements.

Retention period: Not specified. 14 CFR 121.685

**1.9 Flag and domestic air carriers.**

To retain copies of load manifests, dispatch releases, and flight plans.

Retention period: 3 months. 14 CFR 121.695

**1.10 Flag and domestic air carriers.**

To maintain records pertaining to radio contacts by or with pilots en route.

Retention period: 30 days. 14 CFR 121.711

**1.11 Air taxi operators and commercial operators of small aircraft.**

To maintain at principal business office (a) a current list of aircraft used or available for use and the operations for which each is equipped and (b) an individual record of each pilot used (including name, certificate and ratings held, aeronautical experience, current duties, medical certificate, etc.).

Retention period: 6 months. 14 CFR 135.43

**1.12 Registered owners or operators of civil aircraft.**

To keep separate, current maintenance record for aircraft and each engine, including kind and extent of maintenance and alteration, and date work is done; listing of compliance with mandatory service bulletins, airworthiness directives, and method of compliance; current empty weight, empty center of gravity, and useful load; addition or removal of optional equipment, or of required equipment in exchange for optional equipment; total time in service of aircraft; and total time in service and history of each engine overhauled, repaired or reassembled to standards other than those for rebuilt engines.

Retention period: Not specified, but records must go to next owner. 14 CFR 91.173

**1.13 Air carriers (utilizing helicopters in scheduled interstate air transportation).**

To keep (a) maintenance records of such information as total time in service, time since last overhaul, and time since last inspection on all major components of the airframe, engines, rotors, and appliances, and (b) a maintenance log for all data specified in (a), except time since last overhaul.

Retention period: Not specified. 14 CFR 127.309, 127.311

**1.14 Air carriers (utilizing helicopters in scheduled interstate air transportation).**

To maintain records of every crewmember as is necessary to show compliance with the appropriate requirements of Federal Aviation Regulations and each action taken concerning the release from employment or physical or professional disqualification of any flight crewmember.

Retention period: At least 3 months. 14 CFR 127.301

**1.15 Air carriers (utilizing helicopters in scheduled interstate air transportation).**

To retain copies of load manifest, flight release, and airworthiness release forms.

Retention period: At least 60 days. 14 CFR 127.307, 127.319

**1.16 Air carriers.**

To retain copy of shipper's certification for transportation of explosives and other dangerous articles.

Retention period: Not specified. 14 CFR 103.3

**1.17 Pilots.**

To keep a reliable record of the flight time used to meet the experience requirements for pilot certificate or rating, or the recent flight experience requirements of 14 CFR 61.47, including as to each flight such general data as points of departure and arrival, date, duration, and identification mark; type of piloting time; and conditions of flight.

Retention period: Not specified. 14 CFR 61.39

**1.18 Airline transport pilots.**

To keep an accurate and legible record of flying time in a bound logbook arranged for easy reference, including specified information on each flight. Pilot must certify solo flying time entries, and his instructor must certify entries on instruction.

Retention period: Not specified. 14 CFR 61.41

**1.19 Flight instructors.**

To maintain separately or in his logbook a record of (a) the name of each person to whom he has given flight instruction or whose student pilot certificate he has endorsed, and the date and type of each flight instruction period or endorsement, and (b) the name of each person for whom he has signed a recommendation for a written or flight test, under this part, the kind of test, and the date of recommendation.

Retention period: 3 years. 14 CFR 61.174

**1.20 Flight navigator training course operators.**

To keep an accurate record of each student, including a chronological log of all instructions, subjects covered, and course examinations and grades.

Retention period: During continuation of approval of course. 14 CFR Part 63, App. B, para. (f)

**1.21 Certificated parachute riggers.**

To keep a record of the packing, maintenance, and alteration of parachutes performed or supervised by him.

Retention period: At least 2 years after the date record is made. 14 CFR 65.131

**1.22 Aircraft dispatcher course operators.**

To keep an accurate record of each student including a chronological log of all instructions, subjects covered, and course examinations and grades.

Retention period: During continuation of approval of course. 14 CFR Part 65, App. A, para. (g)

**1.23 Certificated pilot schools.**

To keep a current, accurate, and individual record of each student's participation and accomplishments in the course for which he is enrolled, including a chronological log of his instruction, attendance, subjects covered, tests, and test grades.

Retention period: 1 year following student's graduation or termination of his participation in the training course. 14 CFR 141.21

**1.24 Certificated domestic repair stations and applicants for a domestic repair station certificate and rating.**

To maintain a roster of its supervisory and inspection personnel, and a summary of the employment of each person whose name is on the roster containing enough information to show compliance with experience requirements.

Retention period: Not specified. 14 CFR 145.43

**1.25 Certificated domestic repair stations.**

To maintain adequate records of work performed, naming the certificated mechanic or repairman who performed or supervised the work, and the inspector of that work.

Retention period: At least 2 years. 14 CFR 145.61

**1.26 Certificated foreign repair stations.**

To keep a record of the maintenance and alteration performed on United States registered aircraft.

Retention period: Not specified. 14 CFR 145.79

**1.27 Certificated aviation maintenance technician schools. [Amended]**

To keep (a) current record of each student enrolled showing his attendance, tests, and grades received on subjects required, instruction credited by reason of instruction completed at another aviation maintenance technician school (or other specified source), and authenticated transcript of his grades; and (b) current progress chart or individual progress record showing the projects or laboratory work completed, or to be completed, by the student in each subject.

Retention period: At least 2 years after the end of the student's enrollment as to (a); (b) not specified. 14 CFR 147.33

**1.28 Holders of parachute loft certificates.**

To maintain records of work performed, including names of persons doing the work.

Retention period: At least 2 years. 14 CFR 149.15

**1.29 Owners of VOR, nondirectional radio beacon, and instrument landing system facilities.**

To keep for each facility the following records on the forms named, or on an equivalent form acceptable to the Regional Director: (a) Record of meter readings and adjustments—Form FAA–198 (1 copy); (b) Radio equipment operation record—Form FAA–418 (original); and (c) VOR check error data, FAA Forms 2396 and 2397 (originals—for VOR facilities only).

Retention period: Permanent for (a); not specified for (b) and (c). 14 CFR 171.13, 171.33, 171.73

**1.30 Manufacturers of aircraft.**

To maintain at factory, for each product type certificated under the delegation option procedures, current records containing the following: (a) technical data file including type design drawings, reports on tests, and original type inspection report and amendments; (b) data (including amendments) required with original application for each production certificate; (c) record of all rebuilding and alteration performed; (d) complete inspection record for each product manufactured; (e) record of reported service difficulties.

Retention period: (a), (b), and (c) for the duration of the manufacturing operation under the delegation option authorization; (d) and (e), 2 years. 14 CFR 21.293

**1.31 Contractors for construction of public airports.**

To keep payrolls and basic records during the course of the work for all laborers and mechanics as specified in the Appendix cited.

Retention period: 3 years from the completion of the work. 14 CFR 151.49; Part 151, App. H, para. C(1)

**1.32 Sponsors of the construction of public airports.**

To keep records of all affidavits and copies of payrolls furnished by the contractor.

Retention period: 3 years from the date of the completion of the contract. 14 CFR 151.53

**1.33 Sponsors of the construction of public airports.**

To retain in its files documentary evidence supporting each item of project cost, such as invoices, cost estimates and payrolls. Also evidence of all payments for items of project costs including vouchers, canceled checks or warrants, and receipts for cash payments

Retention period: 3 years after final grant payment. 14 CFR 151.55

**1.34 Supplemental air carriers and commercial operators.**

To maintain originals or copies of load manifests, flight releases, flight plans, airworthiness releases, and pilot route certification.

Retention period: 6 months. 14 CFR 121.697

**1.35 Commercial operators using large aircraft.**

To retain a copy of each contract under which it provides service, or a memorandum stating elements of oral contracts, and of each contract amendment.

Retention period: 1 year after date of execution of contract or amendment. 14 CFR 121.713

**1.36 Commercial agricultural aircraft operators.**

To maintain records showing name and address of persons for whom service was provided, date of service, name and quantity of material dispersed for each operation conducted, and the name, address, and certificate number of each pilot used, and the date he met the requirements of 14 CFR 137.19(c).

Retention period: At least 12 months. 14 CFR 137.71

**1.37 Designated alteration stations.**

To maintain current records of technical data (including drawings, photographs, specifications, instructions, and reports) for each product for which it has issued a supplemental type certificate; list of products by make, model, manufacturer's serial number, etc.; and a file of information on alteration difficulties of products altered.

Retention period: For duration of the operation under the DAS authorization. 14 CFR 21.493

**1.38 Flight engineer training course operators.**

To keep a record of each student's training, including a chronological log of the subject course, attendance, examinations, and grades.

Retention period: At least 2 years after student graduates, fails, or drops from course. 14 CFR Part 63, App. C, para. (g)

**1.39 Domestic, flag, and supplemental air carriers.**

To keep a log of each flight conducted with a provisionally certificated airplane and to keep accurate and complete records of each inspection and all maintenance performed on the airplane.

Retention period: Not specified. 14 CFR 121.207

**1.40 Domestic, flag, and supplemental air carriers, and commercial operators of large aircraft.**

To keep, in the event of an accident or occurrence requiring immediate notification of the National Transportation Safety Board under Part 430 of its regulations, the information recorded on cockpit voice recorders.

Retention period: At least 60 days or longer if requested by the Administrator or the Board. 14 CFR 121.359

**1.41 Domestic, flag, and supplemental air carriers.**

To maintain, or determine that each person with whom it arranges to perform its required inspections maintains, a current listing of persons who have been trained, qualified, and authorized to conduct required inspections.

Retention period: Not specified. 14 CFR 121.371

**1.42 [Deleted]**

**1.43 Air carriers (utilizing helicopters in scheduled interstate air transportation).**

To keep a log of each flight conducted with a provisionally certificated helicopter and to keep accurate and complete records of each inspection made and all maintenance performed on the helicopter.

Retention period: Not specified. 14 CFR 127.85

**1.44 Air carriers (utilizing helicopters in scheduled interstate air transportation).**

To maintain, or determine that each person with whom it arranges to perform its required inspections maintains, a current listing of persons who have been trained, qualified, and authorized to conduct required inspections.

Retention period: Not specified. 14 CFR 127.135

**1.45 Air travel clubs using large airplanes.**

To maintain (a) current records of every crewmember and aircraft dispatcher, as is necessary to show compliance with the appropriate requirements of Federal Aviation Regulations and each action taken concerning the release from employment or physical or professional disqualification of flight crewmembers as aircraft dispatchers, and (b) an aircraft maintenance log.

Retention period: At least 6 months after termination of employment. 14 CFR 123.27 (retention: 121.683)

**1.46 Sponsors of airport development projects. [Added]**

To keep records pertaining to the expenditure of the Federal grant, the total project cost, and the amount supplied by other sources.

Retention period: Not specified. Public Law 91–258 (84 Stat. 219)

**1.47 Aircraft and related products manufacturers—production under type certificate only. [Added]**

To maintain at the place of manufacture the technical data and drawing necessary for the Administrator to determine whether the product and its parts conform to the type design.

Retention period: Not specified. 14 CFR 21.123

**1.48 Owners of non-Federal Simplified Directional Facilities (SDF); non-Federal Distance Measuring Equipment (DME) Facilities; and non-Federal VHF Marker Beacon Facilities. [Added]**

To maintain: (a) record of meter readings and adjustments (Form FAA–198) reflecting an accurate record of facility operation and adjustment and must be revised after any major repair, modification, or retuning; (b) a facility maintenance log (Form FAA–406(c)), consisting of a permanent record of all equipment malfunctioning met in maintaining the facility, including information on the kind of work and adjustments made, equipment failures, causes (if determined), and corrective action taken; (c) a radio equipment operation record (Form FAA–418) containing a complete record of meter readings, recorded on each scheduled visit to the facility.

Retention period: (a) Permanent; (b) and (c) not specified. 14 CFR 171.117, 171.163, 171.213

## 2. Federal Highway Administration

**2.1 State highway departments or their agents.**

To maintain all records and documents as may be prescribed in the "Retention Schedule of Federal-Aid Highway Records for State Highway Departments" relating to (a) projects undertaken pursuant to Federal law and regulations, and (b) toll facilities financed in part with Federal funds.

Retention period: (a) 3 years from date of final payment of Federal funds to State or as otherwise specified in the retention schedule, and (b) at least 3 years after facility has been operated on a free basis. 23 CFR 1.30

**2.2 [Transferred to 7.1]**

**2.3 Class I and II motor carriers.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1226

**2.4 Class III motor carriers.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1226

**2.5 Private carriers subject to Part II of the Interstate Commerce Act.**

To keep records as listed in the sections cited.

Retention period: Various. 49 CFR 391.10, 394.3, 395.8, 396.2, 396.7

**2.6 Motor carriers exempt under section 203(b) of the Interstate Commerce Act.**

To keep records as listed in the sections cited.

Retention period: Various. 49 CFR 391.10, 394.3, 394.6, 395.8, 395.9, 396.2, 396.7

**2.7 Carriers of migratory workers by motor vehicles.**

To keep records as listed in the section cited.

Retention period: Various. 49 CFR 398.3

**2.8 [Transferred to 7.2]**

**2.9 Motor carriers reviewing drivers' records. [Added]**

To maintain records of all violations of motor vehicle traffic laws of which the driver has been convicted.

Retention period: Not specified. 49 CFR 391.27

**2.10 All common, contract, and private motor carriers operating in interstate or foreign commerce, except private carriers of persons. [Added]**

To maintain driver qualification files as listed in the section cited.

Retention period: Varies. 49 CFR 391.51

**2.11 All common, contract, and private motor carriers operating in interstate or foreign commerce, except private carriers of persons. [Added]**

To maintain an accident register and associated documents as set out in the section cited.

Retention period: 3 years from the date of the occurrence of any accident recorded. 49 CFR 394.3(c)

**2.12 All common, contract, and private motor carriers operating in interstate or foreign commerce, except private carriers of persons. [Added]**

To maintain drivers' daily logs as set out in the section cited.

Retention period: Approximately 1 year from the date the carrier receives the daily log from the driver. 49 CFR 395.8

**2.13 All common, contract, and private motor carriers operating in interstate or foreign commerce, except private carriers of persons. [Added]**

To maintain records of inspection and maintenance for each motor vehicle for the period the motor vehicle is controlled by the carrier as set out in the section cited.

Retention period: Varies. 49 CFR 396.2

**2.14 All common, contract, and private motor carriers operating in interstate or foreign commerce, except private carriers of persons. [Added]**

To maintain daily driver reports on the condition of motor vehicles as set out in the section cited.

Retention period: 3 months from date of the report. 49 CFR 396.7

## 3. United States Coast Guard

**3.1 Certificates or documents issued by Coast Guard.**

Certificates or documents issued to the public, as required by laws, rules, or regulations, shall be retained for the applicable period of time.

Retention period: If the certificate or document (a) specifies a definite period of time for which it is valid, it shall be retained for so long as it is valid unless it is required to be surrendered; (b) does not specify a definite period of time for which it is valid, it shall be retained for that period of time such certificate or document is required for operation of the vessel; or, (c) is evidence of a person's qualifications, it shall be retained for so long as it is valid unless it is required to be surrendered. 46 CFR 2.95–1

**3.2 Owners, masters or persons in charge of vessels required to have cargo gear certificates and/or registers, and records regarding such gear.**

To keep on board the current, valid cargo gear certificate and/or register, and records regarding such gear, such as inspections and tests or examinations, original or certified copies of certificates of manufacturers and/or testing laboratories, companies, or organizations for loose cargo gear, wire rope, or the annealing of gear, and records of all tests and examinations conducted by or under the supervision of surveyors of organizations or associations approved by the Commandant.

Retention period: The cargo gear certificate and/or register shall be retained for so long as it is valid unless it is required to be surrendered, and in addition until the next Coast Guard inspection for certification of the vessel. The certificates of manufacturers and/or testing laboratories, companies, or organizations

shall be maintained so long as the gear described in such certificates is on board the vessel. The records of inspections by ship's officers shall be maintained on the vessel for that period of time which agrees with the period covered by the current Coast Guard certificate of inspection issued to the vessel. 46 CFR 31.10–16, 31.37–75, 71.25–25, 71.47–75, 91.25–25, 91.37–75 (retention: 2.95–5)

**3.3 Owners, masters, or persons in charge of vessels required to have performed tests and inspections of all firefighting equipment.**

To keep on board records of required tests and inspections of all firefighting equipment.

Retention period: Shall be kept for the period of validity of the current Coast Guard certificate of inspection for the vessel. 46 CFR 31.10–18, 78.17–80, 97.-15–60, 196.15–60(b)

**3.4 Owners, masters or persons in charge of new vessels having cargo gear described in approved plans.**

To keep on board a set of approved plans of cargo gear showing a stress diagram with the principal details of the gear and a diagram showing arrangement and safe working loads.

Retention period: During period such cargo gear is on board vessel. 46 CFR 31.37–15, 31.37–20, 71.47–15, 71.47–20, 91.37–15, 91.37–20 (retention: 2.95–5)

**3.5 Masters of tank vessels or vessels towing tank barges transporting flammable or combustible cargo.**

To keep on board a bill of lading manifest or shipping document giving name of consignee and the delivery point, the kind, grades, and approximate quantity of each kind and grade of cargo, and for whose account the cargo is being handled.

Retention period: During period of transportation or storage. 46 CFR 35.01–10 (retention: 2.95–5)

**3.6 Masters or persons in charge of vessels required to conduct fire and lifeboat drills.**

To make entries in the ship's logs relating to the fire and lifeboat drills and examinations of emergency equipment.

Retention period: Until official log book is required to be surrendered to the Coast Guard, or for a vessel not required to use the official log book such logs shall be kept for a period of one year after date entries were made. 46 CFR 35.07–5, 35.07–10, 35.10–5, 78.17–50, 78.37–3, 78.-37–5, 97.15–35, 97.35–3, 97.35–5, 196.15–35

**3.7 Owners, agents, masters, or persons in charge of vessels involved in marine casualties.**

To keep such voyage records of the vessel as are maintained by the vessel, such as both rough and smooth deck and engineroom logs, bell books, navigation charts, navigation work books, compass deviation cards, gyro compass records, stowage plans, records of draft, aids to mariners, radiograms sent and received, the radio log, and crew and passenger lists.

Retention period: Until notification of completion of investigation is received from Coast Guard. 46 CFR 35.15–1, 78.07–15, 97.07–15, 136.05–15, 167.65–65, 196.07–15

**3.8 Masters or senior deck officer of tank ships in charge of transfer of flammable and combustible cargo.**

To keep on board copy of Declaration of Inspection Prior to Bulk Cargo Transfer.

Retention period: During period of transportation or storage. 46 CFR 35.35–30

**3.9 Fabricators to keep welders' qualification test records and pipe welding process records. [Amended]**

To maintain qualification test records with identification data.

Retention period: For period of validity of welder's certificate. 46 CFR 56.01–10, 57.02–3 (retention: 2.95–5)

**3.10 Owners, masters, or persons in charge of nuclear vessels required to have "Operating Manuals." [Amended]**

To keep on board a copy of the approved "Operating Manual," which shall be kept up to date.

Retention period: At all times vessel has a nuclear reactor on board. 46 CFR 99.20–1

**3.11 Masters of passenger vessels other than those making foreign or intercoastal voyages.**

To have official logbook (or equivalent) available for review by Coast Guard Inspectors.

Retention period: At least 1 year after last date to which record refers. 46 CFR 78.37–3

**3.12 Masters of passenger vessels where an official logbook is not required (except ferry vessels).**

To keep a record of the correct count of all passengers received and delivered from day to day. This record shall be open to inspection by the Coast Guard at all times.

Retention period: 1 year after date to which the records refer. 46 CFR 78.37–10

**3.13 Owners, masters, or persons in charge of vessels required to display plans.**

To keep on board for guidance of officer in charge the general arrangement plans of passenger vessels of 1,000 gross tons and over, passenger vessels of any tonnage on an international voyage, cargo barges with sleeping accommodations for more than six persons, self-propelled cargo vessels and manned oceanographic vessels.

Retention period: At all times vessel is in navigation. 46 CFR 78.45–1, 97.36–1, 196.36–1

**3.14 Masters of cargo and miscellaneous vessels other than those making foreign or intercoastal voyages.**

To have official logbook (or equivalent) available for review by Coast Guard Inspectors.

Retention period: At least 1 year after last date to which record refers. 46 CFR 97.35–3

**3.15 Masters of vessels storing explosives for a period exceeding 24 hours (other than barges, magazine vessels, and oceanographic vessels).**

To keep records of temperature readings.

Retention period: 1 year for vessels; not specified for oceanographic vessels. 46 CFR 146.02–12, 196.85–1

**3.16 Owners of vessels.**

To keep shipping orders, manifests, or other shipping documents, cargo lists, cargo stowage plans, reports, papers, and records as required to be prepared, unless persons or corporations charter or engage or contract for the use of these vessels under such terms and conditions that they have full and exclusive control of the management and operation of such vessels.

Retention period: 1 year. 46 CFR 146.02–22

**3.17 Persons or corporations chartering or engaging or contracting for the use of vessels under such terms and conditions that they have full and exclusive control of the management and operation thereof.**

To keep shipping orders, manifests, or other shipping documents, cargo lists, cargo stowage plans, reports, papers and records as required to be prepared.

Retention period: 1 year. 46 CFR 146.02–22

**3.18 Vessel operators.**

To keep copies of delivery receipts covering domestic deliveries and exportation of explosives or other dangerous articles or substances, and combustible liquids.

Retention period: 1 year. 46 CFR 146.05–12, 146.05–13

**3.19 Owners, charterers, agents, or masters of vessels.**

To keep memoranda describing the shipments of explosives or other dangerous articles or substances, and combustible liquids being transported, conveyed or stored on board vessels.

Retention period: 1 year. 46 CFR 146.05–12

**3.20 Masters of vessels transporting or storing explosives or other dangerous articles or substances, and combustible liquids, as cargo. [Amended]**

To keep on board dangerous cargo manifests or lists.

Retention period: During the period of transportation or storage. 46 CFR 146.06–12, 151.45–7

**3.21 Owners, charterers, or agents of vessels transporting or storing explosives or other dangerous articles or substances, and combustible liquids, as cargo.**

To keep ashore copies of dangerous cargo manifests or lists.

Retention period: 1 year. 46 CFR 146.06–12 (retention: 146.02–22)

**3.22 Contractors and subcontractors, with vessel repair, alteration, or conversion contracts.**

To maintain books, documents, papers, and records involving transactions related to the contract.

Retention period: 3 years after final payment under the contract. 41 CFR 12B–7.5001–31

**3.23 Manufacturers of equipment or material which must be approved or found satisfactory for use.**

To keep the required drawings, plans, blueprints, specifications, production models (if any), qualification tests, and related correspondence containing evidence that the Coast Guard has found such equipment satisfactory, during the period of time the approval or listing is valid.

Retention period: Not specified. Most of the specifications containing detailed descriptions of records to be retained are contained in 46 CFR Parts 160—164.

**3.24 Each voluntary association holding a Certification of Authorization under the Great Lakes Pilotage Uniform Accounting System.**

To keep all books, records and memoranda and file them in such a manner to readily permit the audit and examination thereof by representatives of the U.S. Coast Guard. Also, the records must be housed or stored in such a manner as to afford protection from loss, theft or damage by fire, flood or otherwise.

Retention period: 10 years unless otherwise authorized by the Commandant. 46 CFR Part 403

**3.25 Masters or operators of vessels subject to Oil Pollution Act of 1961, as amended.**

To keep on board an Oil Record Book and enter therein a descriptive statement of the circumstances of and reasons for discharge of oil or oily mixtures, the escape of oil or oily mixtures, or the discharge of residue arising from purification or clarification of fuel oil or lubricating oil, and entries regarding various activities which may result in discharging oil or oily mixtures.

Retention period: 2 years from the date of the last entry, or until surrendered to the U.S. Government. 33 CFR 151.35

**3.26 Owners, operators, and/or masters of oceanographic vessels.**

(a) To keep official logbook, or (b) for vessels not required to have such a logbook, to keep their own logs or records as prescribed by regulations.

Retention period: (a) 1 year or for period of validity of vessel's current certificate of inspection, whichever is longer; (b) 1 year, except for separate records of tests and inspections of firefighting equipment, which shall be maintained for the period of validity of the vessel's certificate of inspection. 46 CFR 196.35–3

**3.27 Masters of ships subject to International Convention on Load Lines, 1966.**

To enter in the ships logs, before departure from loading port, the data required by section 6 of the load line acts, including statements of load line marks applicable to the voyage, position of load line marks, and actual drafts of the vessel.

Retention period: Until official logbook is surrendered to Coast Guard, or 1 year for ships not required to use official logbook. 46 CFR 42.07–20

**3.28 Manufacturers of marine sanitation devices. [Added]**

To maintain records required to determine compliance with the act.

Retention period: Not specified. Public Law 91–224 (84 Stat. 102)

**3.29 Nonprofit firms or associations designated to certify containers for international transport under Customs seal. [Added]**

To maintain copy of each Certificate of Approval by design type issued, together with copy of plans and applications to which approval refers, and records of manufacturer's serial number assigned to containers manufactured under each approval.

Retention period: Not specified. 49 CFR 421.30

## 4. Federal Railroad Administration

**4.1 Railroad companies.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1220

**4.2 Electric railway companies.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1221

**4.3 [Reserved]**

**4.4 Express companies.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1223

**4.5 Pipeline companies.**

To keep maps and records as indicated in the citation.

Retention period: Various. 49 CFR 195.404, Part 1224

## 5. National Transportation Safety Board

**5.1 Operators of aircraft (involved in an accident or incident).**

To preserve to the extent possible all records, including tapes of flight recorders and voice recorders, pertaining to the operation and maintenance of the aircraft and to the airmen involved in an accident or incident for which notification must be given to the Board.

Retention period: Until the Board takes custody thereof or a release is granted by an authorized representative of the Board. 14 CFR 430.10

**5.2 Operators of aircraft involved in an accident or incident. [Added]**

To retain all records and reports, including all internal documents and memoranda dealing with the accident or incident.

Retention period: Until authorized by the Board to the contrary. 14 CFR 430.10

## 6. Office of the Secretary [Added]

**6.1 Welders of steel materials to be used in pipelines.**

To keep records of welding procedures that have been qualified under either section IX of the ASME Boiler and Pressure Vessel Code or section 2 of API Standard 1104.

Retention period: As long as procedure is used. 49 CFR 192.225(c)

**6.2 Operators of natural gas pipelines.**

Records must be retained showing by milepost, engineering station, or by geographic feature, the number of girth welds made, the number nondestructively tested, the number rejected and the disposition of the rejects whenever nondestructive testing is required under § 192.241(b).

Retention period: Life of the pipeline. 49 CFR 192.243(f)

**6.3 Operators of natural gas pipelines.**

To keep records of safety tests required with names of those involved, methods used, and results of the tests.

Retention period: Duration of pipeline's use. 49 CFR 192.517

**6.4 Operators of natural gas pipelines.**

To retain records of each segment of pipeline that has been uprated showing each investigation required by the subpart, all work performed and each pressure test conducted in connection with the uprating.

Retention period: Life of the segment of pipeline. 49 CFR 192.553(b)

**6.5 Operators of natural gas pipelines.**

To keep records necessary to administer the operating and maintenance plan established for each segment of pipeline.

Retention period: Not specified. 49 CFR 192.603(b)

**6.6 Operators of natural gas pipelines.**

To establish written emergency procedures.

Retention period: Not specified. 49 CFR 192.615

**6.7 Operators of natural gas transmission lines.**

To keep records governing each leak discovered, repair made, transmission line break, leakage survey, line patrol and inspection.

Retention period: As long as the segment of transmission line involved remains in service. 49 CFR 192.709

**6.8 Operators of liquid pipelines.**

To retain records of the nondestructive testing of welds, including (if radiography is used) the developed film, with so far as practicable, the location of the weld.

Retention period: 3 years following the placement of the line in operation. 49 CFR 195.234(g)

**6.9 Operators of liquid pipelines.**

To maintain records showing the total number of girth welds and the number nondestructively tested, including the number rejected and the disposition of each rejected; the amount, location, and cover of each size of pipe installed; the location of each crossing of another pipeline; the location of each buried utility crossing; the location of each overhead crossing; the location of each valve, weighted pipe, corrosion test station, or other item connected to the pipe.

Retention period: Life of each facility. 49 CFR 195.266

**6.10 Operators of liquid pipelines.**

To retain records of each hydrostatic test including the recording gauge charts, deadweight tester data, and the reasons for any failure during a test. Where elevation differences in the section under test exceed 100 feet, a profile of the pipeline that shows the elevation and test sites over the entire length of the test section must also be included.

Retention period: As long as the facility tested is in use. 49 CFR 195.310

**6.11 Operators of liquid gas pipelines.**

To maintain maps and records of its pipeline systems including at least the location and identification of all major facilities, all crossings of public roads, railroads, rivers, buried utilities and foreign pipelines, the maximum operating pressure of each pipeline, the diameter, grade, type and nominal wall thickness of all pipe.

Retention period: Not specified. 49 CFR 195.404(a)

**6.12 Operators of liquid pipelines.**

To maintain daily operating records that indicate the discharge pressures at each pump station and any unusual operations of a facility.

Retention period: At least 3 years. 49 CFR 195.404(b)

**6.13 Operators of liquid pipelines.**

To maintain records that indicate the date, location and description of each repair made to its pipeline systems as well as a record of each inspection and test required by the subpart.

Retention period: Useful life of the part of the pipeline system to which the record relates. 49 CFR 195.404(c)

## 7. National Highway Safety Bureau [Added]

**7.1 Manufacturers of motor vehicles and motor vehicle equipment.**

To maintain books, records, papers, and documents relating to the safety standards of motor vehicles and motor vehicle equipment.

Retention period: Not specified. 15 U.S.C. 1401(c)

**7.2 States participating in the National Highway Safety Program.**

To maintain records described in Highway Safety Program Standards 1, 2, 5, 10, and 14.

Retention period: Not specified. 23 CFR 204.4

**7.3 Manufacturers and brand name owners of new and retread tires.**

To maintain records of the names and addresses of first purchasers.

Retention period: 3 years from date of sale. 49 CFR 574.9

# XIIa. APPALACHIAN REGIONAL COMMISSION

**1.1 Recipients of grants.**

To maintain accurate and complete records of transactions and activities financed with Federal funds under section 302 of the Appalachian Regional Development Act of 1965, as amended.

Retention period: Not specified. 40 App., U.S.C. 302(c)(2)

The Commission requires, as a condition in all grants and contracts under this section, that records be retained, usually for 3 years following last disbursement.

# XIII. ATOMIC ENERGY COMMISSION

**1.1 Cost-type contractors.**

To keep justifications in support of subcontracts and purchase orders adequate to reflect the procurement practices and procedures used and the circumstances supporting particular transactions.

Retention period: Not specified. 41 CFR 9–1.5203

Cost-type contractors and subcontractors are also required to retain records in accordance with the provisions of their contracts or subcontracts. AEC Manual Chapter Appendix 0230 contains established retention periods for more than 900 record items of cost-type contractors and subcontractors. 41 CFR 9–7.5006–1

**1.2 Licensees receiving, possessing, using, or transferring byproduct material, source material, or special nuclear material. [Amended]**

To maintain records (a) used in preparing Form AEC–4, "Occupational External Radiation Exposure History"; (b) showing individual exposure to radiation and to radioactive material pursuant to 10 CFR 20.401(a) and records of bio-assays, including results of whole body counting examinations under 10 CFR 20.108; (c) showing the results of surveys made to evaluate the radiation hazards incident to the production, use, release, disposal or presence of radioactive materials or other sources of radiation; and (d) of disposals of licensed material by release into sanitary sewerage systems, by burial in soil or pursuant to procedures specifically authorized by license.

Retention period: Until disposal is specifically authorized by the Commission. 10 CFR 20.102, 20.401

**1.3 Holders of access permits.**

To keep written agreements from all individuals who will have access to Restricted Data under the access permit to give effect to waivers of claims (a) for damages under 35 U.S.C. 183; (b) for compensation under section 173 of the Atomic Energy Act of 1954, as amended; and (c) against the United States and the Commission arising in connection with use of information supplied. To establish a document accountability procedure for documents containing Secret Restricted Data and maintain records to show disposition of all such documents which have been in his custody at any time.

Retention period: Not specified. 10 CFR 25.23, 95.34

**1.4 [Reserved]**

**1.5 Licensees utilizing sealed sources of byproduct material for radiography.**

To maintain (a) records of the dates of calibration for each radiation survey instrument possessed by the licensee; (b) records of results of leak tests of sealed sources; (c) records of quarterly physical inventories of all sealed sources received and possessed under the license; (d) current logs showing for each sealed source a description of the radiographic exposure device or storage container, the identity of the radiographer to whom assigned, and the plant or site where used and dates of use; (e) film badge reports and records of pocket dosimeter and pocket chamber readings; (f) records of physical radiation surveys required under 10 CFR 34.43.

Retention period: Not specified. (a) 10 CFR 34.24; (b) 10 CFR 34.25; (c) 10 CFR 34.26; (d) 10 CFR 34.27; (e) 10 CFR 34.33; (f) 10 CFR 34.43

**1.6 Licensees receiving, using, transferring, delivering, importing, or exporting source material.**

To maintain (a) such records as may be determined by the Commission to be necessary or appropriate to effectuate the purposes of the Atomic Energy Act of 1954, as amended, and the regulations issued thereunder; (b) records showing the receipt, transfer, export, and disposal of such source material.

Retention period: Not specified. (a) 10 CFR 40.41; (b) 10 CFR 40.61

**1.7 Licensees and holders of construction permits. [Amended]**

To maintain (a) such records as may be required by conditions of the license or permit or by rules, regulations, and orders of the Commission and (b) records sufficient to furnish evidence of activities affecting quality.

Retention period: Not specified. (a) 10 CFR 50.71; (b) 10 CFR Part 50, App. B, sec. XVII

**1.8 Lessees of uranium deposits on land controlled by the Atomic Energy Commission.**

To keep records of (1) shifts worked; (2) wages and salaries paid; (3) expenditures for supplies and services and costs of operation of every kind; (4) tonnage and grade of ore mined; (5) development work and drilling performed; and (6) such other matters as in the Commission's opinion would be of assistance to it in determining the cost of the operations.

Retention period: At least 3 years after termination or expiration of the lease. 10 CFR 60.8

**1.9 Licensees receiving special nuclear material.**

To keep (a) such records of receipt, possession, use, and transfer of special nuclear material as may be incorporated as a condition or requirement in any license and (b) records showing the receipt, inventory, and transfer of special nuclear material.

Retention period: Not specified. (a) 10 CFR 70.32; (b) 10 CFR 70.51

**1.10 Holders of construction and operating authorizations for certain nuclear reactors exempt from licensing requirements.**

To maintain records as may be required by the conditions of the authorization or by the rules, regulations and orders of the Commission.

Retention period: Not specified. 10 CFR 115.51

**1.11 Licensees and other persons subject to financial protection requirements and indemnity agreements.**

To maintain records as deemed necessary by the Commission for the administration of the regulations concerning financial protection requirements and indemnity agreements.

Retention period: Not specified. 10 CFR 140.6

**1.12 Contractors having negotiated contracts with Atomic Energy Commission (except foreign governments, agencies thereof, and foreign producers) and their subcontractors.**

To keep directly pertinent books, documents, papers, and records.

Retention period: The General Accounting Office shall, until the expiration of 3 years after final payment, have access to and the right to examine the above-mentioned records, provided that earlier disposal of contractor and subcontractor records is possible in accordance with records disposal schedules agreed upon between the Commission and the General Accounting Office. 41 CFR 9–7.5004–10. 42 U.S.C. 2206

**1.13 Licensees packaging radioactive material for transport.**

To keep records of each shipment of fissile material and of a large quantity of licensed material in a single package.

Retention period: 2 years after its generation. 10 CFR 71.62

**1.14 Contractors whose contract contains the safety, health, and fire protection clause prescribed in 41 CFR 9–7.5006–47.**

To maintain individual occupational radiation exposure records generated in performance of contract work.

Retention period: Until disposal is specifically authorized by the Commission; or at the option of the contractor delivered to the Commission upon completion or termination of the contract. 41 CFR 9–7.5006–60

**1.15 Licensees transporting special nuclear materials. [Amended]**

To maintain records of name and dresses of all authorized personnel, results of tests and inspections of security containers and protected areas, shipments of special nuclear material and information to comply with requirements of this part and sec. 73.31, and procedures for controlling access to protected areas.

Retention period: Not specified. 10 CFR 73.41

**1.16 Licensees manufacturing, distributing, or transferring exempt quantities of byproduct material. [Added]**

To maintain records of name and address of each person to whom material is transferred, and kinds and quantity of byproduct material transferred.

Retention period: Not specified. 10 CFR 32.20

## XIV. CIVIL AERONAUTICS BOARD

**1.1 Certificated route and supplemental air carriers.**

(a) To keep at its principal or general office a complete file of all tariffs issued by it and by its agents and those issued by other carriers in which it concurs; to keep a file of current tariffs at all places where tickets are sold or property is received for transportation.

Retention period: 3 years after expiration or cancellation. 14 CFR 221.170, 221.171 (retention: 249.8, 249.13)

(b) To keep general books of account and supporting books, records, and memorandums including organization tables and charts, internal accounting manuals, minute books, stock books, reports, work sheets, memorandums, etc.

Retention period: Various. 14 CFR 241.1–5 (retention: 249.8, 249.13)

(c) To maintain records of all passes issued (and of regular tickets or bills of lading used in lieu of trip passes) and related correspondence or memorandums.

Retention period: 3 years. 14 CFR 223.5 (retention: 249.8, 249.13)

(d) To maintain a record of the names and addresses of all passengers transported on each pro rata charter trip operated in interstate or overseas air transportation.

Retention period: 6 months. 14 CFR 207.9, 208.4 (retention: 249.8, 249.13)

(e) To preserve a copy of each charter contract (exclusive of interline agreements with other air carriers or foreign air carriers).

Retention period: 2 years. 14 CFR 207.9, 208.4 (retention: 249.8, 249.13)

(f) To preserve all passenger manifests, including those filed by charterers (supplemental air carriers only).

Retention period: 6 months. 14 CFR 208.34 (retention: 249.8)

**1.2 Certificated route local service air carriers; certificated route air carriers furnishing transportation within Hawaii or Alaska; certificated route helicopter air carriers; and one certificated trunkline route air carrier receiving subsidy for services over part of its routes.**

To maintain a record pertaining to each trade agreement entered into, including all correspondence and records concerning advertising and transportation services provided.

Retention period: Not specified. 14 CFR 225.10

**1.3 U.S. air carriers authorized to perform transatlantic charter flights.**

To preserve the "Statement of Supporting Information" with respect to each charter contract and proof of commissions paid to travel agents.

Retention period: 2 years. 14 CFR 295.5 (retention: 249.8)

**1.4 Foreign route air carriers.**

(a) To keep at its principal or general office a complete file of all tariffs issued by it and by its agents and those issued by other carriers in which it concurs; to keep a file of current tariffs at all places where tickets are sold or property is received for transportation.

Retention period: 3 years. 14 CFR 221.170, 221.171 (retention: 249.12)

(b) To maintain records of all passes issued (and of regular tickets or bills of lading used in lieu of trip passes) and related correspondence or memorandums.

Retention period: 3 years. 14 CFR 223.5 (retention: 249.12)

(c) To preserve a copy of each contract covering on-route charter flights originating or terminating in the United States together with all traffic documents pertaining to such on-route charters.

Retention period: 2 years. 14 CFR 212.7 (retention: 249.12)

(d) To keep available for inspection at a place in the United States true copies of all manifests, air waybills invoices, and other traffic documents covering off-route charter flights performed under a "Statement of Authorization."

Retention period: 2 years. 14 CFR 212.7 (retention: 249.12)

(e) To maintain a record of the names and addresses of all passengers transported on each pro rata charter trip originating or terminating in the United States.

Retention period: 6 months. 14 CFR 212.7 (retention: 249.12)

**1.5 [Reserved]**

**1.6 Holders of permits to operate foreign aircraft in the United States.**

(a) To keep available for inspection at a place in the United States true copies of all manifests, air waybills, invoices,

and other traffic documents covering flights originating or terminating in the United States.

(b) To keep lists of names and addresses of all passengers on charter flights originating or terminating in the United States.

Retention period: (a) 1 year; (b) 6 months. 14 CFR 249.11, 375.43

**1.6a Foreign air carriers authorized to perform charter flights only.**

(a) To maintain at its principal or general office (1) every charter contract and proof of commissions paid to any travel agents; (2) all passenger manifests, including those filed by charterers.

Retention period: (1) 2 years; (2) 6 months. 14 CFR 214.6

(b) To keep at its principal or general office a complete file of all tariffs issued by it and by its agents and those issued by other carriers in which it concurs; to keep a file of current tariffs at all places where tickets are sold or property is received for transportation.

Retention period: 3 years. 14 CFR 221.170, 221.171 (retention: 214.6)

(c) To maintain records of all passes issued (and/or regular tickets or bills of lading used in lieu of trip passes) and related correspondence or memorandums.

Retention period: 3 years. 14 CFR 223.5 (retention: 214.6)

**1.7 Air freight forwarders and international air freight forwarders.**

(a) To keep at its principal or general office a complete file of all tariffs issued by it and by its agents and those issued by other carriers in which it concurs; to keep a file of current tariffs at all places where tickets are sold or property is received for transportation.

Retention period: 3 years after expiration or cancellation. 14 CFR 221.170, 221.171 (retention: 249.27)

(b) To keep other records as listed in the section cited.

Retention period: Various. 14 CFR 249.27

**1.8 Air carriers (domestic and foreign).**

To maintain evidence of compliance with regulations imposed under Regulation Z of the Board of Governors of the Federal Reserve System, implementing the provisions of the Truth in Lending Act and the Consumer Credit Protection Act.

Retention period: 2 years. 14 CFR 249.31

## XIVa. COMMITTEE ON PURCHASES OF BLIND-MADE PRODUCTS

**1.1 National Industries.**

To maintain a record of all qualifying agencies for the blind and such necessary data as will enable it to equitably allocate orders among such agencies for the blind.

Retention period: Not specified. 41 CFR 51–1.4

**1.2 Agencies for the blind (employing blind to extent of 75 percent of hours of employment of personnel in direct labor) selling to Government agencies and participating in the program of the Committee on Purchases of Blind-Made Products.**

To keep accounting system records from which can be drawn annually a financial report and operating statement accurately reflecting operations.

To keep eye record cards containing information establishing that employees are blind (as defined in 41 CFR 51–1.1).

Retention period: Not specified. 41 CFR 51–1.9

## XIVb. ENVIRONMENTAL PROTECTION AGENCY [Added]

### 1. Water Quality Office

**1.1 State, municipality, interstate, or intermunicipality agencies receiving Federal grants for the construction of treatment works under the Federal Water Pollution Control Act, as amended.**

To maintain (a) records reflecting the receipt and expenditure of funds and (b) payroll records and kickback statements of laborers and mechanics working at the site.

Retention period: 3 years after date of final settlement. 18 CFR 601.26, 601.27

**1.2 State, municipality, interstate, or intermunicipality agencies receiving Federal grants for demonstration projects for control of discharges from stormwater or combined sewerage systems.**

To maintain (a) accounting and fiscal records reflecting amount, receipt, and disposition of grant assistance, total cost of project, amount and identification of that portion of the cost of the project supplied from other sources, and (b) payroll records and kickback statements of laborers and mechanics working at the site.

Retention period: Not specified. 18 CFR 601.65

**1.3 Institutions, organizations, and individuals receiving grants and contracts for basic research or applied research development and demonstration projects, and grants for training projects.**

To maintain progress, accounting, and fiscal records relating to the conduct of approved projects and use of grant and contract funds.

Retention period: 3 years after date of final settlement. 18 CFR 601.84

**1.4 State and interstate agencies receiving Federal grants for assistance in meeting the costs of establishing and maintaining adequate measures for the prevention and control of water pollution.**

To maintain (a) records reflecting the receipt and expenditure of funds, (b) payroll records, and (c) progress records.

Retention period: Not specified. 18 CFR 601.7

**1.5 State, interstate, and local agencies receiving Federal grants for planning.**

To maintain (a) records reflecting the receipt and expenditure of funds, (b) payroll records, and (c) progress records.

Retention period: Not specified. 18 CFR 601.7

**1.6 Contractors with WQO facilities construction, maintenance, and repair contracts.**

To maintain separate accounting and fiscal records to reflect the receipt and expenditure of contract funds for the purpose of the project.

Retention period: 3 years after date of final settlement or such time periods for the particular records specified in 41 CFR 1–20, whichever expires earlier. 41 CFR 1–3.814–2, 1–7.602–5

## XV. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**1.1 Employers subject to title VII of the Civil Rights Act. [Amended]**

To maintain personnel and employment and other records having to do with hiring, promotion, demotion, transfer, lay-off or termination, rates of pay, and selection for training or apprenticeship.

Retention period: 6 months from date of making record or personnel action involved, whichever is later. Whenever a charge of discrimination has been filed, or an action brought by the Attorney General—until final disposition of the charge or action. 29 CFR 1602.14

**1.2 Employers, labor organizations, and joint labor-management committees controlling apprenticeship programs. [Amended]**

(a) To maintain a list in chronological order of names and addresses, sex, and minority group identification of all applicants in the apprenticeship program, and any other records relating to applicants for apprenticeship, such as completed test papers, and records of interviews.

(b) To maintain any other records made solely for completing Report EEO–2, or similar reports.

Retention period: (a) 2 years or period of successful applicant's apprenticeship, whichever is later; (b) 1 year from the due date of the report. Whenever a charge of discrimination has been filed, or an action brought by the Attorney General—until final disposition of the charge or action. 29 CFR 1602.20, 1602.21

**1.3 Local unions. [Amended]**

To maintain prescribed records concerning local union practices; and "referral unions" to maintain membership, referral, and applicant records by sex and minority group identification.

Retention period: 1 year except for other membership or referral records required of "referral unions" which are to be retained for a period of 6 months. Whenever a charge of discrimination has been filed, or an action brought by the

Attorney General—until final disposition of the charge or action. 29 CFR 1602.22, 1602.28

## XVI. FEDERAL COMMUNICATIONS COMMISSION

**1.1 Licensees of standard and FM broadcast (radio) stations.**

To keep at each transmitter records of equipment performance measurement data including diagrams and appropriate graphs, together with descriptions of instruments and procedure, signed by the engineers making measurements.

Retention period: 2 years. 47 CFR 73.47, 73.254

**1.2 Licensees of standard, FM, noncommercial educational FM, and international radio, and television broadcast stations.**

To keep records of time and results of auxiliary transmitter tests.

Retention period: 2 years. 47 CFR 73.63, 73.255, 73.555, 73.638, 73.757

**1.3 Licensees or permittees of standard, FM, noncommercial educational FM, and international radio, and television broadcast stations.**

To keep (in the case of standard, FM, noncommercial educational FM, and television broadcast stations) program, operating and maintenance logs: and (in the case of international radio stations) program and operating logs, including rough logs and transcribed portions thereof.

Retention period: 2 years: *Provided, however,* That logs involving communications incident to a disaster or which include communications incident to or involved in an investigation by the Commission and concerning which the licensees or permittees have been notified, shall be retained until they are specifically authorized in writing by the Commission to destroy them: *Provided, further,* That logs incident to or involved in any claim or complaint of which the licensees or permittees have been notified shall be retained until such claim or complaint has been fully satisfied or until the same has been barred by the statute limiting the time for filing of such suits upon such claims. 47 CFR 73.111—73.115, 73.281—73.285, 73.581—73.585, 73.669—73.673, 73.781—73.786

**1.4 Licensees of standard, FM, noncommercial educational FM radio, and television broadcast stations.**

To keep complete records of all requests for broadcast time made by or on behalf of candidates for public office, together with appropriate notations showing disposition made and charge, if any, if request is granted.

Retention period: 2 years. 47 CFR 73.120, 73.290, 73.590, 73.657

**1.5 Licensees of experimental and developmental, auxiliary, and special broadcast services, including experimental television broadcast, experimental facsimile broadcast, developmental, remote pickup, aural broadcast STL and intercity relay, television pickup, television STL, television intercity relay, television broadcast translator, television broadcast booster, instructional television fixed, and community antenna relay stations.**

(a) To keep adequate records of operation.

(b) To keep operating logs.

Retention period: (a) 2 years; (b) 2 years; for licensees of instructional television fixed stations, or of community antenna relay stations, not less than 2 years, with Commission reserving the right to order, in individual cases, retention of logs for a longer period of time. In cases where the licensee has notice of any claim or complaint to which information contained in the log may be pertinent, the log shall be retained until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims. 47 CFR 74.181, 74.281, 74.381, 74.481, 74.581, 74.681, 74.781, 74.881, 74.981, 74.1081

**1.6 Licensees of low power broadcast auxiliary stations.**

To maintain records, at the main studio or transmitter of broadcast station with which the auxiliary is principally used, which will accurately show current location of all transmitting units, periods of operation at such locations and other pertinent remarks concerning transmissions.

Retention period: 2 years. 47 CFR 74.437

**1.7 Licensees of experimental stations.**

To keep adequate station records of operation; of service or maintenance duties which may affect proper station operation; and of the illumination of antennas or antenna supporting structures.

Retention period: 1 year. 47 CFR 5.163, 5.165, 17.49

**1.8 Licensees of radio stations holding student authorizations for experimental services.**

To maintain record of date, time, and frequency of operation and brief description of experimentation being conducted.

Retention period: 1 month after termination of authorization. 47 CFR 5.410

**1.9 Licensees of radio stations in the international fixed public radio communication services.**

To keep station logs.

Retention period: 1 year: *Provided, however,* That logs involving communications incident to a disaster or which include communications incident to or involved in an investigation by the Commission and concerning which the licensee has been notified, shall be retained by the licensee until he is specifically authorized in writing by the Commission to destroy them: *Provided, further,* That logs incident to or involved in any claim or complaint of which the licensee has been notified shall be retained by the licensee until such claim or complaint has been fully satisfied or until same has been barred by statute limiting the time for filing of suits upon such claims. 47 CFR 23.47

**1.10 Licensees of radio stations on land in the maritime service including public and limited coast stations, marine-utility stations, marine-fixed stations, marine-receiver-test stations and stations operated in the land mobile service for maritime purposes using radiotelegraphy or radiotelephony (including developmental stations and coast and fixed stations in Alaska). [Amended]**

To keep accurate logs.

Retention period: 1 year from date of entry and for such additional periods as required as follows: (a) Station logs involving communications incident to a distress or disaster shall be retained for a period of 3 years from date of entry; (b) station logs which include entries of communications incident to or involved in an investigation by the Commission and concerning which the station licensee has been notified shall be retained by the station licensee until such licensee is specifically authorized in writing by the Commission to destroy them; (c) station logs incident to or involved in any claim or complaint of which the station licensee has notice shall be retained by such licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims. 47 CFR 81.115, 81.193, 81.194, 81.214, 81.314, 81.370, 81.458, 81.477, 81.536, 85.109, 85.115

**1.11 Licensees of limited coast stations or marine-utility stations used on shore.**

To keep a copy of agreements with vessel owners, verifying that licensee has sole right of control of the ship radio station involved and make them available for inspection upon request of an authorized representative of the Commission.

Retention period: Not specified. 47 CFR 81.352

**1.12 Licensees of limited coast stations, marine-utility stations, and marine-fixed stations.**

To keep records which reflect the cost of the service and its nonprofit, cost-sharing, cooperative arrangement or basis on which radio communication service is rendered and make them available for inspection upon request of an

authorized representative of the Commission.

Retention period: Not specified. 47 CFR 81.352, 81.451

**1.13 Licensees of radiotelegraph, radiotelephone, and radar stations on shipboard in the maritime services including public and limited ship stations, marine utility ship stations, ship-radar stations, and developmental stations, including such stations in Alaska. [Amended]**

To keep accurate logs.

Retention period: 1 year from date of entry and such additional periods as required as follows: (a) Station logs involving communications incident to a distress or disaster shall be retained by the station licensee for a period of 3 years from date of entry; (b) station logs which include entries of communications incident to or involved in an investigation by the Commission and concerning which the station licensee has been notified shall be retained by the station licensee until such licensee is specifically authorized in writing by the Commission to destroy them; (c) station logs incident to or involved in any claim or complaint of which the station licensee has notice shall be retained by such licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims (47 CFR Part 42 prescribes the requirement concerning record retention by communications common carriers); (d) a permanent installation and maintenance record is required to be kept at the station by the station licensee of each ship radar station. 47 CFR 83.111, 83.115, 83.184, 83.330, 83.368, 83.405, 83.456, 83.473, 83.548, 85.110, 85.115

**1.14 Stations licensed in the aviation services.**

All stations at fixed locations, except radionavigation land test stations (MTF), to keep adequate records of operation; and stations whose antenna structure is required to be illuminated—a record of illumination; Aeronautical Public Service Stations—to keep a file of all record communications handled and all ground stations so licensed to keep a record of radiotelephone contacts either in the form of telephone traffic tickets or as a separate list.

Retention period: The logs in the aviation services may be destroyed after a period of 30 days except: (a) That logs involving communications incident to a disaster or which include communications incident to, or involved in, an investigation by the Commission and concerning which the licensee has knowledge, shall be retained by the licensee until specifically authorized in writing by the Commission to destroy them, (b) that logs incident to or involved in any claim or complaint of which the licensee has knowledge shall be retained by the licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims. 47 CFR 87.99, 87.101, 87.103, 87.117

**1.15 Public service aircraft. [Amended]**

To keep adequate records to permit ready identification of individual aircraft if in lieu of radio station call letter, the official aircraft registration number, or company flight identification is used and make them available for inspection upon request of an authorized representative of the Commission.

Retention period: Not specified. 47 CFR 87.115, 87.117

**1.16 Licensees of public safety and industrial radio services stations.**

To keep records as follows: By all stations—transmitter measurements, service and maintenance records, the name, address, and license information of person or persons responsible for the foregoing; base and fixed stations (except such stations in the public safety services authorized to be operated at temporary locations or for unattended operation and except such stations in the industrial radio service authorized to be operated at temporary locations)—names of persons responsible for the operation of the transmitting equipment, together with the period of their duty; for base stations in the industrial radio services; excepting base stations authorized to operate at temporary locations—identification of other base stations or fixed stations with which they communicate, and date, time, and nature of such communication, and stations whose antenna or antenna supporting structure is required to be illuminated—a record of illumination.

Retention period: 1 year. 47 CFR 89.175, 89.179, 91.160

**1.17 Licensees of public safety and industrial radio stations, land transportation radio stations, and citizens radio stations sharing costs and facilities with other licensees.**

To keep a copy of cooperative agreements and contracts as well as records which reflect the non-profit, cost-sharing nature of that sharing.

Retention period: The copy of the cooperative agreement shall be kept during the life of the agreement and 1 year thereafter, and the cost sharing records shall be retained for 1 year. 47 CFR 89.13, 89.14, 89.179, 91.6, 91.9, 91.160, 93.3, 93.4, 93.160, 95.87, 95.103

**1.18 Nonprofit corporations or associations organized to operate radio stations in the power, petroleum, forest product, motion picture, relay press, motor carrier, railroad, taxicab, and automobile emergency radio services.**

To keep records which reflect the cost-sharing nonprofit basis under which they operate.

Retention period: 1 year. 47 CFR 91.160, 91.251, 91.301, 91.351, 91.401, 91.451, 93.3, 93.251, 93.351, 93.401, 93.501

**1.19 Licensees of amateur radio stations.**

To keep an accurate log of station operation.

Retention period: 1 year following the last date of entry: *Provided*, That, in the case of stations in the Radio Amateur Civil Emergency Service, those portions of any log covering operation of a station in connection with any actual condition jeopardizing the public safety or affecting the National Defense shall not be destroyed unless prior approval for such destruction shall have been received from the Commission. 47 CFR 97.103, 97.105, 97.209

**1.20 Radio officers of amateur civil emergency services.**

To keep records of secret, tactical, or abbreviated call signs or other distinctive signals of station identification.

Retention period: Not specified. 47 CFR 97.211, 97.213

**1.21 Manufacturers, owners, or distributors of radio receivers.**

To keep certificate of compliance with the requirements of 47 CFR Part 15, Subpart C.

Retention period: 5 years. 47 CFR 15.69

**1.22 Licensees in land transportation radio services.**

To keep records as follows: By all stations—transmitter measurements, service and maintenance records, the name, address, and license information of the person or persons responsible for the foregoing; base and fixed stations (except for such stations authorized for unattended operation)—names of persons responsible for the operation of the transmitting equipment, together with the period of their duty (except in the Railroad Radio Service); for base stations at which operators are required—identification of other base or fixed stations with which they communicate, and date, time, and nature of such communications (except in the Railroad Radio Service); and stations whose antenna structure is required to be illuminated—a record of illumination.

Retention period: 1 year. 47 CFR 93.160

**1.23 Licensees of citizens radio service stations.**

To keep records as follows: for each station operated as a mobile station, the current authorization; for stations where the licensee installs a unit of his station on the premises of a telephone answering service, the required written agreement; and for stations whose antenna structure is required to be illuminated, a record of illumination.

Retention period: 1 year. 47 CFR 17.49, 95.89, 95.101, 95.103, 95.111

**1.24 Disaster communications service radio stations.**

To keep a list of all general or collective call signs, unit designators, or authorized substitutes used.

Retention period: Not specified. 47 CFR 99.25

**1.25 Disaster communications service radio stations.**

To keep an accurate log of all operations in the 1750–1800 kc band.

Retention period: 1 year, except that those portions of any disaster station log covering operation of such station in connection with any actual disaster shall not be destroyed unless prior approval

for such destruction shall have been received from the Commission. 47 CFR 99.27

**1.26 Licensees of radio stations in the domestic public radio services.**

To maintain a technical log of station operations as follows: For each station—results and dates of transmitter measurements, details of servicing and maintenance of transmitters which may affect proper station operation, and time and nature of failure or erratic operation of transmitter or automatic alarm facilities; for stations having obstruction lighted antenna structure—time of daily lighting and check of proper operation, details of obstruction light failure (if any) and repair details, and results of 3-month periodic inspection (including date, condition of obstruction painting, lighting devices, indicators, and alarms, and details of adjustments, replacements, and repairs), and date and time of notice to the Federal Aviation Agency regarding failure of obstruction lighting and any resumption thereof; for stations required to maintain one or more control points—time and signature of person operating transmitting equipment each day, including class, serial number and expiration date of license if operator is required to be licensed, and identity of station or point to which transmission is made.

Retention period: 1 year: *Provided:* That (a) records involving communications incident to a disaster or which include communications incident to, or involved in, an investigation by the Commission and concerning which the licensee has knowledge, shall be retained by the licensee until specifically authorized in writing by the Commission to destroy them, (b) records incident to, or involved in, any claim or complaint of which the licensee has knowledge shall be retained by the licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims. 47 CFR 21.208

**1.27 Communication common carriers, including Communications Satellite Corporation and certain contractors.**

To keep accounts, records, memoranda, documents, microfilm, correspondence and related indexes prepared by or on behalf of the carrier as well as records of property or services acquired by a carrier through purchase, consolidation, merger, etc.

Retention period: Records are to be preserved in accordance with the requirements and for the periods of time designated in the codified regulations. 47 CFR 25.177, 42.9

**1.28 Owners or operators of industrial heating equipment.**

To keep a log of inspections of industrial heating equipment.

Retention period: Not specified. 47 CFR 18.105

**1.29 Owners or operators of ultrasonic equipment, industrial heating equipment, medical diathermy equipment, RF stabilized arc welders.**

To keep a copy of certificate of compliance at the equipment site.

Retention period: For life of equipment. 47 CFR 18.80, 18.117, 18.141, 18.142, 18.183

**1.30 Applicants, permittees, and licensees of standard, FM, noncommercial educational FM radio, and television broadcast stations. [Revised]**

To maintain applications for construction permits, employment records, and such other records as may be required by section cited.

Retention period: Applicant for construction permit—while application is pending before the Commission; licensees and permittees—7 years from date of tendering for filing, except engineering material pertaining to former modes of operation—3 years, or whatever longer period is necessary to comply with requirements of section cited. 47 CFR 1.526

**1.31 Licensees of standard, FM, and international radio, and television broadcast stations.**

To keep a list of the chief executive officers or members of the executive committee or of the board of directors of any corporation, committee, association, or other unincorporated group which sponsors, pays for or furnishes, in whole or in part, or provides material or services for any program, other than a program advertising commercial products or services, which is broadcast by the station.

Retention period: 2 years. 47 CFR 73.119, 73.289, 73.654, 73.789

**1.32 Licensees of community antenna relay (CAR) stations.**

To keep records showing cost of the service and its nonprofit, cost-sharing nature when CAR licensees supply television program material to CATV systems, other than CATV systems owned or operated by the CAR licensee.

Retention period: Not specified. 47 CFR 74.1030

**1.33 Licensees of operational stations in the aviation services sharing costs and facilities with other licensees.**

To keep a copy of cooperative agreements and contracts as well as records which reflect the nonprofit, cost sharing nature of that sharing and make them available for inspection upon request of an authorized representative of the Commission.

Retention period: Not specified. 47 CFR 87.117, 87.467

**1.34 Community Antenna Television Systems (CATV) Operating Cablecasting Facilities.**

To keep complete records of all requests for cablecasting time made by or on behalf of candidates for public office, together with appropriate notations showing disposition made and charge, if any, if request is granted.

Retention period: 2 years. 47 CFR 74.1113(c)

**1.35 Licensees of FM broadcast translator stations and FM broadcast booster stations. [Added]**

To maintain station records of current instrument of authorization, official correspondence, maintenance records, contracts, permissions for rebroadcast, and other pertinent documents.

Retention period: 2 years. 47 CFR 74.1281

**1.36 Licensees of plurality ship stations. [Added]**

To keep a current list, available for inspection, of all vessel names and registration numbers authorized by the plurality ship station license.

Retention period: Not specified. 47 CFR 83.39

**1.37 Licensees of ship staitons authorized to transmit on frequencies in the band 400–535. [Added]**

To maintain and post a written record of adjustments of transmitting and receiving equipment for operation on frequencies 410 and 500 kc/s and two working frequencies.

Retention period: Not specified. 47 CFR 83.331

**1.38 Licensees of ship radiotelegraph stations provided for compliance with part II, title III of the Communications Act or the radio provisions of the Safety Convention. [Added]**

To keep a record on board the ship of the direction finder calibrations, and check bearings made of their accuracy.

Retention period: 1 year. 47 CFR 83.459, 83.462

**1.39 Common carrier licensees or permittees employment records. [Added]**

To maintain a copy of all employment reports, exhibits, letters, documents and correspondence between Commission and licensee or permittee pertaining to reports after they are filed and all documents incorporated therein by reference.

Retention period: 2 years. 47 CFR 21.307, 23.49

## XVII. FEDERAL DEPOSIT INSURANCE CORPORATION

**1.1 Insured banks.**

Each insured bank, as a condition to the right to make any deduction, allowed under section 7(b) of the Federal Deposit Insurance Act (12 U.S.C. 1817), in determining its assessment base, shall maintain such records as will readily permit verification of the correctness of its assessment base.

Retention period: No insured bank shall be required to retain such records for such purpose for a period in excess of 5 years from the date of the filing of any certified statement, except that when there is a dispute between the in-

sured bank and the Corporation over the amount of any assessment the bank shall retain such records until final determination of the issue. 12 U.S.C. 1817(b); 12 CFR 304.3

**1.2 Insured banks.**

To keep certified statement forms.
Retention period: Same as for item 1.1 12 CFR 304.3

## XVIII. FEDERAL HOME LOAN BANK BOARD

### 1. Federal Savings and Loan System

**1.1 Federal savings and loan associations.**

To keep at home office and branch offices complete records of all business transactions, and to keep at agencies an original record of all business transacted at such agencies.
Retention period: Not specified. 12 CFR 545.15, 545.20

**1.2 Federal savings and loan associations.**

To maintain a detailed record of the transactions made at each mobile facility operated by the association.
Retention period: Not specified. 12 CFR 545.14–4

**1.3 Federal savings and loan associations.**

To establish and maintain such books, records, and accounting practices as will clearly and fully disclose the operations of a data processing service center in which two or more institutions participate.
Retention period: Not specified. 12 CFR 545.14–3

**1.4 Federal savings and loan associations.**

To keep records for each real estate loan, the security for which includes one or more dwelling units.
Retention period: Not specified. 12 CFR 545.6–1

**1.5 Federal savings and loan associations.**

To keep a record of the status of taxes, assessments, insurance premiums, and other charges on all real estate on which the association has loans or which is owned by it.
Retention period: Not specified. 12 CFR 545.6–11

**1.6 Federal savings and loan associations.**

To keep a signed copy of the report of the appraisal of each parcel of real estate owned made at the time of its acquisition.
Retention period: Not specified. 12 CFR 545.19

**1.7 Federal savings and loan associations.**

To keep signed statements of intention to make regular monthly payments of a specified amount to bonus accounts.
Retention period: Not specified. 12 CFR 545.2–2

**1.8 [Deleted]**

### 2. Federal Savings and Loan Insurance Corporation

**2.1 Institutions insured by the Federal Savings and Loan Insurance Corporation.**

To establish and maintain such accounting and other records as will provide an accurate and complete record of all business transacted by it and, without any limitation on the generality of the foregoing, to establish and maintain records with respect to: (1) loans on the security of real estate, (2) property purchased subject to, or with assumption by a third party of, an institution's loan, (3) loans sold, (4) the acquisition of mortgaged security, (5) insured accounts, and (6) such other records as are required by statute or by any other regulation to which such institution is subject.
Retention period: Not specified. 12 CFR 563.17–1

**2.2 Institutions insured by the Federal Savings and Loan Insurance Corporation.**

To keep a dated, signed copy of each report of appraisal of each parcel of real estate owned which is a scheduled item.
Retention period: Not specified. 12 CFR 563.17–2

**2.3 Institutions insured by the Federal Savings and Loan Insurance Corporation.**

To keep signed appraisals of real estate loans located more than fifty miles from institution's principal office.
Retention period: Not specified. 12 CFR 563.10

**2.4 Institutions insured by the Federal Savings and Loan Insurance Corporation.**

To keep records showing compliance with the limitations on real estate loans to one borrower if the total balances of all outstanding loans on the security of real estate owed to an institution by any one borrower exceeds $100,000.
Retention period: Not specified. 12 CFR 563.9–3

**2.5 [Deleted]**

**2.6 Institutions insured by the Federal Savings and Loan Insurance Corporation.**

(a) To establish and maintain by a separate ledger control or otherwise records showing the aggregate of outstanding balances of all accounts opened or increased as the result of the services of a broker and to make and retain an itemized record of each payment of sales commission to any broker, identifying each account and stating the amount thereof in respect to which such sales commission is paid.
(b) To retain original or signed duplicate of each agreement by which a broker is employed, engaged, or retained.
Retention period: Not specified. 12 CFR 563.25

**2.7 Institutions insured by the Federal Savings and Loan Insurance Corporation.**

To include in its account records evidence of any relationship pursuant to which the funds in an account are invested, such as trustee, agent, custodian or executor, which may provide a basis for additional insurance, together with any details concerning the relationship and the interests of other parties in the account, unless such details are ascertainable from the records of the accountholder maintained in good faith and in the regular course of business.
In connection with a trust account, to include in its account records the name of both the settlor (grantor) and the trustee of the trust and to keep an account signature card executed by the trustee.
In connection with joint accounts, to keep an account signature card personally executed by each co-owner.
Retention period: Not specified. 12 CFR 564.2, 564.9

**2.8 Institutions insured by the Federal Savings and Loan Insurance Corporation.**

In connection with the sale of real estate owned by an insured institution, to maintain records of the book value of such real estate at the time of sale and the price at which it was sold.
Retention period: Not specified. 12 CFR 563.23–1

**2.9 Savings and loan holding companies.**

To maintain such books and records as may be prescribed by the Federal Savings and Loan Insurance Corporation.
Retention period: Not specified. 12 CFR 584.1

**2.10 [Deleted]**

**2.11 Institutions insured by the Federal Savings and Loan Insurance Corporation. [Added]**

To maintain such books and records as will support its financial statements and reports to the Corporation.
Retention period: Not specified. 12 CFR 563.23–3

### 3. Federal Home Loan Bank System

**3.1 Federal Home Loan Bank Members.**

To maintain such records as may be required to certify compliance with liquidity requirements.
Retention period: Not specified. 12 CFR 523.13

## XIX. FEDERAL MARITIME COMMISSION

**1.1 Independent ocean freight forwarders.**

(a) To keep books of account and records, including each document prepared, processed, or obtained by the licensee, in connection with carrying on the business of forwarding.
Retention period: 5 years. 46 CFR 510.23
(b) To keep in its files a true copy, or if oral, a true and complete memorandum of every special arrangement or contract with its principal, or modification or cancellation.
Retention period: Not specified. 46 CFR 510.25

**1.2 Carriers and conferences of carriers.**

To keep records of votes on each question voted on.

Retention period: At least 2 years. 46 CFR 537.4

## XX. FEDERAL POWER COMMISSION

**1.1 Public utilities and licensees.**

Preservation of records.

Retention period: Specified at 18 CFR 125.1–125.3

See also Regulations to Govern the Preservation of Records of Public Utilities and Licensees, December 12, 1962. Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402.

**1.2 Natural gas companies.**

Preservation of records.

Retention period: Specified at 18 CFR 225.1–225.3

See also Regulations to Govern the Preservation of Records of Natural Gas Companies, December 12, 1962. Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402.

## XXa. FEDERAL RESERVE SYSTEM

**1.1 Persons extending credit for purpose of purchasing or carrying margin securities.**

To maintain such records as shall be prescribed by the Board of Governors of the Federal Reserve System to enable it to perform the functions conferred upon it by the Securities Exchange Act of 1934.

Retention period: Not specified. 12 CFR 207.3

**1.2 Persons extending credit for purpose of purchasing or carrying margin securities.**

To maintain statements obtained in conformity with requirements of Federal Reserve Form G–3 in connection with any extension of credit secured directly or indirectly, in whole or in part, by collateral that includes any margin security.

Retention period: 3 years after the credit is extinguished. 12 CFR 207.1

**1.3 Banks extending credit for purpose of purchasing or carrying margin stocks.**

To maintain statements obtained in conformity with requirements of Federal Reserve Form U–1 in connection with any credit secured directly or indirectly, in whole or in part, by any stock.

Retention period: 3 years after the credit is extinguished. 12 CFR 221.3

**1.4 Brokers and dealers extending credit.**

To maintain statements obtained in conformity with requirement of Federal Reserve Form T–4 for every extension of credit on a margin security (other than an exempted security) not for the purpose of purchasing or carrying or trading in securities.

Retention period: 3 years after the credit is extinguished. 12 CFR 220.7

**1.5 Creditors making disclosures under the Truth in Lending Act.**

To maintain evidence of compliance with Federal Reserve Regulation Z.

Retention period: 2 years after date of each disclosure. 12 CFR 226.6

## XXI. FEDERAL TRADE COMMISSION

**1.1 Wool products manufacturers.**

To keep records of the various fibers used in wool products. The records should show not only the fiber content of wool, reprocessed wool, and reused wool, but also any other fibers used. Such records should contain sufficient information whereby each of the wool products manufactured can be identified with its respective record of fiber content including the source of the material used therein.

Retention period: 3 years. 16 CFR 300.31

**1.2 Fur products manufacturers and dealers in furs and fur products.**

To keep records showing all the information required under the Fur Products Labeling Act and under rules and regulations relating to such products or furs in a manner that will permit proper identification of each fur product or fur manufactured or handled. The item number required to be assigned to a fur product and to appear on the label and on the invoice relating to such product must appear in the records in such a manner as to identify the product through the various processes of manufacture, from whom purchased and the date of purchase; if exemption on basis of cost claimed, records of cost required.

Retention period: 3 years. 16 CFR 301.39, 301.41

**1.3 Dealers advertising prices of furs and fur products.**

To keep records to support pricing representations where comparative prices and percentage savings claims are used in advertising.

Retention period: Not specified. 16 CFR 301.44

**1.4 Persons guarantying as to flammable quality of fabrics in wearing apparel on basis of guaranties received by them.**

To keep the guaranty received and identification of the fabric or fabrics guaranteed.

Retention period: 3 years after guaranty furnished. 16 CFR 302.8

**1.5 Persons guarantying as to flammable quality of fabrics in wearing apparel on basis of class tests.**

To keep records showing (a) identification of the class test; (b) fiber composition, construction, and finish type of the fabrics; (c) a swatch of each class of fabrics guaranteed.

Retention period: 3 years after test. 16 CFR 302.8

**1.6 Persons guarantying as to flammable quality of fabrics in wearing apparel who have made tests thereof.**

To keep records showing (a) style or range number, fiber composition, construction, and finish type of each fabric used in the article of wearing apparel, including a swatch of the fabric tested; (b) stock or formula number, color, thickness and general description of each film used in the article and a sample of the film; (c) results of actual tests.

Retention period: 3 years after test. 16 CFR 302.8

**1.7 Textile fiber products manufacturers and distributors substituting labels.**

To keep records of the various fibers used in the manufacture of textile fiber products. Such records should contain sufficient information whereby each of the textile fiber products manufactured can be identified with its respective record of fiber content including the source of the material used therein.

Those substituting labels shall keep such records as will show the information set forth on the label removed and the name of the person from whom such textile fiber product was received.

Retention period: 3 years. 16 CFR 303.39

**1.8 Importers of flammable textile fabrics or articles of wearing apparel.**

To maintain records which establish that the imported flammable textile fabrics or articles of wearing apparel have been shipped for appropriate flammability treatment and that such treatment has been completed, and records showing disposition of such fabrics or articles of wearing apparel subsequent to the completion of such treatment.

Retention period: Not specified. 16 CFR 302.14(c)

**1.9 Persons selling flammable fabrics or using such fabrics in interlinings or other exempted unexposed parts of wearing apparel.**

To maintain records which show the acquisition, disposition, and end use or intended end use of such fabrics.

Retention period: Not specified. 16 CFR 302.6(a)

**1.10 Persons selling flammable fabrics or using such fabrics in hats, gloves, and footwear.**

To maintain records which show the acquisition, disposition, and end use or intended end use of such fabrics.

Retention period: Not specified. 16 CFR 302.6(b)

**1.11 Persons shipping flammable fabrics or articles of wearing apparel for processing.**

To maintain records which establish that the flammable textile fabrics or articles of wearing apparel have been shipped for appropriate flammability treatment and that such treatment has been completed, and records showing disposition of such fabrics or articles of wearing apparel subsequent to the completion of such treatment.

Retention period: Not specified. 16 CFR 302.14(b)

## XXII. GENERAL ACCOUNTING OFFICE

**1.1 Contractor using Government bill of lading as shipper. [Amended]**

To keep bill of lading, memorandum copy, certified by initial carrier's agent.

Retention period: Where the bill of lading covers shipments made under a Government contract having a records retention clause, the memorandum copies should be retained together with other records pertaining to the contract for the specified period. When the shipment is made under a Government contract not having a records retention clause, the contractor's normal business practice as to retention of similar records may be followed. 4 CFR 52.18

**1.2 Contractors having Government contracts negotiated without advertising.**

To keep records pertaining to the contracted project. This requirement does not apply to contracts with foreign contractors or subcontractors, including foreign governments or agencies thereof, excepted from the requirement pursuant to 10 U.S.C. 2313(c) or 41 U.S.C. 254(c). Nor does this requirement apply to certain contracts entered into with foreign governments or their agencies for service rendered to the United States or its agencies within the continental limits of the United States or to purchases made outside the continental limits of the United States under section 633(a) of the Foreign Assistance Act of 1961, 75 Stat. 424, 454, 22 U.S.C. 2393(a), as implemented by Executive Order 11223, May 12, 1965, or under the Peace Corps Act, 75 Stat. 612, 22 U.S.C. 2501 et seq., as implemented by Executive Order 11041, August 6, 1962, as amended by Executive Order 11250, October 10, 1965.

Retention period: 3 years after final payment under contract. 41 U.S.C. 254; 10 U.S.C. 2313. However, subcontracts under contracts for experimental, developmental or research work may contain clauses specifying that records pertaining to such subcontract need be retained only 3 years after final payment under the subcontract. Comptroller General's decision B–101404, September 8, 1952

**1.3 Contractors and subcontractors having Government contracts or subcontracts under Public Law 85–804, relating to national defense. [Revised]**

To keep pertinent books, documents, papers, and records related to contracts and subcontracts, and amendments or modifications thereof, entered into without regard to other provisions of law governing contracts in order to facilitate the national defense under Public Law 85–804, August 28, 1958, as amended (50 U.S.C. 1431–1436) as implemented by Executive Order No. 10789, November 14, 1958, as amended (50 U.S.C. 1431 note). This requirement does not apply to contracts with foreign contractors or subcontractors, including foreign governments or agencies thereof, excepted from the requirement pursuant to 50 U.S.C. 1433(b).

Retention period: 3 years after final payment under contract. 50 U.S.C. 1433(b)

## XXIII. GENERAL SERVICES ADMINISTRATION

**1.1 War contractors and subcontractors, World War II, having contract of $25,000 or more or having termination inventory worth $5,000 or more.**

To keep records essential to determining performance under the contract or subcontract and to justify the settlement thereof as required by the Contract Settlement Act of 1944 (41 U.S.C. 101–125) and 18 U.S.C. 443 (excluded from this provision are contractor or subcontractor records title to which is transferred to a Federal agency; war contractor or subcontractor records that are included by Federal agencies on records disposition schedules approved by the Congress in the manner provided in the Records Disposal Act (44 U.S.C. ch. 33), and war contractor or subcontractor records disposal of which is approved in writing by the Administrator of General Services and the Comptroller General of the United States).

Retention period: (a) 5 years after such disposition of termination inventory by such war contractor or subcontractor or Government agency, or (b) 5 years after the final payment or settlement of such war contract or subcontract, whichever applicable period is longer. 41 CFR 101–13.3

**1.2 Recipients of Federal grants or allocations for collecting and publishing historical documents.**

To keep such records as the Administrator of General Services shall prescribe, including records which fully disclose the amount and disposition of such funds, the total cost of the undertaking, the portion of the cost supplied by other sources, and such other records as will facilitate an effective audit.

Retention period: Not specified. 44 U.S.C. 2506

**1.3 Contractors and subcontractors under negotiated contracts pursuant to 41 U.S.C. 254(c).**

To maintain books, documents, papers, and records involving transactions relating to the contract or subcontract.

Retention period: 3 years after final payment under the contract or subcontract or until expiration of the time periods for certain records specified in 41 CFR Part 1–20, whichever expires earlier. 41 CFR 1–3.814–2 (e), 1–7.101–10, 1–7.602–7

**1.4 Contractors with contracts containing the Small Business Subcontracting Program clause, and subcontractors with contracts containing provisions which conform substantially to the language of that clause.**

Maintain records showing information required by the clause.

Retention period: 1 year after award of the contract or subcontract. 41 CFR 1–1.710–3(b)

**1.5 Contractors with contracts containing the Labor Surplus Area Subcontracting Program clause, and subcontractors with contracts containing provisions which conform substantially to the language of that clause.**

Maintain records showing procedures which have been adopted to comply with the policies set forth in the clause.

Retention period: 1 year after award of the contract or subcontract. 41 CFR 1–1.805–3(b)

**1.6 Contractors with fixed-price supply contracts containing the standard inspection clause.**

Keep complete records of all inspection work by the contractor and make such records available to the Government.

Retention period: During performance of the contract. 41 CFR 1–7.101–5

**1.7 Contractors with fixed-price contracts in excess of $2,500 for (a) supplies, or (b) experimental, developmental, or research work where a profit is contemplated, when such contracts contain the standard long-form Termination for Convenience of the Government clause.**

Unless otherwise provided for in the contract, or by applicable statute, preserve and make available to the Government at all reasonable times at the office of the contractor but without direct charge to the Government, all his books, records, documents, and other evidence bearing on the costs and expenses of the contractor under the contract and relating to the work terminated thereunder, or, to the extent approved by the contracting officer, photographs, microphotographs, or other authentic reproductions thereof.

Retention period: 3 years after final settlement under the contract. 41 CFR 1–8.701

**1.8 Contractors with fixed-price construction contracts estimated to exceed $10,000, when such contracts contain the standard Termination for Convenience of the Government clause.**

Unless otherwise provided for in the contract, or by applicable statute, preserve and make available to the Government at all reasonable times at the office of the contractor but without direct charge to the Government, all his books, records, documents, and other evidence bearing on the costs and expenses of the contractor under the contract and relating to the work terminated there-

under, or, to the extent approved by the contracting officer, photographs, microphotographs, or other authentic reproductions thereof.

Retention period: 3 years after final settlement under the contract. 41 CFR 1–8.703

**1.9 Sellers with fixed-price subcontracts which contain the termination clause suggested for use in such contracts.**

Unless otherwise provided for in the subcontract, or by applicable statute, make available to the buyer and the Government at all reasonable times at the office of the seller all his books, records, documents, or other evidence bearing on the costs and expenses of the seller under the subcontract and in respect of the termination of work thereunder, or, to the extent approved by the Government, photographs, microphotographs, or other authentic reproductions thereof.

Retention period: 3 years after final settlement under the contract. 41 CFR 1–8.706

**1.10 Contractors and subcontractors under contracts entered into, amended, or modified under the extraordinary, emergency authority granted by the act of August 28, 1958 (72 Stat. 972; 50 U.S.C. 1431–1435).**

To maintain books, documents, papers, and records involving transactions relating to the contracts.

Retention period: 3 years after final payment. 41 CFR 1–17.206(e)

**1.11 Contractors and subcontractors under contracts and amendments or modifications of contracts made prior to July 1, 1958, when such contracts and amendments or modifications were issued under title II of the First War Powers Act, 1941 (55 Stat. 838), as amended.**

To maintain books, documents, papers, and records involving transactions relating to the contracts.

Retention period: Not specified. Public Law 81–921 (64 Stat. 1257)

**1.12 Participants in the lead and zinc stabilization program pursuant to act of October 3, 1961 (75 Stat. 766; 30 U.S.C. 681–689).**

To keep any pertinent books, documents, papers, and records of any participant involving transactions related to the program established under the regulations of 41 CFR 101–15 and authorized representatives of the United States Government shall have access to and the right to examine such records.

Retention period: 3 years after termination of the program 41 CFR 101–15.109

**1.13 Contractors and subcontractors required to submit cost and pricing data in conjunction with certain firm fixed-price or fixed-price with escalation negotiated contracts in excess of $100,000 or in conjunction with certain contract modifications in excess of $100,000.**

To maintain books, records, documents, and other supporting data which will permit adequate evaluation by the contracting officer or his authorized representatives of the cost or pricing data submitted, along with the computations used therein, which were available to the contractor or subcontractor as of the date of execution of his Contractor's Certificate of Current Cost or Pricing Data.

Retention period: 3 years after final payment under the contract or subcontract or until expiration of the time periods for certain records specified in 41 CFR Part 1–20, whichever expires earlier. 41 CFR 1–3.814–2 (a) and (b), 1–7.101–30, 1–7.602–5

**1.14 Contractors and subcontractors having certain cost-reimbursement type, time and material, labor-hour, incentive, or price redeterminable contracts in excess of $100,000.**

To maintain books, records, documents, and other evidence and accounting procedures and practices, sufficient to reflect properly all direct and indirect costs of whatever nature claimed to have been incurred for the performance of the contract or subcontract.

Retention period: 3 years after final payment under the contract or subcontract or until expiration of the time periods for certain records specified in 41 CFR Part 1–20, whichever expires earlier; (2) if contract or subcontract is completely or partially terminated, the records relating to the work terminated shall be preserved for 3 years from the date of any resulting settlement; or (4) records which relate to appeals under the "Disputes" clause of the contract, litigation or the settlement of claims arising out of performance of the contract or subcontract, or costs and expenses of the contract or subcontract as to which exception has been taken by the contracting officer, shall be retained until disposition has been made of such appeals, litigation, claims, or exceptions. 41 CFR 1–3.814–2(c), 1–7.101–30, 1–7.602–5

## XXIV. INTERSTATE COMMERCE COMMISSION

**1.1 Refrigerator car lines.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1220

**1.2 Railroad companies.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1220

**1.3 Electric railway companies.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1221

**1.4 [Reserved]**

**1.5 Express companies.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1223

**1.6 Pipeline companies.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1224

**1.7 Persons furnishing cars to railroads.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1225

**1.8 Rate-making organizations.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1253

**1.9 Motor carriers and brokers.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1226

**1.10 Water carriers.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1227

**1.11 Freight forwarders.**

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1228

## XXV. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

**1.1 Contractors with negotiated fixed-price supply contracts and purchase orders or fixed-price research and development contracts, in excess of $2,500.**

To maintain books, documents, papers, and records involving transactions related to the contract.

Retention period: 3 years after final payment under the prime contract. 41 CFR 18–7.104–15; 18–7.302–6

**1.2 Subcontractors with contracts or purchase orders in excess of $2,500 (excluding subcontracts or purchase orders for public utility services at rates established for uniform applicability to the general public) under negotiated fixed-price supply contracts and purchase orders or fixed-price prime research and development contracts, in excess of $2,500.**

To maintain books, documents, papers, and records involving transactions related to the subcontract.

Retention period: 3 years after final payment under the subcontract. 41 CFR 18–7.104–15; 18–7.302–6

**1.3 Contractors with cost reimbursement type contract, including facilities contracts.**

To maintain books, records, documents and other evidence pertaining to the expenses for which reimbursement is claimed.

Retention period: 3 years after date of final payment or until settlement of liti-

gation, whichever is longer. 41 CFR 18–7.203–7; 18–7.402–7; 18–7.451–7; 18–7.460–6; 18–7.702–13; 18–7.703–11; 18–7.704–5

**1.4 Subcontractors with subcontracts of a cost, cost-plus-fixed-fee, time-and-material, or labor-hour type under cost-reimbursement type prime contracts, including facilities contracts.**

To maintain books, records, documents and other evidence pertaining to all direct and indirect costs of whatever nature for which reimbursement is claimed under the subcontract.

Retention period: 3 years after date of final payment or until settlement of litigation, whichever is longer. 41 CFR 18–7.203–7; 18–7.402–7; 18–7.451–7; 18–7.460–6; 18–7.702–13; 18–7.703–11; 18–7.704–5

**1.5 Subcontractors with subcontracts in excess of $2,500 on other than cost, cost-plus-fixed-fee, time-and-material or labor-hour basis (excluding subcontracts or purchase orders for public utility services at rates established for uniform applicability to the general public) under cost-reimbursement type prime contracts, including facilities contracts.**

To maintain books, documents, papers, and records involving transactions related to the subcontract.

Retention period: 3 years after final payment under the subcontract. 41 CFR 18–7.203–7; 18–7.402–7; 18–7.451–7; 18–7.460–6; 18–7.702–13; 18–7.703–11; 18–7.704–5

**1.6 Contractors with fixed-price contracts in excess of $2,500 for supplies or experimental, developmental or research work other than (a) construction, alterations or repair of buildings, bridges, roads, or other kinds of real property or (b) experimental, developmental or research work with educational or nonprofit institutions when no profit is contemplated.**

To maintain books, records, documents and other evidence bearing on the cost and expenses of the contractor under the contract and relating to work terminated (may be kept in microfilm or other photographic form to the extent approved by the contracting officer).

Retention period: 3 years after final settlement. 41 CFR 18–8.701

**1.7 Contractors with fixed-price construction contracts amounting to more than $10,000.**

To maintain books, records, documents and other evidence bearing on the cost and expenses of the contractor under the contract and relating to work terminated (may be kept in microfilm or other photographic form to the extent approved by the contracting officer).

Retention period: 3 years after final settlement. 41 CFR 18–8.701

**1.8 Subcontractors with fixed-price subcontracts.**

To maintain books, records, documents, and other evidence bearing on the cost and expenses of the contractor under the contract and relating to work terminated (may be kept in microfilm or other photographic form to the extent approved by the contracting officer).

Retention period: 3 years after final settlement. 41 CFR 18–8.706

**1.9 Contractors with construction and facilities contracts in excess of $2,000 (for work within the United States).**

To keep payroll records showing name and address of each employee, classification, rate of pay, daily and weekly number of hours worked, deductions from pay and actual pay received.

Retention period: 3 years after contract work completed. 41 CFR 18–12.403–1(d); 18–7.705–5

**1.10 Industrial contractors having Government furnished property.**

To maintain adequate records of all Government property, whether furnished to or acquired by them for the account of the Government, in accordance with the provisions of "Control of Government Property in Possession of Contractors" (Appendix B, Subpart 3, NASA Procurement Regulation).

Retention period: Not specified. 41 CFR 18–13.702; 18–13.703

**1.11 Contractors furnishing special tooling under fixed-price contracts.**

To maintain property control records on all special tooling which they furnish.

Retention period: Not specified. 41 CFR 18–13.704

**1.12 Nonprofit contractors having Government furnished property under research and development contracts.**

To maintain records of Government property, whether furnished to or acquired by them for the account of the Government, in accordance with the provisions of "Control of Government Property in Possession of Nonprofit Research and Development Contractors" (Appendix C, Subpart 3, NASA Procurement Regulation).

Retention period: Not specified. 41 CFR 18–13.706, 18–13.707

**1.13 All contractors and subcontractors other than those having firm fixed-price contracts. [Amended]**

To maintain books, records, documents, and other evidence and accounting procedures and practices sufficient to reflect all direct and indirect costs claimed to have been incurred and anticipated to be incurred for the performance of the contract or subcontract.

Retention period: 3 years after date of final payment or until final settlement of litigation, whichever is longer. 41 CFR 18–7.104–42; 18–7.203–29; 18–7.303–29; 18–7.350–18; 18–7.402–30; 18–7.451–30; 18–7.702–48; 18–7.703–41; 18–7.704–33

**1.14 Contractors with facilities contracts providing for the use of facilities.**

To maintain adequate property control procedures and records and a system of identification of the facilities.

Retention period: Not specified. 41 CFR 18–7.702–17; 18–7.704–11

**1.15 Contractors with contracts containing the Small Business Subcontracting Program clause, and subcontractors with contracts containing provisions which conform substantially to the language of that clause.**

To maintain records showing (a) whether each prospective subcontractor is a small business concern, (b) procedures which have been adopted to comply with the policies set forth in the contract clause entitled "Small Business Subcontracting Program", and (c) such other information required by the clause.

Retention period: Not specified. 41 CFR 18–1.707–3(b)

**1.16 Contractors with contracts containing an inspection clause.**

To keep complete records of all inspection work by the contractor and make such records available to the Government.

Retention period: During performance of the contract and for such longer period as may be specified elsewhere in the contract. 41 CFR 18–7.103–5; 18–7.203–5; 18–7.302–4; 18–7.402–5; 18–7.451–5; 18–7.702–6; 18–7.703–6; 18–7.704–8

**1.17 Contractors with contracts containing the "Data Requirements" clause.**

To maintain the following:

(a) A set of engineering drawings sufficient to enable manufacture of any equipment or items furnished under the contract, or a set of flow sheets and engineering drawings sufficient to enable any performance of any process developed under the contract.

(b) Any subject data which is necessary to explain or to help the Government technical personnel understand any equipment, items, or process developed under the contract and furnished to the Government.

Retention period: 1 year after final payment under the contract. 41 CFR 18–9.202–1(e)

**1.18 Contractors with contracts providing for progress payments.**

To maintain control of progress payments and make available to the Government the books, records, and accounts thereof.

Retention period: During performance of the contract. 41 CFR 18–7.104–35

**1.19 Contractors and subcontractors required to furnish cost and pricing data certificates.**

To maintain books, records, documents, and other evidence which will permit adequate evaluation of the cost or pricing data submitted along with the computations and projections used therein.

Retention period: 3 years after final payment. 41 CFR 18–3.807–4

**1.20 Contractors with fixed-price type letter contracts.**

To maintain books, records, documents, and other evidence bearing on the cost and expenses of the contractor under the contract and relating to the work terminated (may be kept in microfilm or other photographic form to the

extent approved by the contracting officer).

Retention period: 3 years after final settlement. 41 CFR 18–8.701–1

**1.21 Contractors subject to the Work Hours Act of 1962.**

To keep payroll records containing name, address, classification, rate of pay, hours worked, etc., for each employee.

Retention period: 3 years. 41 CFR 18–12.303–1, 18–12.403–1

## XXVa. NATIONAL CREDIT UNION ADMINISTRATION [Added]

**1.1 Federal Credit Unions.**

To keep accounting records as prescribed in section cited.

Retention period: Not specified.[10] 12 CFR 701.14

**1.2 Custodians of records of Federal Credit Unions voluntarily liquidated.**

To keep all records of the liquidated credit union necessary to establish that creditors were paid and that members' shareholdings were equitably distributed.

Retention period: 5 years following date of cancellation of the charter of the credit union. 12 CFR 710.11, 710.13

## XXVI. NATIONAL SCIENCE FOUNDATION

**1.1 Persons or organizations engaging in weather modification activities.**

Requested to maintain records, including logs, of ground and airborne or mobile weather modification activities.

Retention period: Not less than 5 years after date of entry. 45 CFR 635.5

## XXVIa. OFFICE OF ECONOMIC OPPORTUNITY

**1.1 Community action agencies receiving financial assistance under title II of the Economic Opportunity Act.**

To keep a copy of each Administrative Cost Report, its supporting work sheets and a written explanation to explain the basis for classifying and allocating personnel costs, as part of their financial records.

Retention period: Not specified. 45 CFR 1068.3–8

## XXVII. PANAMA CANAL COMPANY AND CANAL ZONE GOVERNMENT

**1.1 Masters of vessels at sea, destined for ports of the Canal Zone.**

To keep sanitary log or other official record of sanitary conditions and corrective measures taken.

Retention period: Discard at expiration of voyage. 35 CFR 61.151, 61.153

**1.2 Masters of vessels transferring hazardous liquid cargoes at a port of the Canal Zone.**

To keep original of the "Declaration of Inspection Prior to Bulk Cargo Transfer."

Retention period: Discard at expiration of voyage. 35 CFR 113.112

**1.3 Vessels transiting or partially transiting Panama Canal.**

To keep a full set of plans and a copy of the measurements made at the time of issue of the national tonnage certificate of the vessel, as well as the national tonnage certificate.

Retention period: Until vessel is decommissioned. 35 CFR 133.32

## XXVIII. RAILROAD RETIREMENT BOARD

**1.1 Employers subject to contributions under the Railroad Unemployment Insurance Act for any calendar quarter.**

To keep such permanent records as are necessary to establish the total amount of compensation paid to employees, during each such quarter for services performed after June 30, 1939.

Retention period: At least 5 years. 20 CFR 345.24

**1.2 States (employment agencies).**

To make records available to Railroad Retirement Board.

Retention period: Not specified. 42 U.S.C. 503(c)(1)

**1.3 Employers subject to the Railroad Retirement Act.**

To keep original records necessary to establish service and compensation for a number of years prior to 1937 which, when added to the years elapsed after 1936, total at least 50.

Retention period: Not specified. 20 CFR 220.4

## XXIX. SECURITIES AND EXCHANGE COMMISSION

**1.1 Exchange members, brokers, and dealers. [Amended]**

To keep books and records relating to their business including blotters; ledgers; other records of orders, purchases, and sales; records of the proof of money balances of all ledger accounts in the form of trial balances and records of the computation of aggregate indebtedness and net capital; questionnaires or applications for employment executed by associated persons of such member, broker, or dealer; and other records and accounts as specified in the sections cited.

Retention period: 6 years and 3 years as specified in the sections cited. Records may be microfilmed immediately. 17 CFR 240.17a–3, 240.17a–4, 240.15b10–6

**1.2 Exchange members, brokers, and dealers. [Amended]**

To keep all partnership articles, articles of incorporation, charters, minute books, and stock certificate books.

Retention period: Life of business and its successors. Records may be microfilmed immediately. 17 CFR 240.17a–4

**1.3 National securities exchanges.**

To keep copies of statements, exhibits, and other information regarding registered securities, filed pursuant to sections 12, 13, 14, and 16 of the Securities Exchange Act of 1934.

Retention period: The foregoing materials may be destroyed after 5 years in accordance with plans submitted to and declared effective by the SEC pursuant to its Rule 17a–6. 17 CFR 240.17a–6, 240.24b–3

**1.4 Mutual and subsidiary service companies in registered public utility holding company systems.**

To keep uniform accounts and other records to show fully facts pertaining to all entries and supported by sufficient detail to permit ready identification and analysis. These accounts and other records include not only accounting records in a limited technical sense, but all pertinent records such as minute books, contracts, billing computations, reports, memoranda, correspondence, other papers, and documents which may be useful in developing history of or facts regarding any transaction recorded in accounts.

Retention period: On August 12, 1966, the Commission adopted its "Regulation To Govern the Preservation and Destruction of Records of Mutual and Subsidiary Service Companies," which prescribes specific retention periods and microphotographing privileges with respect to all such books of account and other records of mutual and subsidiary service companies. 17 CFR 256.01–8 and Part 256a

**1.5 Registered public utility holding companies which are not also operating companies.**

To keep uniform accounts and other records to show fully facts pertaining to all entries and supported by sufficient detail to permit ready identification and analysis. These accounts and other records include not only accounting records in a limited technical sense, but all records such as minute books, stock books, stockholder records, reports, memoranda, contracts, correspondence, other papers and documents which may be useful in developing history of or facts regarding any transaction recorded in accounts.

Retention periods: On November 24, 1959, the Commission adopted its "Regulation to Govern the Preservation and Destruction of Books of Account and Other Records of Companies Which Are Subject to the Uniform System of Accounts for Public Utility Holding Companies under the Public Utility Holding Company Act of 1935," which prescribes specific retention periods and microfilming privileges with respect to all such books of account and other records of registered holding companies. 17 CFR 257.0–3 and Appendix to Part 257

**1.6 Registered investment companies and underwriters, brokers, dealers or investment advisers which are majority-owned subsidiaries of such companies.**

To keep such accounts, books, and other documents relating to its business which constitute the record forming the basis for financial statements required to be filed pursuant to Section 30 of the Investment Company Act of 1940, and

[10] See Accounting Manual for Federal Credit Unions (FCU–544).

of the auditor's certificate relating thereto. For registered investment companies, these records include journals (or other records of original entry) containing an itemized daily record in detail of all securities transactions (including those in its own securities); general and auxiliary ledgers (or other records) reflecting asset, liability, reserve, capital, income and expense accounts; separate ledger accounts (or other records) for each portfolio security, for each broker-dealer or other person with or through which portfolio securities transactions are effected, and for each shareholder of record; a securities record or ledger; corporate charters, certificates of incorporation or trust agreements, bylaws, and minute books; records of brokerage orders; records showing the bases for the allocation of orders for the purchase and sale of portfolio securities to named brokers or dealers and the division of brokerage commissions or other compensation on such purchase and sale orders, including the consideration given to enumerated factors; records identifying the persons authorizing the purchase or sale of portfolio securities; and all vouchers, memoranda, correspondence, and other documents.

Every underwriter, broker, or dealer which is a majority-owned subsidiary of a registered investment company shall keep such accounts, books, and other documents as are required of brokers and dealers by rule adopted under Section 17 of the Securities Exchange Act of 1934.

Every investment adviser which is a majority-owned subsidiary of a registered investment company shall keep such accounts, books, and other documents as are required of registered investment advisers by rule adopted under Section 204 of the Investment Advisers Act of 1940.

Retention period: Registered investment companies: journals, ledgers, corporate charters, certificates of incorporation, trust agreements, by-laws, and minute books—permanently; other records—6 years. Underwriter, broker, or dealer which is a majority-owned subsidiary of a registered investment company, see rule adopted under Section 17 of the Securities Exchange Act of 1934. Investment adviser which is a majority-owned subsidiary of a registered investment company, see rule adopted under Section 204 of the Investment Advisers Act of 1940. Notwithstanding the above, records may be destroyed pursuant to a plan approved by the Securities and Exchange Commission pursuant to Rule 31a–2. Microfilming permitted after 3 years. 17 CFR 270.31a–1, 270.31a–2

**1.7 Depositor of and principal underwriter for any registered investment company other than a closed-end investment company.**

To keep such accounts, books, and other documents as are required of brokers and dealers by rule adopted under Section 17 of the Securities Exchange Act of 1934, to the extent such records are necessary or appropriate to record such person's transactions with such registered investment company.

Retention period: Not less than 6 years. See rule adopted under Section 17 of the Securities Exchange Act of 1934, 17 CFR 240.17a–3, 240.17a–4 (digested in par. 1.1 of this chapter). 17 CFR 270.31a–1. 270.31a–2

**1.8 Investment adviser not a majority-owned subsidiary of a registered investment company.**

To keep such accounts, books, and other documents as are required of registered investment advisers by rule adopted under Section 204 of the Investment Advisers Act of 1940, to the extent such records are necessary or appropriate to record such person's transactions with such registered investment company.

Retention period: Not less than 6 years. See rule adopted under Section 204 of the Investment Advisers Act of 1940, 17 CFR 275.204–2 (digested in par. 1.10 of this chapter). 17 CFR 270.31a–1, 270.31a–2

**1.9 Records prepared or maintained by others than person required to maintain and preserve them.**

Permits records to be maintained or prepared by others on behalf of the person required to maintain and preserve such records, subject to certain agreements required to be reduced to writing. See Rule 31a–3 for requirements as to such written agreements.

Retention period: See Rule 31a–2 for periods of preservation of records. 17 CFR 270.31a–3 (retention: 270.31a–2)

**1.10 Investment advisers making use of mails or of any means or instrumentality of interstate commerce in connection with business as investment adviser (other than an adviser specifically exempted from registration pursuant to Section 203(b) of the Investment Advisers Act of 1940).**

To make, keep, and retain the books and records specified in section cited.

Retention period: Various. 17 CFR 275.204–2

**1.11 Nonmember brokers and dealers.**

To maintain current records for each customer as specified in the section cited.

Retention period: 6 years. 17 CFR 240.15b10–6

## XXX. SMALL BUSINESS ADMINISTRATION

**1.1 Corporations licensed under the Small Business Investment Act.**

To maintain current financial records; minutes of meetings of stockholders, directors, executive officials, and other officers; records of time spent and charges made for management consulting services performed; and files of other documents pertinent to all transactions.

Retention period: 6 years. 13 CFR 107.1102

## XXXI. VETERANS ADMINISTRATION

**1.1 State owned or controlled hospitals and institutions distributing tax-free tobacco products to members or former members of the Armed Forces of the United States.**

To keep copies of orders and other pertinent documents involved in the purchase, storage, and distribution of tax-free tobacco products to eligible patients.

Retention period: At least 3 years and available to the Veterans Administration and the Internal Revenue Service for inspection purposes. 41 CFR 8–11.250–2

**1.2 Medical schools, hospitals, and research centers receiving grants under the Veterans Hospitalization and Medical Services Modernization Amendments of 1966.**

To keep records of amount and disposition of grant, total cost of project and amount of cost of project received from other sources.

Retention period: Not specified. 38 CFR 17.266

1.3–1.6 [Reserved]

**1.7 Educational institutions furnishing education or special restorative training under chapter 34 or 35, title 38, U.S. Code.**

To keep appropriate records and accounts, including but not limited to, (a) records and accounts which are evidence of tuition and fees charged to and received from or on behalf of all students and trainees; (b) records of previous education or training of veterans and eligible persons enrolled under the law at time of admission and records of advance credit granted by institution; and (c) records of the veteran's and eligible person's grades and progress.

Retention period: 3 years following termination of enrollment period, unless further retention requested by General Accounting Office or Veterans Administration not later than 30 days prior to end of 3-year period. 38 CFR 21.4209

**1.8 Educational institutions having veterans and eligible persons under chapter 34 or 35, title 38, U.S. Code, supra, enrolled in courses which do not lead to standard college degree.**

To keep, in addition to the records and accounts described in item 1.7, above, records of leave, absences, class cuts, makeup work, and tardiness.

Retention period: 3 years following termination of enrollment period, unless further retention requested by General Accounting Office or Veterans Administration not later than 30 days prior to end of 3-year period. 38 CFR 21.4209

**1.9 Educational institutions having veterans and eligible persons under chapter 34 or 35, title 38, U.S. Code, supra, enrolled in nonaccredited courses approved under section 1776, chapter 36, title 38, U.S. Code.**

To keep, in addition to records and accounts described in items 1.7 and 1.8, above, (a) records of interruptions for

unsatisfactory conduct or attendance; and (b) records of refunds of tuition, fees, and other charges made to a veteran or an eligible person who fails to enter the course or withdraws or is discontinued prior to completion of the course.

Retention period: 3 years following termination of enrollment period, unless further retention requested by General Accounting Office or Veterans Administration not later than 30 days prior to end of 3-year period. 38 CFR 21.4209

**1.10 Holders of loans guaranteed or insured by the Veterans Administration under chapter 37, title 38, U.S. Code.**

To keep a record of each loan showing the amounts of payments received on the obligation and disbursements chargeable thereto, and the dates thereof.

Retention period: Until the Administrator ceases to be liable as guarantor or insurer of the loan. 38 CFR 36.4330

**1.11 Holders of loans insured by the Veterans Administration under chapter 37, title 38, U.S. Code.**

To keep an insurance account showing the amounts credited as available for the payment of losses on insured loans made or purchased by the holder and the amounts debited on account of transfers of insured loans, purchases by the Veterans Administration under 38 CFR 36.-4318, or payment of losses.

Retention period: Until effective date of closing of insurance account by the Veterans Administration. 38 CFR 36.-4370

**1.12 State approving agencies, institutions, and training establishments participating in the vocational rehabilitation and education program.**

To maintain contracts, agreements, or arrangements providing for number and frequency of reports, adequate financial records to support payment for each trainee, and attendance and progress records and number of inspection, approval and supervisory visits and itemized vouchers for payment, including salary and travel.

Retention period: 3 years following the date of the last payment or a longer period if requested by the General Accounting Office or the Veterans Administration. 41 CFR 8–95.209

**1.13 Training establishments furnishing training-on-the-job courses (other than a program of apprenticeship) approved under section 1777, chapter 36, title 38, U.S. Code.**

To keep in addition to records and accounts described in item 1.7 above appropriate records pertaining to such training including, but not limited to (a) payroll records, (b) records of leave, absences, class cuts, makeup work, and tardiness.

Retention period: 3 years following termination of enrollment period, unless further retention requested by General Accounting Office or Veterans Administration not later than 30 days prior to end of 3-year period. 38 CFR 21.4209

## XXXII. WATER RESOURCES COUNCIL [Added]

**1.1 State agencies receiving funds under the Water Resources Planning Act.**

To maintain records relating to each allotment and grant and their allocability to the State comprehensive water and related land resources planning effort.

Retention period: 3 years after last disbursement of funds. 18 CFR 703.10

## SUPPLEMENTS

### Supplement I—Requirements Under the Second War Powers Act of 1942

The Second War Powers Act of March 27, 1942 (56 Stat. 185), provided that contractors with defense contracts placed after September 8, 1939, could be required to produce any books or records deemed relevant for audit and inspection by any agency or officer designated by the President or the Chairman of the War Production Board. The effectiveness of this Act was continued by the Act of June 30, 1953 (67 Stat. 120), for the duration of the national emergency proclaimed December 16, 1950, and for 6 months thereafter.

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Items included in the index are keyed to the department (or agency) number shown in the contents. References are to agency and item numbers, not to FEDERAL REGISTER pages.

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