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PART I

(Part II begins on page 3725)

HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

PRESIDENTIAL PROCLAMATIONS—
National Beta Club Week 3619
National Day of Prayer 3621
National Poison Prevention Week, 1972 3615
Red Cross Month, March 1972 3617
Save Your Vision Week, 1972 3613

PRESIDENTIAL EXECUTIVE ORDERS—
Amendments concerning Commission on White House Fellowships 3623
Regulations on the use of the seals of the President and the Vice President 3625

PAKISTAN ASSISTANCE—Presidential memorandum to Secretary of State authorizing report to Congress 3627

NATIONAL DEFENSE—DoD rule on the employment of military resources in the event of civil disturbances 3637

SUGAR—USDA determination and allocation of quota deficits for Puerto Rico; effective 2–17–72 3629

NEW ANIMAL DRUGS—FDA approval of revised labeling for drug used in cattle feeds; effective 2–18–72 3633

RELOCATION ASSISTANCE—HUD uniform criteria and procedures; effective 2–18–72 3633

CARGO PREFERENCE—Commerce Dept. provision for informal grievance procedure; effective 3–1–72 3641

(Continued inside)

Just Released

CODE OF FEDERAL REGULATIONS

(Revised as of January 1, 1972)

Title 21—Food and Drugs (Part 300–End) ---------- $ .60

Title 26—Internal Revenue Part 1 (§§ 1.401–1.500) ------- 1.50

Title 49—Transportation (Parts 1–99) ---------- .60

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ASPARAGUS FOR CANNING OR FREEZING—USDA proposed revised standards; comments by 3–15–72 3642

TRADE ADJUSTMENT ASSISTANCE—Commerce Dept. proposed regulations; comments within 30 days 3725

MOTOR VEHICLE SAFETY—
DoT notice on effective date of roof crush resistance standard 3662
DoT policy statement concerning petitions for reconsideration; effective 3–1–72 3632

COAL MINE SAFETY—Interior Dept. notice on request for modification of methane monitoring procedure; comments within 30 days 3650

MULTIUNIT COMPANIES—Census Bur. notice on proposed survey; comments within 30 days 3651

ENVIRONMENT—AEC notice of availability of report 3661

NUCLEAR REACTOR EFFLUENTS—AEC notice on change of hearing location 3646

HAZARDOUS SUBSTANCES—FDA proposal on banning of asbestos-containing garments for general use; comments within 60 days 3645

FOOD STANDARDS—FDA notice of filing of petition on soda water; comments within 60 days 3644

Contents

THE PRESIDENT

PROCLAMATIONS

National Beta Club Week 3619
National Day of Prayer 3621
National Poison Prevention Week, 1972 3615
Red Cross Month, March 1972 3617
Save Your Vision Week, 1972 3613

EXECUTIVE ORDERS

Amendment of Executive Order No. 11183 which established the President's Commission on White House Fellowships 3623
Regulations governing the seals of the President and the Vice President of the United States 3625

MEMORANDUM

Report to the Congress under section 620(w) of the Foreign Assistance Act of 1961, as amended 3627

EXECUTIVE AGENCIES

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Continental sugar; requirements, quotas and quota deficits for 1972 3629
Peanuts; acreage allotments and marketing quotas for 1972 and subsequent crops; correction 3629

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Consumer and Marketing Service; Packers and Stockyards Administration.

ARMY DEPARTMENT

See Civil Defense Office.

ATOMIC ENERGY COMMISSION

Proposed Rule Making

Licensing of production and utilization facilities; change in location of hearing on effluents from light water-cooled nuclear power reactors 3646

Notices

Consolidated Edison Company of New York, Inc.; order extending completion date 3661
Metropolitan Edison Co. and Jersey Central Power & Light Co.; availability of applicants' revised environmental report 3661

CENSUS BUREAU

Notices

Number of employees, taxable wages, geographic location and kind of business establishments of multiunit companies; consideration of surveys 3651

CIVIL DEFENSE OFFICE

Rules and Regulations

Labor standards for Federally assisted contracts; contract provisions 3640

COMMERCE DEPARTMENT

See Census Bureau; Domestic Commerce Bureau; Import Programs Office; Maritime Administration; Trade Adjustment Assistance Office.

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Filberts grown in Oregon and Washington; transfer of excess restricted credits 3630
Milk in St. Louis-Ozarks marketing area; order amending orders; correction 3631

Proposed Rule Making

Dried prunes produced in Calif.; disposition of reserves 3644
Green asparagus for canning or freezing; revised standards for grades 3642
Oranges and grapefruit grown in lower Rio Grande Valley in Texas; proposed container, pack, and container marking regulations 3643

DEFENSE DEPARTMENT

See also Civil Defense Office.

Rules and Regulations

Employment of military resources in event of civil disturbances; establishment of uniform policies, assignment of responsibility, and guidance 3637

(Continued on next page)

Notices

Assistant Secretary of Defense (Intelligence); responsibilities, functions, and authorities 3647
Assistant Secretary of Defense (Telecommunications); responsibilities, functions, and authorities 3647
Defense Mapping Agency; establishment, organization, and functions 3649

DOMESTIC COMMERCE BUREAU

Proposed Rule Making

Trade adjustment assistance; cross reference 3644

EMPLOYMENT STANDARDS ADMINISTRATION

Notices

Minimum wages for Federal and federally assisted construction; modifications and/or supersedeas decisions to area determination decisions in certain localities (2 documents) ... 3662, 3663

FEDERAL AVIATION ADMINISTRATION

Rules and Regulations

Certain Cessna model airplanes; airworthiness directives; correction 3631
Federal Airway segments; alteration (2 documents) 3631
Transition areas; alteration (3 documents) 3632

Proposed Rule Making

Transition areas; alteration (2 documents) 3645

FEDERAL COMMUNICATIONS COMMISSION

Notices

Common carrier services information; domestic public radio services applications accepted for filing 3707

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:
Phillips Petroleum Co. et al 3710
Tenneco Oil Co. et al 3712

FEDERAL RESERVE SYSTEM

Notices

Acquisitions of banks; applications:
American General Insurance Co. 3714
Charter Bankshares Corp 3715
Texas Commerce Bancshares, Inc. 3715
Acquisition of banks; approvals:
Bancohio Corp 3714
First Tulsa Bancorporation, Inc. 3715

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Coumaphos; revision of labeling requirements for new animal drug used in feeds 3633

Proposed Rule Making

Asbestos-containing garments for general use; classification as banned hazardous substance ... 3645
Nonalcoholic beverages; soda water standard of identity amendment 3644

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

HEARINGS AND APPEALS OFFICE

Notices

Kaiser Steel Corp.; petition for modification of mandatory safety standard 3650

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Rules and Regulations

Relocation assistance; uniform criteria and procedures 3633

IMPORT PROGRAMS OFFICE

Notices

Duty-free entry of scientific articles; applications and decisions on applications (21 documents) 3651–3660

INTERIOR DEPARTMENT

See Hearings and Appeals Office; Land Management Bureau.

INTERSTATE COMMERCE COMMISSION

Notices

Assignment of hearings 3717
Motor carrier temporary authority applications (2 documents) 3717, 3718

LABOR DEPARTMENT

See Employment Standards Administration.

LAND MANAGEMENT BUREAU

Notices

California; order providing for opening of public lands; correction 3650

MARITIME ADMINISTRATION

Rules and Regulations

Cargo preference for U.S. flag vessels; informal grievance procedure 3641

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Rules and Regulations

Motor vehicle safety standards; statement of policy regarding action on petitions for reconsideration 3632

Notices

Roof crush resistance; petition for reconsideration of motor vehicle safety standard 3662

PACKERS AND STOCKYARDS ADMINISTRATION

Rules and Regulations

Public information; exempt records 3631

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
Sybron Corp 3716
Value Line Leveraged Growth Fund, Inc 3716

STATE DEPARTMENT

Rules and Regulations

Public contracts and property management; procedure for handling procurement documents and administration of contracts leasing wire service circuits 3640

TRADE ADJUSTMENT ASSISTANCE OFFICE

Proposed Rule Making

Adjustment assistance; clarification and amplification of substantive and procedural requirements 3726

TRANSPORTATION DEPARTMENT

See Federal Aviation Administration; National Highway Traffic Safety Administration.

List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears following the Notices section of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1972, and specifies how they are affected.

3 CFR

PROCLAMATIONS:

4108 3613
4109 3615
4110 3617
4111 3619
4112 3621

EXECUTIVE ORDERS:

11183 (amended by EO 11648) 3623
11410 (see EO 11648) 3623
11648 3623
11649 3625

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:

Memorandum of February 9, 1972 3627

7 CFR

729 3629
811 3629
982 3630
1062 3631

PROPOSED RULES:

51 3642
906 3643
993 3644

9 CFR

204 3631

10 CFR

PROPOSED RULES:

50 3646

14 CFR

39 3631
71 (5 documents) 3631, 3632

PROPOSED RULES:

71 (2 documents) 3645

15 CFR

PROPOSED RULES:

500 3726
610 3644

21 CFR

135e 3633

PROPOSED RULES:

31 3644
191 3645

24 CFR

43 3633

32 CFR

215 3637
1808 3640

41 CFR

6–1 3640

46 CFR

381 3641

49 CFR

553 3632

Presidential Documents

Title 3—The President

PROCLAMATION 4108

Save Your Vision Week, 1972

By the President of the United States of America

A Proclamation

Vision is among man's most precious possessions, and one of the most fragile.

The many ways in which it can be lost or impaired summon us to develop the best possible means for its protection. It is never too early, but often may be too late, to take action to preserve our vision.

Preventative efforts, of course, are the key—we should take all possible steps to prevent eye injuries at home, in the school, at play or on the job. And regular professional eye examinations for all members of the family are an important part of any effort to preserve sight.

The early detection of vision problems will prevent many common kinds of blindness and visual disability. For example, children can be spared a lifetime of visual loss from amblyopia or "lazy eye" simply by having their eyes examined before the age of six. And vision threatened by glaucoma can be saved by early diagnosis and treatment.

Where prevention of disorders is not possible, sight often can be restored by skilled professional treatment. Many thousands of older Americans are needlessly blind from cataracts because they fear surgery. Yet the virtually painless operation to remove cataracts is among the most successful of all surgical procedures. And research efforts have made corneal transplantations highly successful.

Continued research will improve the prevention, diagnosis, and treatment of visual disorders. Such research is strongly supported by the Federal Government through the National Eye Institute of the Department of Health, Education, and Welfare.

In recognition of the importance of preserving sight, the Congress, by a joint resolution approved December 30, 1963 (77 Stat. 629), requested the President to proclaim the first week in March of each year as Save Your Vision Week.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the week of March 5, 1972, as Save Your Vision Week. I urge all Americans to learn more about their eyes and the symptoms of vision problems, and to take the

steps necessary to assure for themselves and their families a lifetime of useful vision.

I also urge ophthalmologists, optometrists, and government and private agencies concerned with vision, to cooperate in the observance of this week by providing helpful information on saving vision and by other appropriate activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of February, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-sixth.

Richard Nixon

[FR Doc.72-2592 Filed 2-16-72; 2:58 pm]

PROCLAMATION 4109

National Poison Prevention Week, 1972

By the President of the United States of America

A Proclamation

Despite substantial educational and labeling efforts, the problem of accidental poisoning—particularly among children—still remains a matter of public concern.

Efforts by private and public groups, and voluntary actions on the part of manufacturers, have contributed to a continuing and encouraging decrease in accidental poisoning tragedies.

Our progress should intensify with the special packaging required under the provisions of the Poison Prevention Packaging Act of 1970.

But, as of today, the incidents of accidental poisonings are still higher than any advanced society should permit. The natural curiosity of children, and their inclination to taste whatever they can reach, is not easily circumvented by safety measures.

The general dangers involved were recognized by a joint resolution approved September 26, 1961 (75 Stat. 681), in which the Congress requested the President to issue annually a proclamation designating the third week in March as National Poison Prevention Week.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning March 19, 1972 as National Poison Prevention Week.

I direct all appropriate agencies of the Federal Government to participate actively on programs designed to promote maximum protection of our people against accidental poisonings, particularly our children. Further, I invite all State and local governments and private organizations and individuals to share in this national effort.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of February, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-sixth.

Richard Nixon

[FR Doc. 72-2594 Filed 2-16-72; 2:59 pm]

PROCLAMATION 4110

Red Cross Month, March 1972

By the President of the United States of America

A Proclamation

Born in war and raised in adversity, the American Red Cross has evolved many traditions in its universal quest to ease human suffering, but none have served it so durably as its tradition of flexibility.

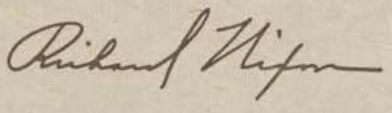
Since well before the turn of the 20th century, through times that tested the very soul of our humanitarian instincts, the Red Cross has proven equal to the challenges of each era with unfailing resourcefulness, zeal and compassion. Red Cross programs and services we have long taken for granted—from disaster relief and blood banks to nurse training and aid to military personnel—grew out of its pioneering approach in meeting generations of unprecedented crises.

This tradition has carried forward into the 1970s with undiminished vigor, and the Red Cross emblem may be found on banners flying over inner-city child care centers and drug abuse clinics. It is stamped on publications and continuing education materials dealing with ecological concerns, race relations, the advancement of the arts, and rural development.

And as a member of the global society, the Red Cross continues to fulfill its international enterprise of mercy, but again with a flexibility that makes its mission as vital and viable as at anytime in its history.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America and Honorary Chairman of the American National Red Cross, do hereby designate March, 1972, as Red Cross Month, a month when every citizen is asked to join, serve, and contribute in the same example of unselfish spirit that has characterized the Red Cross since its founding.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of February, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-sixth.



[FR Doc.72-2645 Filed 2-17-72; 11:54 am]

PROCLAMATION 4111

National Beta Club Week

By the President of the United States of America

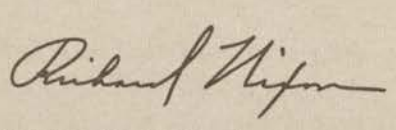
A Proclamation

Honorable character, good mentality, creditable achievement, and commendable attitude—these are the qualifications of more than one-hundred thousand Beta Club members who are in junior and senior high school now learning the first lessons of leadership for tomorrow.

To call attention to the achievements of the Beta Club, the Congress, by Senate Joint Resolution 153, has requested the President to issue a proclamation designating the week which begins on the first Sunday in March 1972 as National Beta Club Week.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim the week beginning Sunday, March 5, 1972, as National Beta Club Week, and I call upon all our citizens to encourage the Beta Club in its efforts to promote the ideals of honesty, service, and leadership among the junior and senior high school students of America.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of February, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-sixth.



[FR Doc.72-2646 Filed 2-17-72; 11:55 am]

PROCLAMATION 4112

National Day of Prayer

By the President of the United States of America

A Proclamation

In times of national need, this Nation has turned always to God. The earliest memories of our national experience include a vision of George Washington kneeling on a frozen hill at Valley Forge; they include the stirring words of Benjamin Franklin as he asked the Continental Congress to begin its daily work with a prayer for, as Franklin asked "if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?"

From those beginnings, throughout our history, we have turned to God in need, in challenge, and in gratitude. We remember at the most recent days of our history when this Nation and the world listened in a moment of human triumph as a small space vehicle circled the moon and Frank Borman read from Genesis: "In the beginning God created the heaven and the earth. . . ."

Today America is moving toward the objective we have pursued throughout our history, toward a dream as old as man, toward a world at peace with itself. We have no false illusions about the possibilities of achieving such a world. But history will not forgive us if we fail to try, nor will posterity.

All nations must share in the creation of such a peace. Each nation must seek the source of strength upon which its faith in the future is founded, and upon which its hope for peace is anchored. Let this Nation turn again to God. Let this Nation turn again to prayer as the world strives to move from a time of war to a time of peace forever.

As America stretches forth the hand that holds the olive branch, we know that other hands must reach out to take it. But until the deed is done and the peace is won, we must be patient and strong. Therefore, let each man, woman and child in this land recall the ancient wisdom of the scriptures: "Our help is in the name of the Lord, Who made heaven and earth." Let us seek that help in prayer.

We remember that our enterprise must find favor in the eyes of God, for the scriptures tell us that "Except the Lord build the house, they labor in vain that build it. . . ." As we pursue peace, let this people pray our search will find favor in the eyes of God and that we labor not in vain.

In recognition of the desire for peace among nations that the American people share with all the peoples of the world, the Congress by a concurrent resolution approved February 16, 1972, has requested that the

President designate Sunday, February 20, 1972 as a National Day of Prayer for the cause of world peace.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim Sunday, February 20, 1972, as a National Day of Prayer.

I invite all Americans to join in the quest for peace, both by uniting in their places of worship, and by pursuing privately the purposes of peace through prayer.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of February, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-sixth.

Richard Nixon

[FR Doc.72-2647 Filed 2-17-72; 11:55 am]

EXECUTIVE ORDER 11648

Amendment of Executive Order No. 11183 Which Established the President's Commission on White House Fellowships

By virtue of the authority vested in me as President of the United States, Executive Order No. 11183 [1] of October 3, 1964, as amended by Executive Order No. 11410 of May 6, 1968, is hereby further amended as follows:

1. Section 2(a) is amended to read:

"SEC. 2. *Functions of the Commission.* (a) The Commission shall prescribe such standards and procedures as may be necessary to enable it to recommend annually a group of outstanding young persons from among whom the President may select White House Fellows. Following publication of these standards and procedures, the Commission may accept (1) applications from individuals, including regular members of the Armed Forces of the United States, and (2) nominations from sponsoring individuals or organizations for consideration in its recommendations."

2. Section 2(b) is amended by striking the word "and" at the end of paragraph (3), by striking the period at the end of paragraph (4) and inserting "; and" in lieu thereof, and by adding at the end of that section a new paragraph (5) as follows:

"(5) Are not employees as defined in section 2105 of title 5 of the United States Code on the closing date for receipt of applications."

3. Section 3 is amended to read:

"SEC. 3. *White House Fellows.* White House Fellows will be appointed to serve for 12 months on the White House staff, in the Executive Office of the President, in the Office of the Vice President, or in the offices of members of the Cabinet, as they may be assigned, beginning on September 1 of the year in which they are selected."

4. Section 4 is amended to read:

"SEC. 4. *Executive Agencies.* (a) Each executive agency as defined in section 105 of title 5 of the United States Code shall extend fullest cooperation to the White House Fellows Program and attempt to maximize the Program's benefits to the individual Fellow, the Department or Agency, and the Federal Government.

"(b) The United States Civil Service Commission shall provide the Commission with administrative services, staff support, and travel expenses as authorized by law."

Richard Nixon

THE WHITE HOUSE,
February 16, 1972.

[FR Doc.72-2590 Filed 2-16-72; 2:58 pm]

[1] 3 CFR, 1964-1965 Comp., p. 256; 29 F.R. 13633.

EXECUTIVE ORDER 11649

Regulations Governing the Seals of the President and the Vice President of the United States

By virtue of the authority vested in me by section 713(b) of title 18, United States Code, I hereby prescribe the following regulations governing the use of the Seals of the President and the Vice President of the United States:

SECTION 1. Except as otherwise provided by law, the knowing manufacture, reproduction, sale, or purchase for resale of the Seals or Coats of Arms of the President or the Vice President of the United States, or any likeness or substantial part thereof, shall be permitted only for the following uses:

(a) Use by the President or Vice President of the United States;

(b) Use in encyclopedias, dictionaries, books, journals, pamphlets, periodicals, or magazines incident to a description or history of seals, coats of arms, heraldry, or the Presidency or Vice Presidency. Such use shall be limited exclusively to the text, and any use of the Presidential or Vice Presidential Seal or Coat of Arms or any likeness or substantial part thereof on the cover of the above items is prohibited;

(c) Use in libraries, museums, or educational facilities incident to descriptions or exhibits relating to seals, coats of arms, heraldry, or the Presidency or Vice Presidency;

(d) Use as an architectural embellishment in libraries, museums, or archives established to house the papers or effects of former Presidents or Vice Presidents;

(e) Use on a monument to a former President or Vice President;

(f) Use by way of photographic or electronic visual reproduction in pictures, moving pictures, or telecasts of bona fide news content;

(g) Such other uses for exceptional historical, educational, or newsworthy purposes as may be authorized in writing by the Counsel to the President.

SEC. 2. The manufacture, reproduction, sale, or purchase for resale, either separately or appended to any article manufactured or sold, of the Seals of the President or Vice President, or any likeness or substantial part thereof, except as provided in this Order or as otherwise provided by law, is prohibited.

Richard Nixon

THE WHITE HOUSE,
February 16, 1972.

[FR Doc.72-2591 Filed 2-16-72; 2:58 pm]

MEMORANDUM OF FEBRUARY 9, 1972

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

Memorandum for the Secretary of State

THE WHITE HOUSE,
Washington, February 9, 1972.

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

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

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

This memorandum shall be published in the FEDERAL REGISTER.

Richard Nixon

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

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 729—PEANUTS

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

Correction

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

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 6]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas and Quota Deficits for 1972

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

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

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

THE WHITE HOUSE

WASHINGTON

JANUARY 31, 1972.

Memorandum for the Secretary of Agriculture.

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

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

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

RICHARD NIXON

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

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

§ 811.11 Quotas for domestic areas.

(a)(1) * * *

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

* * * * *

2. Section 811.12 is amended to read as follows:

§ 811.12 Proration and allocation of deficits in quotas.

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

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

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

§ 811.13 Quotas for foreign countries.

* * * * *

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

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

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

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

* * * * *

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

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

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

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

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

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

PART 982—FILBERTS GROWN IN OREGON AND WASHINGTON

Subpart—Administrative Rules and Regulations

TRANSFER OF EXCESS RESTRICTED CREDITS

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

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

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

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

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

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

§ 982.460 Transfer of excess restricted credits.

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

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

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

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

regulations are being imposed since handlers will now have another method of meeting their restricted obligation; and (4) no useful purpose would be served by postponing the effective time of this action later than publication in the FEDERAL REGISTER.

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

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

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

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

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

[Docket No. AO–14–A50 etc.]

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

Order Amending Orders

Correction

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

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

§ 1062.22 Additional duties of the market administrator.

* * * * *

(i) Publicly announce on or before:

(1) The fifth day of each month:

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

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

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

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

* * * * *

2. Section 1062.50 is revised as follows:

§ 1062.50 Basic formula price.

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

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

§ 1062.51 Class prices.

* * * * *

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

* * * * *

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Packers and Stockyards Administration, Department of Agriculture

PART 204—ORGANIZATION AND FUNCTIONS

Public Information

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

§ 204.9 Exempt records.

* * * * *

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

* * * * *

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

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

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

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

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

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

CHESTER W. WELLS,
Acting Director, Central Region.

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

[Airspace Docket No. 71–SW–61]

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

Alteration of Federal Airway Segments

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

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

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

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

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

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

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

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

[Airspace Docket No. 71–RM–27]

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

Alteration of Federal Airway Segment

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

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

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

In § 71.123 (37 F.R. 2009) V–231 is amended to read:

V–231 From Missoula, Mont., to Kalispell, Mont.

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

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

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

[FR Doc.72–2976 Filed 2–17–72;8:46 am]

[Airspace Docket No. 72–GL–6]

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 Detroit Lakes, Minn., transition area.

The Detroit Lakes Municipal Airport has been renamed Detroit Lakes Airport. Therefore, it is necessary to alter the Detroit Lakes, Minn., transition area which presently refers to the airport as Detroit Lakes Municipal Airport to reflect the airport change of name. Action is taken herein to reflect this change.

Since this change is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

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

In § 71.181 (37 F.R. 2143), the following transition area is amended as follows:

DETROIT LAKES, MINN.

In the description, delete "Detroit Lakes Municipal Airport" where used and insert in place "Detroit Lakes Airport".

(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 Des Plaines, Ill., on January 28, 1972.

R. O. ZIEGLER,
Acting Director, Great Lakes Region.

[FR Doc.72–2473 Filed 2–17–72;8:46 am]

[Airspace Docket No. 71–NW–23]

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

Alteration of Transition Area

On December 15, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23829), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Boise, Idaho, transition area.

Interested persons were given 30 days in which to submit written comments. No objections to the proposed amendment were received.

In consideration of the foregoing, the proposed amendment is hereby adopted without change.

Effective date. This amendment shall be effective 0901 G.m.t., April 27, 1972.

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

Issued in Seattle, Wash., on February 8, 1972.

C. B. WALK, Jr.,
Director.

In § 71.181 (37 F.R. 2143) the description of the Boise, Idaho, transition area is amended as follows:

Add "* * * that airspace northeast of Boise extending upward from 11,500 feet MSL, bounded on the northeast by the southwest edge of V–283, on the south by the north edge of V–500, on the southwest by the 25-mile-radius area and on the west by the east edge of V–253."

[FR Doc.72–2474 Filed 2–17–72;8:46 am]

[Airspace Docket No. 71–RM–25]

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

Alteration of Transition Area

On December 16, 1971 a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23930) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the description of the Delta, Utah, transition area.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. No objections have been received and the proposed amendment is hereby adopted subject to the following change:

Change the FEDERAL REGISTER citations for the transition area to read "§ 71.181 (37 F.R. 2143)".

Effective date. This amendment shall be effective 0901 G.m.t., April 27, 1972.

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

Issued in Aurora, Colo., on February 10, 1972.

M. M. MARTIN,
Director, Rocky Mountain Region.

In § 71.181 (37 F.R. 2143) the description of the Delta, Utah, transition area is amended to read as follows:

DELTA, UTAH

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Delta Municipal Airport (latitude 39°23'00" N., longitude 112°30'35" W.), and that airspace extending upward from 1,200 feet above the surface within 9 miles southeast and 13.5 miles northwest of the Delta VOR 203° and 023° radials extending from 12 miles northeast to 25.5 miles southwest of the VOR.

[FR Doc.72–2475 Filed 2–17–72;8:46 am]

Title 49—TRANSPORTATION

Chapter V—National Highway Traffic Safety Administration, Department of Transportation

PART 553—RULE-MAKING PROCEDURES: MOTOR VEHICLE SAFETY STANDARDS

Statement of Policy Regarding Action on Petitions for Reconsideration

The Center for Auto Safety has submitted a petition for rule making requesting that the NHTSA amend 49 CFR Part 553, rule making procedures, to provide that NHTSA must respond to petitions for reconsideration within 60 days of the date the rule in question is published in the FEDERAL REGISTER. The Center cited the interval of 5 months and 19 days that elapsed before issuance of the recent action on petitions concerning Standard No. 208, Occupant Crash Protection, as an illustration of the need for such a rule.

The NHTSA does not agree that the elapsed interval in that case, in view of the complexity of the issues raised and the hundreds of pages of highly technical material submitted in the petitions, was unjustified. This agency does, however, recognize that the period of reconsideration is one of considerable uncertainty to interested parties, since the rule in question has been issued, the effective date is approaching, and active preparation for compliance presumably is underway.

It has been determined, therefore, that a statement of policy on this subject will be appropriate, for the guidance of all parties concerned. A period of 90 days from issuance of the rule will be the normal period for action on reconsideration. This period will allow only 60 days for agency action, which is considered the shortest practicable period for the necessary steps: detailed review of the petitions, gathering of supplementary information as necessary, making basic technical and policy decisions, drafting of the action document, and review by responsible officials. Where that period is found insufficient, a FEDERAL REGISTER notice will be issued stating the date by which action is expected to be completed.

Accordingly, an appendix is hereby added to 49 CFR Part 553, reading as follows:

APPENDIX

STATEMENT OF POLICY: ACTION ON PETITIONS FOR RECONSIDERATION

It is the policy of the National Highway Traffic Safety Administration to issue notice of the action taken on a petition for reconsideration within 90 days after the date on which the rule in question is published in the

FEDERAL REGISTER, unless it is found impracticable to take action within that time. In cases where it is so found and the delay beyond that period is expected to be substantial, notice of that fact, and the date by which it is expected that action will be taken, will be published in the FEDERAL REGISTER.

Effective date: March 1, 1972. This statement is issued in the interest of orderly administration and public information. It shall not affect the validity of any rules hereafter issued by the National Highway Traffic Administration, or the legal rights, duties, or liabilities of any persons pursuant to those rules.

(Sec. 119, National Traffic and Motor Vehicle Safety Act, 15 U.S.C. 1407, delegation of authority at 49 CFR 1.51)

Issued on February 14, 1972.

DOUGLAS W. TOMS,
Administrator.

[FR Doc.72-2499 Filed 2-17-72;8:48 am]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 135e—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Coumaphos

The Commissioner of Food and Drugs has evaluated supplemental new animal drug applications (42-116V and 42-117V) filed by Ralston-Purina Co., Checkerboard Square, St. Louis, Mo. 63199, proposing revised labeling regarding premix levels for coumaphos when the drug is administered as a 6-day treatment in the feed of beef and dairy cattle. The supplemental applications are approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), paragraph (b) of § 135e.39 is amended as follows:

§ 135e.39 Coumaphos.

* * * * *

(b) *Approvals.* (1) Premix levels 1.12, 2.0, 11.2, and 50 percent have been granted; for sponsor see code No. 007 in § 135.501(c) of this chapter.

(2) Premix levels 1.12 and 11.2 percent have been granted for use in accordance with item 2 of the table; for sponsor see code No. 047 in § 135.501(c) of this chapter.

* * * * *

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i))

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (2-18-72).

Dated: February 4, 1972.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc.72-2466 Filed 2-17-72;8:47 am]

Title 24—HOUSING AND URBAN DEVELOPMENT

Subtitle A—Office of the Secretary, Department of Housing and Urban Development

[Docket No. R-72-148]

PART 43—LAST RESORT HOUSING REPLACEMENT BY DISPLACING AGENCY UNDER THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

The purpose of these criteria and procedures is to prescribe, for all Federal and State agencies that cause residential displacement in the administration of direct Federal or federally assisted projects, the criteria and procedures for the implementation of section 206(a) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

On October 28, 1971 (36 F.R. 20700), the Department first published these criteria for public comment as a notice of proposed rule making. The Department has now considered all comments received and promulgates these final criteria and procedures to be effective upon publication in the FEDERAL REGISTER. Principal changes and the Department's response to significant comments are set forth below.

Several comments stated that section 206(a) vests primary decision-making authority in the case of federally assisted projects, as well as direct Federal projects, in the Federal funding agency rather than the displacing agency. The Department does not agree with this interpretation. The scheme of the Act and several explicit statements in House Report 91-1656 (91st Cong., Second session, December 2, 1970) indicate an intent of the Congress that in the case of federally assisted projects the references to "Federal agency" in section 206(a) should be read as "State agency" (see, e.g., pp. 16 and 18).

Nevertheless, Federal agencies are not without necessary authority to assure that the intent of the Act is followed by State displacing agencies. Federal agencies may not approve applications for assistance unless satisfied that the State agency has provided satisfactory assurances as required by section 210 of the Act. Moreover, if at any time during execution of a project the Federal funding agency determines that comparable replacement housing is not available as required by the Act (see, e.g., sections 205(c)(3) and 206(b)), it may take appropriate action to assure protection of the rights of all persons displaced or scheduled to be displaced.

Several comments urged that the invocation of section 206(a) be mandatory, because persons might otherwise be displaced even though no replacement housing was available. Such comments misunderstand the nature of section 206(a), which, though not by its terms mandatory, must be read in the context of other sections of the Act. Adequate protection to displaced persons is provided under sections 205(c)(3) (comparable replacement housing must be available to displaced persons a reasonable time prior to displacement), 210 (no federally assisted project may be approved without adequate assurances, inter alia, that the State agency will meet the requirements of section 205(c)(3)), and 206(b) (no displacement permitted unless replacement housing is available). None of these sections is discretionary. Whenever the necessary relocation housing is unavailable, and cannot be made available by other means, including the use of section 215 loans, there are generally only three options available: (1) Stop, reject, or abandon the project; (2) revise the project to reduce displacement; or (3) use project funds under section 206(a) to provide the needed housing.

It was decided not to expand the requirement for inventories of relocation needs and resources. The Act's abovecited protections of persons to be displaced, particularly section 206(b), compel displacing agencies to be sensitive to the need for additional relocation housing. In this regard, the Office of Management and Budget Guidelines require that no agency may proceed with any phase of a project without a current survey and analysis of available replacement housing by the displacing agency which takes into account competing demands for such housing. Under these criteria implementing section 206(a), if at any time it appears that such housing may not be available to satisfy the requirements of the Act the inventory of needs and resources becomes mandatory. Such an inventory could also be required prior to project approval, and agencies such as HUD do have such a requirement. But this is more appropriately left to each Federal agency's overall relocation regulations, rather than imposed under these criteria and procedures for section 206(a).

The provisions concerning membership of the Advisory Committee (§ 43.7 (b)) have been revised to urge inclusion of representatives of affected residents to be displaced, as well as to make clear that representatives of groups knowledgeable concerning problems of housing discrimination should also be included. Such membership could, of course, be made mandatory at the option of each Federal agency implementing these criteria and procedures.

Several comments found the applicability of Federal equal opportunity provisions either unclear or inadequate. The fullest applicability was intended. Changes have been made in §§ 43.5, 43.7, 43.8, 43.9, and 43.16 to make it clear that equal opportunity requirements apply throughout the implementation of these criteria and procedures. Agencies and persons seeking guidance concerning affirmative action to meet fair housing requirements may consult HUD's Affirmative Fair Housing Marketing Regulations, 24 CFR Part 200, 37 F.R. 75 (January 5, 1972) to become effective February 25, 1972.

References to the National Environmental Policy Act of 1969 have been

added to §§ 43.5, 43.7, and 43.8 to clarify the applicability of this new and important law.

A sentence has been added to § 43.7 encouraging the employment of project area residents, and the use of small and minority businesses, and firms located in or near the project area. Executive Order 11625 prescribes arrangements for developing and coordinating National programs for minority business enterprises. With respect to projects receiving HUD assistance, of course, such a provision is mandatory under section 3 of the Housing and Urban Development Act of 1968, as amended. Proposed regulations on Employment Opportunities for Lower Income Persons in Connection with Assisted Projects, implementing section 3, were published in the FEDERAL REGISTER for comment on June 18, 1971 (24 CFR Part 76, 36 F.R. 11744). The effective regulations are currently being prepared for final publication in the FEDERAL REGISTER.

A number of comments urged inclusion of a requirement for coordination among all Federal and State agencies competing for replacement housing resources, or at least a provision for deciding what specific relocation housing resources each agency may use. This is a legitimate concern, but it was the opinion of the Office of Management and Budget and the agencies consulted during the development of the procedures not to go further than the requirement in § 43.5 (c). It is expected that the revised OMB guidelines will provide for coordination of planned relocation activities at the Federal and local level, in recognition of the fact that coordination is imperative for any meaningful implementation of the Act. This Department's implementing procedures will require that its program participants take competing demands into consideration.

Additional changes were made to clarify that: (1) In the case of federally assisted projects, funds used under section 206(a) are subject to section 211 of the Act (§ 43.6); (2) the Replacement Housing Plan pursuant to section 206(a) shall specify the location of the housing to be provided (§ 43.7); (3) for the purposes of § 43.7, displacing agencies may not divide their total need for last resort housing into packages of 25 units or less (§ 43.8(d)); (4) if time permits, an amended or modified housing plan should be resubmitted for review and comment (§ 43.8); and (5) necessary relocation housing may be provided by rehabilitation, as well as new construction (§ 43.11).

Where appropriate, citations have been made to HUD and other standards, procedures and requirements. Information on minimum property standards, HUD project selection criteria, and HUD regulations and procedures implementing Civil Rights and other Acts and Executive orders cited in § 43.16, are available from each HUD Area or Insuring Office. A list of the Area and Insuring Offices is appended to these regulations.

The Secretary has determined that in view of the urgency for these criteria to implement section 206(a) of the Act, good cause exists for making this Part 43 effective upon publication in the FEDERAL REGISTER without delay.

Accordingly, 24 CFR, Subtitle A, is amended by adding a new Part 43 as follows:

Sec.
43.1 Purpose.
43.2 Legislative authority.
43.3 Applicability.
43.4 Definitions.
43.5 Determination that section 206(a) may be utilized.
43.6 Determination to use project funds under section 206(a).
43.7 Development of replacement housing plan.
43.8 Submission of replacement housing plan for comment.
43.9 Determination by displacing agency of feasibility and compliance.
43.10 Approval of plan by Federal agency.
43.11 Implementation of the replacement housing plan.
43.12 Housing production.
43.13 Advice and technical assistance by HUD and other Federal agencies.
43.14 Aggregate housing under jointly financed programs.
43.15 Displaced person not required to accept replacement dwelling in lieu of acquisition payments and supplemental payment.
43.16 Conformity with the Act and other statutes, policies, and procedures.

AUTHORITY: The provisions of this Part 43 issued under sec. 7(d), Department of HUD Act, 42 U.S.C. 3535(d).

§ 43.1 Purpose.

It is the purpose of this part to set forth uniform criteria and procedures for the implementation of section 206 (a), which shall be applied and administered to promote the purposes and policies of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894).

§ 43.2 Legislative authority.

The legislative authority is pursuant to section 206(a) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894).

§ 43.3 Applicability.

Pursuant to paragraph 4 of the President's memorandum of January 4, 1971, to the heads of departments and agencies concerning the Uniform Relocation and Real Property Acquisition Policies Act of 1970, these criteria and procedures are applicable to all Federal and State agencies administering Federal projects causing residential displacement.

§ 43.4 Definitions.

For purposes of this part the following definitions shall apply:

(a) "Federal agency" means any department, agency or instrumentality in the executive branch of the U.S. Government (except the National Capital Housing Authority), any wholly owned Government corporation (except the District of Columbia Redevelopment Land Agency) and the Architect of the Capitol, the Federal Reserve Banks and branches thereof.

(b) "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, the Trust Territory of the Pacific Islands, or any political subdivision thereof.

(c) "State agency" means the National Capital Housing Authority, the District of Columbia Redevelopment Land Agency, and any department, agency, or instrumentality of a State or of a political subdivision of a State, or any department, agency, or instrumentality of two or more States or of two or more political subdivisions of a State or States.

(d) "Federal financial assistance" means a grant, loan or contribution provided by the United States, except any Federal guarantee or insurance, and any annual payment or capital loan to the District of Columbia.

(e) "Displacing agency" means a Federal agency in the case of a direct Federal project causing displacement, and a State agency in the case of a project receiving Federal financial assistance and causing displacement.

(f) "Federal project" means any direct Federal project or any project receving Federal financial assistance.

(g) "HUD" means the Area Office (or, where none exists, the Regional Office of the Department of Housing and Urban Development).

§ 43.5 Determination that section 206(a) may be utilized.

The Act requires: That displacing agencies provide assurance that within a reasonable period of time prior to displacement adequate replacement housing will be available for those to be displaced; that they provide current and continuing information on the availability, prices, and rentals of comparable replacement housing; and that no person may be displaced unless adequate replacement housing is available to such person. Whenever in connection with the planning, development, or execution of a Federal or federally assisted project, it appears to the head of the displacing agency that adequate replacement housing may not be available to satisfy the requirements of the Act, or that such housing is not available on a nondiscriminatory basis, the head of the displacing agency shall undertake the following, using existing data and supplementing them where necessary, to ascertain more precisely the need to utilize section 206(a) to provide such housing.

(a) *Inventory of household relocation needs.* Prepare an inventory of the characteristics and relocation needs of the families and individuals to be displaced.

(b) *Inventory of available housing.* Prepare (1) an inventory of currently available comparable replacement sale and rental housing, and (2) an inventory of housing planned to be constructed or rehabilitated and which will be available as comparable replacement housing. In preparing such inventories, the displacing agency shall consult Federal,

State, or local agencies which may be able to provide such housing or are knowledgeable with respect to housing programs.

(c) *Inventory of other displacement projects.* In order to avoid reliance by more than one displacing agency on the same replacement housing resources, the displacing agency shall coordinate with the other displacing agencies with respect to the utilization and allocation of these resources.

(d) *Analysis of inventories.* Correlate and analyze the information contained in the above inventories.

§ 43.6 Determination to use project funds under section 206(a).

If the analysis undertaken in accordance with § 43.5 indicates that adequate replacement housing is not or will not be available to satisfy the requirements of the Act, the head of the displacing agency may make a determination to use project funds under section 206(a) to provide such necessary replacement housing. In the case of a federally assisted project, the displacing agency shall secure prior approval for such use of project funds under section 206(a) from the Federal agency providing financial assistance for the project. In the case of a federally assisted project, the funds used to provide housing under section 206(a) shall be treated in the same manner as other costs of relocation payments and assistance and shall be subject to the provisions of section 211 of the Act with respect to Federal-local cost sharing.

§ 43.7 Development of replacement housing plan.

(a) *General.* Following determination pursuant to § 43.6, the head of the displacing agency, in accordance with paragraph (b) of this section or this paragraph (a), shall develop or cause to be developed a replacement housing plan to produce adequate replacement housing. The plan shall specify how, when and where the housing will be provided, how it will be financed and the amount of project funds to be diverted to such housing, the prices at which it will be rented or sold to the families and individuals to be displaced, the arrangements for housing management and social services, as appropriate, the environmental suitability of the location and environmental impact of the proposed housing, the arrangements for maintaining rent levels appropriate for the persons to be rehoused, and the disposition of proceeds from rental, sale, or resale of such housing. In the development of the plan, innovative approaches and methods for the provision of suitable replacement housing are encouraged. The use of small and minority firms and firms located in or near the project area, and the employment of residents of the project area, are also encouraged. If 25 units or less of replacement housing need to be provided, the head of the displacing agency may proceed under paragraph (d) of this section.

(b) *Replacement housing plan developed by displacing agency.* If the head of the displacing agency elects to develop the replacement housing plan, he shall appoint an advisory committee which shall consult with and provide advice and assistance to the displacing agency in the development of the plan. The advisory committee shall include representatives of the following: The displacing agency; the chief executive officer of the jurisdiction in which displacement will occur; and State and local agencies knowledgeable regarding housing in the area, including but not limited to the local housing authority, the local redevelopment agency and the centralized relocation agency, if any. In addition, the committee should include representatives of other appropirate public (e.g., local and areawide planning agencies), and private groups knowledgeable regarding housing and the problems of housing discrimination, as well as representatives of affected residents to be displaced. The failure of any person to particiapte on the committee shall not preclude the committee from satisfying the requirements of this section.

(c) *Replacement housing plan developed by an agency other than displacing agency.* If the head of the displacing agency elects not to develop a replacement housing plan under paragraph (b) of this section, he shall engage a State or local housing agency, or other agency or organization having experience in the administration or conduct of housing programs to develop the replacement housing plan. In such case, the head of the displacing agency shall appoint an advisory committee to work with the agency or organization so engaged. The advisory committee shall be constituted and shall function as under the provisions of paragraph (b) of this section.

(d) *Provision of housing by head of displacing agency—25 units or less.* If the total need for replacement housing to be provided under section 206(a) by a single project (or in the case of joint development under § 43.14, by several projects), is for 25 units or less, the head of the displacing agency may plan and provide such housing without the assistance of an advisory committee or a housing or other agency pursuant to paragraph (b) or paragraph (c) of this section. The head of the displacing agency undertaking such activities shall be guided by the HUD project selection criteria (24 CFR Part 200, 36 F.R. 203, January 7, 1972) and minimum property standards for comparable Federal housing programs and shall comply with the policies, requirements and procedures specified in § 43.16.

(e) *Consultation.* From the inception of the replacement housing plan and continuing during the course of its development in accordance with this part, the agency developing the plan shall consult with HUD (or the Farmers Home Administration, where appropriate) and with the residents to be displaced or their representatives.

(f) *Use of section 215 for planning and other preliminary expenses.* Consideration should be given to the opportunities for stimulating the development of the required supply of housing through the use of seed money loans for planning and other preliminary expenses under section 215 of the Act (84 Stat. 1901).

§ 43.8 Submission of replacement housing plan for comment.

The head of the displacing agency shall submit any replacement housing plan developed in accordance with § 43.7 (b) or (c) to HUD (or the Farmers Home Administration, where appropriate) and the Regional and State Clearinghouse designated pursuant to OMB Circular A–95. HUD (or the Farmers Home Administration, where appropriate) shall review and comment on the plan with respect to plan feasibility, project selection, minimum property standards, environmental standards and impact, compatibility with local and areawide housing plans (provided that such plans are in compliance with the authorities cited in § 43.16) and compliance with the Civil Rights Acts and Executive orders specified in § 43.16. The Regional and State Clearinghouse shall review and comment on the plan with respect to its compatibility with the areawide housing plan or strategy developed or being developed by the Regional Planning Agency. HUD (or the Farmers Home Administration, where appropriate) and the Regional and State Clearinghouse shall review the plan and submit their comments to the displacing agency within 30 calendar days after receipt of the plan.

§ 43.9 Determination by displacing agency of feasibility and compliance.

Upon receipt and consideration of the comments on the plan, or passage of the 30-day review period provided in § 43.8, without receiving any comments, the displacing agency shall determine: (a) Whether the plan is feasible; (b) whether it complies with (1) Federal standards and regulations with respect to HUD project selection criteria (except criteria six, seven and eight) (24 CFR Part 200, 36 F.R. 203, January 7, 1972) and minimum property standards, (2) environmental standards and procedures, and (3) the dwelling and relocation standards, Civil Rights Acts and Executive orders specified in § 43.16; and (c) whether the plan is compatible with local housing plans and the areawide housing plan or strategy (provided such plans and strategies are in compliance with the authorities cited in § 43.16). If any of the above determinations by the displacing agency is negative, the displacing agency (taking into consideration any comments received in connection with the reviews provided in § 43.8) shall revise the plan as necessary. Unless time does not permit, any substantial modifications in the plan, except those made in accord with such comments, should be submitted for review and comment as provided in § 43.8. If necessary for the timely implementation of the plan or execution of the project, the head of the displacing agency may shorten the time allowed for review and comment to some reasonable period less than that provided in § 43.8.

Whenever an amended plan is resubmitted for review and comment, a copy may also be provided to the advisory committee for simultaneous review.

§ 43.10 Approval of plan by Federal agency.

In the case of a federally assisted project, the head of the displacing agency shall secure approval of the replacement housing plan from the Federal agency providing financial assistance for the project, before proceeding with the implementation of the plan.

§ 43.11 Implementation of the replacement housing plan.

Upon making the determinations required by § 43.9, and securing approval where required by § 43.10, the head of the displacing agency may expend project funds and take such other actions as necessary to provide, rehabilitate, or construct replacement housing pursuant to the approved replacement housing plan through methods including but not limited to the following:

(a) Transfer of project funds to State and local housing agencies;

(b) Transfer of project funds to HUD or the Farmers Home Administration;

(c) Contract with nonprofit or for-profit organizations experienced in the development of housing;

(d) Interest subsidy payments;

(e) Direct construction by the displacing agency.

Whenever practicable, the head of the displacing agency shall utilize the services of Federal, State, or local housing agencies, or other agencies having experience in the administration or conduct of similar housing programs.

§ 43.12 Housing production.

The head of the displacing agency shall monitor the production of the replacement housing to assure that it is in accordance with the replacement housing plan and in compliance with Federal standards and regulations with respect to project selection, minimum property standards and with the Civil Rights Acts and Executive orders specified in § 43.16.

§ 43.13 Advice and technical assistance by HUD and other Federal agencies.

Throughout the entire planning, development, and implementation process, the HUD Area or Insuring Office Director shall provide the displacing agency with advice, technical assistance, and general information as needed. HUD shall also review pending applications for housing subsidy assistance or mortgage insurance to determine the effect on any estimated replacement housing deficit and keep the displacing agency advised as applications are received or commitments are made that are likely to affect any estimated deficit. Where appropriate, the Farmers Home Administration shall provide the displacing agency with similar assistance.

§ 43.14 Aggregate housing under jointly financed programs.

Where several agencies are administering programs resulting in residential displacement, opportunities shall be sought out for joint development and financing in order to aggregate their resources to provide replacement housing in sufficient quantity to satisfy the aggregate needs of such programs.

§ 43.15 Displaced person not required to accept replacement dwelling in lieu of acquisition payment and supplemental payment.

No agency may require a displaced person, without his written consent, to accept a dwelling provided by such agency under section 206(a) in lieu of his acquisition payment, if any, for the real property from which he is displaced or the supplemental payment for which he may be eligible under sections 203 and 204 of the Act (84 Stat. 1896 and 1897).

§ 43.16 Conformity with the Act and other statutes, policies and procedures.

(a) *Civil Rights and other Acts and Executive orders.* The administration of this part shall be in conformity with the provisions of section 1 of the Civil Rights Act of 1866 (42 U.S.C. 1982), title VI of the Civil Rights Act of 1964, title VIII of the Civil Rights Act of 1968, the National Environmental Policy Act of 1969, Executive Orders 11063, 11246, and 11625, and regulations issued pursuant thereto.

(b) *Dwelling and relocation standards.* Determinations made pursuant to § 43.5 and any plan developed and implemented for providing replacement housing under section 206(a) and all such housing provided thereunder shall be in conformity with all relocation regulations, standards, and guidelines of the Federal agency providing the project funds. Final determination of conformity with such regulations, standards, and guidelines shall be made by the head of the Federal agency providing project funds.

Effective date. This Part 43 shall be effective upon publication in the FEDERAL REGISTER (2–18–72).

GEORGE ROMNEY,
Secretary of Housing and Urban Development.

REGION I

AREA OFFICES

HUD Area Office, 999 Asylum Avenue, Hartford, CT 06105.
Bulfinch Building, 15 New Chardon Street, Boston, MA 02114.
Davison Building, 1230 Elm Street, Manchester, NH 03101.

REGION II

AREA OFFICES

The Parkade Building, 519 Federal Street, Camden, NJ 08103.
Gateway 1 Building, Raymond Plaza, Newark, NJ 07102.
Grant Building, 560 Main Street, Buffalo, NY 14202.
120 Church Street, New York, NY 10007.
Post Office Box 3869 GPO, San Juan, PR 00936.

REGION III

AREA OFFICES

Universal North Building, 1875 Connecticut Avenue NW., Washington, DC 20009.
Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, MD 21201.
Curtis Building, 625 Walnut Street, Philadelphia, PA 19106.
1000 Liberty Avenue, Federal Building, Pittsburgh, PA 15222.
701 East Franklin Street, Post Office Box 10011, Richmond, VA 23240.

REGION IV

AREA OFFICES

Daniel Building, 15 South 20th Street, Birmingham, AL 35233.
Peninsular Plaza, 661 Riverside Avenue, Jacksonville, FL 32204.
1100 Peachtree Center Building, 230 Peachtree Street NW., Atlanta, GA 30303.
Children's Hospital Foundation Building, 601 South Floyd Street, Louisville, KY 40202.
101–C Third Floor Jackson Mall, 300 Woodrow Wilson Avenue West, Jackson, MS 39213.
2309 West Cone Boulevard, Northwest Plaza, Greensboro, NC 27408.
1801 Main Street, Jefferson Square, Columbia, SC 29201.
One Northshore Building, 1111 Northshore Drive, Knoxville, TN 37919.

REGION V

AREA OFFICES

17 North Dearborn Street, Chicago, IL 60602.
Willowbrook 5 Building, 4720 Kingsway Drive, Indianapolis, IN 46205.
Fifth Floor, First National Building, 660 Woodward Avenue, Detroit, MI 48226.
Griggs-Midway Building, 1821 University Avenue, St. Paul, MN 55104.
60 East Main Street, Columbus, OH 43215.
744 North Fourth Street, Milwaukee, WI 53203.

REGION VI

AREA OFFICES

Union National Bank Building, 1 Union National Plaza, Little Rock, AR 72201.
Plaza Tower, 1001 Howard Avenue, New Orleans, LA 70113.
301 North Hudson Street, Oklahoma City, OK 73102.
Room 14–A–18, New Dallas Federal Building, 1100 Commerce Street, Dallas, TX 75202.
Kallison Building, 410 South Main Avenue, Post Office Box 9163, San Antonio, TX 78285.

REGION VII

AREA OFFICES

One Gateway Center, Fifth and State Streets, Post Office Box 1339, Kansas City, KS 66117.
210 North 12th Street, St. Louis, MO 63101.
Univac Building, 7100 West Center Road, Omaha, NE 68106.

REGION IX

AREA OFFICES

2500 Wilshire Boulevard, Los Angeles, CA 90057.
1 Embarcadero Center, Suite 1600, San Francisco, CA 94111.

REGION X

AREA OFFICES

520 Southwest Sixth Avenue, Portland, OR 97204.
Arcade Plaza Building, 1321 Second Avenue, Seattle, WA 98101.

INSURING OFFICES, HUD

REGION I

HUD Insuring Office, U.S. Federal Building and Post Office, 202 Harlow Street, Bangor, ME 04401.
300 Post Office Annex, Providence, RI 02903.
630 Federal Building, Elmwood Avenue, Burlington, VT 05402.

REGION II

30 Russell Road, Westgate North, Albany, NY 12206.
175 Fulton Avenue, Hempstead, NY 11550.

REGION III

Post Office Box 2948 (New Federal Building, 500 Quarrier Street), Charleston, WV 25330.
536 Wilmington Trust Building, Wilmington, DE 19801.

REGION IV

3001 Ponce de Leon Boulevard, Coral Gables, FL 33134.
4224–28 Henderson Boulevard, Post Office Box 18165, Tampa, FL 33609.
447 Federal Office Building, 167 North Main Street, Memphis, TN 38103.
1717 West End Building, Nashville, TN 37203.

REGION V

Lincoln Tower Plaza, 524 South Second Street, Post Office Box 1628, Springfield, IL 62705.
921 North Division Avenue, Grand Rapids, MI 49503.
9009 Federal Office Building, 550 Main Street, Cincinnati, OH 45202.
907 Federal Building, 1240 East Ninth Street, Cleveland, OH 44199.

REGION VI

Ricou-Brewster Building, 425 Milam Street, Shreveport, LA 71101.
625 Truman Street NE., Albuquerque, NM 87110.
1708 Utica Square, Post Office Box 4064, Tulsa, OK 74152.
819 Taylor Street, Room 9A35, Federal Building, Fort Worth, TX 76102.
Room 7419, Federal Building, 515 Rusk Avenue, Houston, TX 77002.
514 Courthouse and Federal Office Building, 1205 Texas Avenue, Lubbock, TX 79401.

REGION VII

210 Walnut Street, Room 259, Federal Building, Des Moines, IA 50309.
700 Kansas Avenue, Topeka, KS 66603.

REGION VIII

Fourth Floor, Title Building, 909 17th Street, Denver, CO 80202.
616 Helena Avenue, Helena, MT 59601.
Federal Building, 653 Second Avenue North, Post Office Box 2483, Fargo, ND 58102.
119 Federal Building, U.S. Courthouse, 400 South Phillips Avenue, Sioux Falls, SD 57102.
125 South State Street, Salt Lake City, UT 84111.
Federal Office Building, 100 East B Street, Casper, WY 82601.

REGION IX

244 West Osborn Road, Post Office Box 13468, Phoenix, AZ 85002.
801 I Street, Post Office Box 1978, Sacramento, CA 95809.
Post Office Box 2648, San Diego, Calif. 92112, 110 West C Street, San Diego, CA 92101.
1440 East First Street, Santa Ana, CA 92701.
1000 Bishop Street, 10th Floor (Street Zip 96813), Post Office Box 3377, Honolulu, HI 96801.
70 Linden Street, Post Office Box 4700, Reno, NV 89505.

REGION X

228 Federal Building, Post Office Box 480, Anchorage, AK 99501.
331 Idaho Street, Boise, ID 83701.
West 920 Riverside Avenue, Spokane, WA 99201.

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Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER M—MISCELLANEOUS

PART 215—EMPLOYMENT OF MILITARY RESOURCES IN THE EVENT OF CIVIL DISTURBANCES

The Deputy Secretary of Defense approved the following:

Sec.
215.1 Purpose and scope.
215.2 Applicability.
215.3 Definitions.
215.4 Legal considerations.
215.5 Policies.
215.6 Responsibilities.
215.7 Command relationships.
215.8 Organization and administration.
215.9 Providing military resources to civil authorities.
215.10 Funding.

AUTHORITY: The provisions of this Part 215 issued under chapter 15 of title 10 of the United States Code (10 U.S.C. 331 et seq.).

§ 215.1 Purpose and scope.

This part establishes uniform Department of Defense policies, assigns responsibilities, and furnishes general guidance for utilizing DOD military and civilian personnel, facilities, equipment or supplies:

(a) In support of civil authorities during civil disturbances within the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof.

(b) In other related instances where military resources may be used to protect life or Federal property or to prevent disruption of Federal functions.

§ 215.2 Applicability.

This part is applicable to all components of the Department of Defense (the Military Departments, Organization of the Joint Chiefs of Staff, Defense Agencies, and the unified and specified commands) having cognizance over military resources which may be utilized in accordance with the policies set forth herein.

§ 215.3 Definitions.

(a) Civil disturbances are group acts of violence and disorders prejudicial to public law and order within the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof. The term civil disturbance includes all domestic conditions requiring the use of Federal armed forces pursuant to the provisions of chapter 15 of title 10, United States Code.

(b) Federal property is that property which is owned, leased, possessed, or occupied by the Federal Government.

(c) Military resources include military and civilian personnel, facilities, equipment, and supplies under the control of a DOD component.

(d) A Federal function is any function, operation, or action carried out under the laws of the United States by any department, agency, or instrumentality of the United States or by an officer or employee thereof.

§ 215.4 Legal considerations.

(a) Under the Constitution and laws of the United States, the protection of life and property and the maintenance of public order are primarily the responsibilities of State and local governments, which have the necessary authority to enforce the laws. The Federal Government may assume this responsibility and this authority only in certain limited instances.

(b) Aside from the constitutional limitations of the power of the Federal Government at the local level, there are additional legal limits upon the use of military forces within the United States. The most important of these from a civil disturbance standpoint is the Posse Comitatus Act (18 U.S.C. 1385), which prohibits the use of any part of the Army or the Air Force to execute or enforce the laws, except as authorized by the Constitution or Act of Congress.

(c) The Constitution and Acts of Congress establish six exceptions, generally applicable within the entire territory of the United States, to which the Posse Comitatus Act prohibition does not apply.

(1) The constitutional exceptions are two in number and are based upon the inherent legal right of the U.S. Government—a soverign national entity under the Federal Constitution—to insure the preservation of public order and the carrying out of governmental operations within its territorial limits, by force if necessary.

(i) *The emergency authority.* Authorities prompt and vigorous Federal action, including use of military forces, to prevent loss of life or wanton destruction of property and to restore governmental functioning and public order when sudden and unexpected civil disturbances, disasters, or calamities seriously endanger life and property and disrupt normal governmental functions to such an extent that duly constituted local authorities are unable to control the situations.

(ii) *Protection of Federal property and functions.* Authorizes Federal action, including the use of military forces, to protect Federal property and Federal governmental functions when the need for protection exists and duly constituted local authorities are unable or decline to provide adequate protection.

(2) There are four exceptions to the Posse Comitatus Act based on Acts of Congress.

(i) In the cases of each of the first three of those described, (*a*), (*b*), and (*c*) of this subdivision, personal Presidential action, including the issuance of a proclamation calling upon insurgents to disperse and retire peaceably within a limited time, is a prerequisite.

(*a*) *10 U.S.C. 331.* Authorizes use of the militia and Armed Forces when a State is unable to control domestic violence, and a request for Federal assistance has been made by the State

legislature or governor to the President. Implements Article IV, section 4, of the Constitution.

(b) *10 U.S.C. 332.* Authorizes use of the militia and Armed Forces to enforce Federal law when unlawful obstructions or rebellion against the authority of the United States renders ordinary enforcement means unworkable. Implements Article II, section 3, of the Constitution.

(c) *10 U.S.C. 333.* Authorizes use of the militia and Armed Forces when domestic violence or conspiracy hinders execution of State or Federal law, and a State cannot or will not protect the constitutional rights of the citizens. Implements Article II, section 3, and the 14th Amendment of the Constitution.

(d) *House Joint Resolution 1292, June 6, 1968.*[1] Directs all departments of the Government, upon the request of the Secret Service, to assist that Service in carrying out its statutory duties to protect Government officials and major political candidates from physical harm. Assistance to the Secret Service is governed by DOD Directive 3025.13, "Employment of Department of Defense Resources in Support of the United States Secret Service," July 15, 1968.[2]

(ii) It should be noted that none of the above authorities, in and of itself, provides sufficient legal basis to order members of the Reserve components to active Federal service.

§ 215.5 Policies.

(a) The employment of DOD military resources for assistance to civil authorities in controlling civil disturbances will normally be predicated upon the issuance of a Presidential Executive order or Presidential directive authorizing and directing the Secretary of Defense to provide for the restoration of law and order in a specific State or locality. Exceptions to this condition will be limited to:

(1) Cases of sudden and unexpected emergencies as described in § 215.4(c)(1)(i), which require that immediate military action be taken.

(2) Providing military resources to civil authorities as prescribed in § 215.9 of this part.

(b) The Attorney General of the United States has been designated to receive and coordinate preliminary requests from States for Federal military assistance authorized by 10 U.S.C. 331 (§ 215.4(c)(2)(i)(*a*)). Formal requests from States for such aid will be made to the President, who will determine what Federal action will be taken.

(c) The Secretary of the Army is delegated any and all of the authority of the President under chapter 15 of title 10, U.S.C. (§ 215.4(c)(2)(i) (*a*), (*b*), and (*c*)) which has been or may be hereafter delegated by the President to the Secretary of Defense.

(d) The Secretary of the Navy and the Secretary of the Air Force are delegated all that authority which has been or may be hereafter delegated by the President to the Secretary of Defense to order to active duty, units and members of the Reserve Components under their respective jurisdictions, except National Guard units and members, for use pursuant to chapter 15 of title 10, U.S.C. (§ 215.4(c)(2)(i) (*a*), (*b*), and (*c*)).

(e) DOD components and their subordinate activities will coordinate with local civil authorities or local military commanders as appropriate, to assure mutual understanding of the policies and procedures to be adhered to in an actual or anticipated civil disturbance situation.

(f) DOD civilian employees generally should not be used to assist civil authorities in connection with civil disturbances, except as provided for in § 215.9(b)(3).

(g) The prepositioning of more than a battalion-sized unit, as authorized in § 215.6(a)(6), will be undertaken only with the approval of the President. Requests for the prepositioning of forces will be addressed to the Attorney General.

§ 215.6 Responsibilities.

(a) The Secretary of the Army is designated as the Executive Agent for the Department of Defense in all matters pertaining to the planning for, and the deployment and employment of military resources in the event of civil disturbances. As DOD Executive Agent, the Secretary of the Army (or the Under Secretary of the Army, as his designee) is responsible for:

(1) Providing policy and direction concerning plans, procedures, and requirements to all DOD components having cognizance over military resources which may be employed under the provisions of this part.

(2) Improving and evaluating the capabilities of the National Guard to deal with civil disturbances.

(3) Establishing DOD policies and procedures for: (i) Calling the National Guard to active Federal service and ordering the National Guard and other Reserve components to active duty; and (ii) the employment of such forces that may be required to carry out the purposes of this part.

(4) Calling to active Federal service:

(i) The Army National Guard units or members required to carry out the provisions of the Presidential Executive order or other appropriate authority.

(ii) The Air National Guard units or members required to carry out the provisions of the Presidential Executive order or other appropriate authority, subject to the provisions of paragraph (c)(1)(i) of this section.

(5) Providing military resources of the U.S. Army, consistent with defense priorities to include:

(i) The military resources of the Army National Guard called to active Federal service under the provisions of subparagraph (4)(i) of this paragraph.

(ii) The military resources of the Army Reserve (other than Army National Guard) ordered to active duty to carry out the purposes of this part.

(6) Exercising through designated military commanders the direction of military resources committed or assigned for employment in the event of actual or potential civil disturbances. When circumstances warrant, such direction will include: (i) Alerting, and, if necessary, prepositioning predesignated ground forces; and (ii) directing the Secretary of the Air Force to alert and provide the necessary airlift resources (see § 215.5(g)).

(7) Devising command, control, and communications arrangements to insure effective coordination and responsiveness among Defense agencies, military departments, the Joint Chiefs of Staff, and Commanders-in-Chief (CINCs) of unified and specified commands, under conditions of prepositioning, deployment, or employment of military resources. Maximum utilization will be made of existing reports of the Joint Reporting Structure (JRS), as prescribed in JCS Pub 6.[3] Arrangements and reports affecting commanders of unified and specified commands will be coordinated with the JCS.

(8) Promulgating in implementation of DOD Directive 5200.27, "Acquisition of Information Concerning Persons and Organizations not Affiliated with the Department of Defense," March 1, 1971,[1] strict policy guidelines designed to restrict to the maximum extent consistent with the effective conduct of actual civil disturbance operations the collection and maintenance of intelligence data in support of military civil disturbance planning and operations within the Department of Defense.

(9) Keeping the Secretary of Defense informed of unusual military resource requirements (actual or potential) and other significant developments in connection with civil disturbance planning and operations.

(10) Establishing procedures for the review and coordination of all DOD components' directives, instructions, and plans affecting civil disturbance planning and operations to assure conformity with DOD policies stated herein and DOD Executive Agent policies.

(11) Providing for the establishment of a DOD Civil Disturbance Steering Committee and a Directorate of Military Support (see § 215.8).

(12) Providing the necessary facilities, equipment, and personnel as required by the Assistant Secretary of Defense (Public Affairs) in the accomplishment of his public affairs responsibilities set forth in paragraph (f) of this section.

(13) Within the restrictions established by DOD Directive 5200.27, "Acquisition of Information Concerning Persons and Organizations not Affiliated with the Department of Defense," March 1, 1971,[1] and the implementing guidelines referred to in subparagraph (8) of this paragraph, providing essential planning, operational, and intelligence data to the

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[1] Although this resolution has been placed in the Statutes at Large as Public Law 70–331, 82 Stat. 170, it has not been codified; it is set out in the notes to 18 U.S.C. 3056.

[2] Filed as part of original copies available from U.S. Naval Publications and Forms Center, 5801 Taber Avenue, Philadelphia, PA 19120, Code: 300.

[3] Not available to the public. Copies have been distributed to appropriate military commanders.

National Military Command Center (NMCC) and the military service command centers on a timely basis to insure that the National Command Authorities and appropriate military service command authorities are adequately informed.

(b) The Joint Chiefs of Staff are responsible for:

(1) Establishing procedures that will promptly transfer military resources that are assigned to unified and specified commands (i) to the military departments for civil disturbance operations in the Continental United States (CONUS) or (ii) to unified commands for such operations outside the CONUS, as directed by the DOD Executive Agent and consistent with defense priorities.

(2) Maintaining an appropriate strategic reserve for worldwide employment and contingency operations.

(3) Insuring that directives concerning civil disturbances are issued to the commanders of unified commands, for the employment of military resources outside the CONUS, in accordance with direction and guidance provided by the DOD Executive Agent.

(c) The Secretary of the Air Force is responsible for:

(1) Providing military resources of the U.S. Air Force, as required by the DOD Executive Agent and consistent with defense priorities, to include:

(i) Designating and providing the specific units or members of the Air National Guard to be called to active Federal service under the provisions of paragraph (a)(4)(ii) of this section.

(ii) Designating and providing the military resources of the Air Force Reserve (other than Air National Guard) order to active duty to carry out the purposes of this part.

(2) Exercising for the DOD Executive Agent, through designated military commanders, coordinating authority over and direction of DOD provided military and commercial obligated airlift resources used to fulfill civil disturbance airlift requirements.

(3) Providing airlift to deploy and redeploy civil disturbance forces and for supply, resupply, and aeromedical evacuation.

(d) The Secretary of the Navy is responsible for:

(1) Designating and providing military resources of the U.S. Navy and the U.S. Marine Corps, as required by the DOD Executive Agent and consistent with defense priorities, to include ordering to active duty and utilizing the resources of the Naval Reserve and the Marine Corps Reserve required to carry out the purposes of this directive.

(2) Insuring that Navy and Marine forces committed in connection with civil disturbances are trained and equipped in accordance with criteria established by the DOD Executive Agent.

(3) Making airlift resources available to the Secretary of the Air Force, consistent with defense priorities, as requested by him in the accomplishment of his airlift responsibilities set forth in paragraph (c) of this section.

(e) The Defense agencies are responsible for providing military resources as required, and advice and assistance on matters within their spheres of responsibility, to the DOD Executive Agent and to the Secretaries of the military departments and to the Joint Chiefs of Staff in the discharge of their responsibilities.

(f) The Assistant Secretary of Defense (Public Affairs) is responsible for all DOD public affairs matters related to civil disturbances. To assure efficiency and responsiveness in keeping the public fully informed, he will:

(1) Provide direction and guidance to the DOD Executive Agent on all aspects of public release of information relating to civil disturbances.

(2) Assign Public Affairs representatives, of appropriate rank, to the Directorate of Military Support during civil disturbance operations.

(3) Designate as required on-site DOD Public Affairs Chiefs who will furnish appropriate advice and guidance to task force commanders and, upon request or by direction of appropriate authorities, to other representatives of the Federal Government. The on-site Public Affairs Chief is responsible for releasing all military information to the public in the affected area(s). He will be responsible for such other public affairs functions as directed by competent authority. In the event of a disagreement concerning the releasing of military information to the public between a task force commander and the on-site Public Affairs Chief, the issue will be resolved by the ASD(PA) who will coordinate with the DOD Executive Agent to the extent feasible.

§ 215.7 Command relationships.

(a) In the event of civil disturbances within the CONUS:

(1) Military resources of the unified or specified commands will be transferred by the JCS to their respective military departments, when directed by the DOD Executive Agent. (Such resources will revert to the unified or specified commands when directed by the DOD Executive Agent.)

(2) The DOD Executive Agent is delegated the authority to exercise, through the Chief of Staff, U.S. Army, the direction of those forces assigned or committed to him by the military departments.

(b) In the event of civil disturbances outside of CONUS, the DOD Executive Agent is delegated the authority to exercise the direction of those forces assigned or committed to the commanders of unified or specified commands through the Chief of Staff, U.S. Army, and Task Force Commanders designated by JCS.

(c) At objective areas, designated task force commanders will exercise operational control over all military forces assigned for employment in the event of civil disturbances.

§ 215.8 Organization and administration.

(a) A DOD Civil Disturbance Steering Committee will be established to provide advice and assistance to the DOD Executive Agent concerning civil disturbance matters. The Committee Chairman will be the Under Secretary of the Army. Members will include:

Deputy Attorney General of the United States.
Assistant Secretaries of Defense (Comptroller) and (Public Affairs).
General Counsel of the DOD.
Under Secretaries of the Navy and Air Force.
Vice Chiefs of Staff of the Army and Air Force.
Vice Chief of Naval Operations and Assistant Commandant of the Marine Corps.
Representative of the JCS.

(b) A Directorate of Military Support (DOMs) will be established by the DOD Executive Agent with a joint service staff under the Chief of Staff, U.S. Army. The Department of the Army will provide the Director and the Department of the Air Force will provide the Deputy Director. The DOMs will plan, coordinate, and direct civil disturbance operations.

§ 215.9 Providing military resources to civil authorities.

This section provides general guidance for the handling of requests for DOD facilities, personnel, equipment, or supplies, received from officials of the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof, for use in connection with civil disturbances.

(a) *Loan policy.* Civil authorities, National Guard, and Federal agencies will be encouraged to provide sufficient resources of their own, so as to minimize the need to rely on DOD assistance.

(1) *Classification of resources.* Military resources will be classified into three groups, as follows:

(i) *Group One.* Personnel, arms, ammunition, tank-automotive equipment, and aircraft.

(ii) *Group Two.* Riot control agents, concertina wire, and other like military equipment to be employed in control of civil disturbances which is not included in Group One.

(iii) *Group Three.* Firefighting resources (to include operating personnel); equipment of a protective nature (such as masks, helmets, body armor vests) and other equipment not included in Group One or Two (such as clothing, communications equipment, searchlights); and the use of DOD facilities.

(2) Requests for personnel to be used in a direct law enforcement role are not within the purview of this part and must be made by the legislature or governor of a State in accordance with 10 U.S.C. 331. Pursuant to the Posse Comitatus Act, DOD operating personnel employed in connection with loaned equipment may not be used in a direct law enforcement role.

(3) Repair parts and POL items are classified according to the group of the equipment for which the parts or POL are intended.

(b) *Approval of requests.* (1) Requests for Group One military resources may be granted only with the personal approval of the DOD Executive Agent or, when

designated by him for that purpose, the Under Secretary of the Army.

(2) Requests for Group Two military resources may be granted only with the personal approval of the DOD Executive Agent, or the following individuals when designated by him for that purpose: (i) The Under Secretary of the Army; (ii) the Director and Deputy Director of Military Support; or (iii) a Task Force Commander employed at an objective area during a civil disturbance.

(3) Requests for Group Three resources may be granted by Secretaries of the military departments, CINCs of unified and specified commands outside CONUS; or commanders of military installations or organizations who have been delegated such authority by the appropriate Service Secretary or CINC.

(i) Installation commanders are authorized to provide emergency explosive ordnance disposal service in accordance with applicable regulations of respective military departments.

(ii) The Director, Defense Supply Agency, is authorized to approve requests from subordinate agencies for firefighting assistance in connection with civil disturbances. Where installation fire departments have mutual aid agreements with nearby civil communities, the installation commander is authorized to provide emergency civilian or mixed civilian/military firefighting assistance. In the absence of a mutual aid agreement and when it is in the best interest of the United States, a commander with Group Three approval authority is authorized to provide emergency civilian or mixed civilian/military assistance in extinguishing fires and in preserving life or property from fire, within the vicinity of an installation. In either case, civilian firefighters may be used provided:

(*a*) In civil disturbance situations where there is significant danger of physical harm to firefighters, the civilian employees volunteer for the assignment. (DOD civilian employees acting in this volunteer capacity are acting as Federal employees.)

(*b*) Firefighting equipment will not be used for riot control.

(*c*) Civil authorities recognize that prior to the commitment of Federal forces to assist in restoring law and order, the protection of firefighting crews and equipment is the responsibility, in ascending order, of municipal, county, and State officials. Failure on the part of such authorities to recognize this responsibility and/or to provide adequate protection will be grounds for refusal to commit installation resources or for withdrawal of resources already committed.

(4) Requests for Groups One, Two, or Three resources, and for renewal of outstanding loans, may be denied at any level in the chain of command down to and including commanders delegated Group Three approval authority.

(c) *Processing of requests.* (1) All requests will be promptly submitted through channels to the appropriate approving authorities using the format established by the DOD Executive Agent.

(2) Requests will be forwarded and processed in keeping with the degree of urgency dictated by the situation.

(3) Requests received by personnel of Defense agencies will be referred to local military commanders for processing, except that DSA subordinate agencies will forward requests for firefighting assistance to DSA.

(4) Request from civil law enforcement agencies for training assistance related to the control of civil disturbances will not be approved at the local level. Such requests should be referred to the nearest U.S. attorney, Department of Justice.

(d) *Reporting of requests.* (1) Reports of all requests for military resources (approved, denied, or pending) will be prepared by all appropriate approving authorities, using the format established by the DOD Executive Agent, and forwarded through channels as follows:

(i) To the military department headquarters, in the case of requests received in the CONUS by the four Services.

(ii) To the DOD Executive Agent, in the case of requests for firefighting assistance received by the Defense Supply Agency.

(iii) To the JCS, in the case of requests received by organizations or installations over which the commanders of the unified and specified commands exercise command authority.

(2) Reports received by the military department headquarters and JCS will be transmitted to the DOD Executive Agent, who, in turn, will transmit information copies of all approved requests for Groups One and Two military resources to the General Counsel of the DOD and the Deputy Attorney General of the United States.

(3) In addition, a weekly summary report of all requests will be compiled by the DOD Executive Agent, showing action taken (approved, denied, or pending) and submitted to the General Counsel of the DOD, the Assistant Secretary of Defense (Installations and Logistics), and the Deputy Attorney General of the United States. Negative summary reports are required.

(4) The reporting requirements prescribed herein are assigned Report Control Symbol DD–A(AR)1112.

§ 215.10 Funding.

(a) Reporting requirements to provide for financing costs associated with civil disturbance operations, to include reimbursement of military department expenditures, will be in accordance with DOD Instruction 7200.9, "Financing and Reporting Costs of Military Resources Used in Civil Disturbances," January 26, 1970,[1] and DOD Executive Agent implementing instructions.

(b) Military assistance (Groups One, Two, and Three military resources) provided to civil authorities, under the provisions of § 215.9, will be on a reimbursable or reclaimable basis as appropriate.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division OASD (Comptroller).

[FR Doc.72–2483 Filed 2–17–72;8:47 am]

[1] Although this resolution has been placed in the Statutes at Large as Public Law 70–331, 82 Stat. 170, it has not been codified; it is set out in the notes to 18 U.S.C. 3056.

Chapter XVIII—Office of Civil Defense, Office of the Secretary of the Army

PART 1808—LABOR STANDARDS FOR FEDERALLY ASSISTED CONTRACTS

Contract Provisions

Part 1808 of Chapter XVIII of Title 32 of the Code of Federal Regulations is amended as follows:

(1) Paragraph (a)(5)(ii) of § 1808.4 is amended by substituting "29 CFR 5.5(a)(1)(iv)" in place of "20 CFR 5.5(a)(1)(iv)."

(2) Paragraph (a)(6)(ii) of § 1808.4 is amended by substituting "29 CFR Part 5a" in place of "Part 5a of this subtitle."

(64 Stat. 1250, 1255, 50 U.S.C. App. 2281; 2253; Reorg. Plan No. 1 of 1958 as amended, 72 Stat. 1799–1801, 23 F.R. 4991 E.O. 10952, as amended, 26 F.R. 6577; Delegation of Authority Regarding Civil Defense Functions and Establishment of the Office of Civil Defense, Apr. 10, 1964, 29 F.R. 5017)

Effective date. These amendments are effective immediately.

JOHN E. DAVIS,
Director of Civil Defense.

[FR Doc.72–2464 Filed 2–17–72;8:45 am]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 6—Department of State

[Dept. Reg. 108.654]

PART 6–1—GENERAL

Procedures for Handling Procurement Documents and Contract Administration for Wire Service Circuits Leasing

Part 6–1, Chapter 6 of Title 41 of the Code of Federal Regulations, is amended to provide new instructions regarding the numbering and distribution of procurement documents, and to reflect organizational changes within the Department of State.

1. In Subpart 6–1.3, §§ 6–1.351–1, 6–1.351–2, 6–1.351–3, and 6–1.352 are revised to read as follows:

§ 6–1.351 Numbering procurement documents.

§ 6–1.351–1 Policy.

Procurement documents required to be numbered are:

(a) Formally advertised contracts.

(b) Negotiated contracts.

(c) Purchase orders.

§ 6–1.351–2 Procedure.

All procurement documents shall be numbered in accordance with the Department's worldwide standardized numbering system. This system consists of a set of four digits followed by a hyphen and a second set of six digits. The first set of four digits always will identify the specific allotment/operating allowance to be charged. The second set of six digits will identify the obligation number of the transaction, the first digit of which is reserved to indicate the fiscal year during which the transaction takes place. Procurement documents prepared for other Federal agencies may be numbered in accordance with their requests.

§ 6–1.351–3 Numbering modifications and amendments.

Each modification and/or amendment to a procurement document shall be alphabetized in successive order. This alphabetic letter shall be preceded by a hyphen and appear as a suffix to the original procurement document number.

§ 6–1.352 Distribution of numbered contracts.

(a) *Post series.* The signed original together with the original Standard Form 1036 shall be retained at the post in the contract file and shall, upon request, be available for audit. A signed copy of the contract shall be furnished the contractor.

(b) *FBO series.* A signed copy of both the contract and Standard Form 1036 shall be forwarded to the Department with an operations memorandum, Subject: Buildings. The memorandum shall specify the appropriation against which the contract will be paid and shall refer to the Department authority, if any, under which the contract was consummated. The signed original of the contract with a Standard Form 1036 shall be placed in the contract file and shall, upon request, be available for audit. A signed copy of the contract shall be furnished the contractor.

(c) *Department's Washington series.* The signed original, together with the original Standard Form 1036, if required, shall be forwarded to Financial Services. One signed copy shall be retained in the contract file, and upon request, be available for audit. A signed copy of the contract shall be furnished the contractor.

2. In Subpart 6–1.4, in § 6–1.404–2, paragraph (c)(7) is revised to read as follows:

§ 6–1.404–2 Designation.

* * * * *

(c) * * *

(7) *Office of Communications.* The authority to enter into and administer contracts (except grants) for leasing wire service circuits is delegated to the Executive Officer and the Chief, Programs Staff.

* * * * *

Effective date. These amendments shall be effective upon publication in the FEDERAL REGISTER (2–18–72).

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 4, 63 Stat. 111; 22 U.S.C. 2658)

JOSEPH F. DONELAN, Jr.,
Assistant Secretary for Administration.

FEBRUARY 4, 1972.

[FR Doc.72–2500 Filed 2–17–72;8:48 am]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER J—MISCELLANEOUS

[General Order 103, Amdt. 3]

PART 381—CARGO PREFERENCE—U.S.–FLAG VESSELS

Informal Grievance Procedure

In F.R. Doc. 71–15157 appearing in the FEDERAL REGISTER issue of October 16, 1971 (36 F.R. 20164), notice was given that, pursuant to section 27 of the Merchant Marine Act of 1970, Public Law 91–469, the Assistant Secretary of Commerce for Maritime Affairs had under consideration the promulgation of regulations to be followed by all departments and agencies having responsibility under the Cargo Preference Act of 1954, section 901(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1241(b)), in the administration of their programs with respect to the Act. The notice set forth a proposed rule that would establish an informal procedure under which persons having a problem arising in connection with the administration of the Cargo Preference Act of 1954 may promptly obtain advice and assistance.

Interested persons were given an opportunity to participate in the proposed rule making through the submission of comments. Pursuant to the notice, comments have been received from interested persons, and due consideration has been given to all relevant material presented.

All comments expressed agreement with the purpose of the proposed regulation. One recommended that a paragraph designated "(d)" should be added at the end of the proposed rule making the decision of the Assistant Secretary of Commerce for Maritime Affairs or his representative final, except in cases arising after the execution of a contract of affreightment or charter which provided a procedure for settling disputes. This suggestion has merit, but it was not incorporated in the rule because of the desire to keep the proceedings informal and of an advisory nature.

In consideration of the foregoing, Part 381, Title 46, Chapter II, Code of Federal Regulations (36 F.R. 6894, 10739, 19367, and 19253), is hereby amended by adding a new section reading as follows:

§ 381.6 Informal grievance procedure.

(a) Whenever any person has a question, problem, complaint, grievance, or controversy pertaining to the terms and conditions of any tenders, charter party terms, or other matter involving the administration of the Cargo Preference Act of 1954, such person may request the Maritime Administration to afford him an opportunity to discuss the matter informally with representatives of the Maritime Administration and, if other U.S. Government agencies or foreign missions, embassies, or agencies acting on behalf of a foreign government are involved with them or persons authorized to speak for them.

(b) In such cases, a request may be made by telephone or letter to the Chief, Office of Market Development, Maritime Administration, Washington, D.C. 20235, Area Code 202, phone 967–3325. When such a request has been received, the Assistant Secretary of Commerce for Maritime Affairs or his designated representative will promptly consider the matter on its merits and provide assistance if possible. If the matter cannot be resolved satisfactorily by the Maritime Administration, the Assistant Secretary of Commerce for Maritime Affairs or his designated representative will then arrange for a meeting at a time and place satisfactory to all interested parties so that the matter may be freely discussed and resolved.

(c) At such meetings, the Assistant Secretary of Commerce for Maritime Affairs or his designated representative may request any U.S. Government agency, foreign mission, embassy, or agency acting on behalf of a foreign government, or others having an interest in the matter to attend such a conference, or to send representatives authorized to speak for them. All such meetings and conferences will be conducted in an informal manner.

Effective date. This regulation shall become effective as of March 1, 1972.

(Sec. 204, 49 Stat. 1987, as amended, 46 U.S.C. 1114)

Dated: February 14, 1972.

By order of the Assistant Secretary of Commerce for Maritime Affairs.

JAMES S. DAWSON, Jr.,
Secretary, Maritime Administration.

[FR Doc.72–2532 Filed 2–17–72;8:51 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 51]

GREEN ASPARAGUS FOR CANNING OR FREEZING [1]

Proposed Standards for Grades

Notice is hereby given that the U.S. Department of Agriculture is considering the revision of U.S. Standards for Grades of Green Asparagus for Canning or Freezing (7 CFR 51.4075–51.4085). These grade standards are issued under authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers, and consumers. Official grading services are also provided under this act upon request of any financially interested party and upon payment of a fee to cover the cost of such services.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposal should file the same, in duplicate, not later than March 15, 1972, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, where they will be available for public review during official hours of business (7 CFR 1.27(b)).

Statement of considerations leading to the proposed revision of the grade standards. The U.S. Standards for Grades of Green Asparagus for Canning or Freezing have been in effect since December 22, 1937. They were published in the FEDERAL REGISTER in June 1967 for the purpose of codification.

These standards are seldom used by the asparagus processing industry, which prefers contract specifications that may be quickly changed to meet specific conditions. However, they are used to some extent by exporters of asparagus to be used for processing purposes. Neither the U.S. No. 1 nor the U.S. No. 2 grade provides tolerances for defects or off-size. In the customary application of these standards to determine the percentages of U.S. No. 1, U.S. No. 2, culls and butts in a lot, there is no need for tolerances. However, when a lot of asparagus must meet the requirements of one specified grade, tolerances for defects are necessary. Without tolerances, a shipment would have to be 100 percent free from scorable defects to meet the requirements of a specified grade. Tolerances should be incorporated as proposed if these standards are to be practical for use in the certification of shipments of asparagus that must meet the requirements of a single grade, whether exported for processing or sold to a domestic user.

In August 1971 USDA's Consumer and Marketing Service prepared and submitted to the asparagus industry a draft for study to consider revision of the standards for asparagus for canning or freezing, outlining the proposed changes. Comments from asparagus processors in response to this study draft were chiefly concerned with maintaining adequate requirements for diameter and length of spears and amount of green color. The only proposed change relating to these factors would provide a green color requirement in the U.S. No. 2 grade.

In addition to the proposed provision for tolerances for defects and off-size, the proposed revision would include the following changes:

(1) The title would be changed from U.S. Standards for Grades of Green Asparagus for Canning or Freezing to U.S. Standards for Grades of Green Asparagus for Processing.

(2) The format of the standards would be changed and other changes in arrangement and wording would be made in the interest of clarity and readability.

(3) A requirement would be added to the U.S. No. 2 grade providing that unless otherwise specified each spear shall have green color extending at least 3 inches below the tip.

(4) Definitions would be added for serious damage by broken tips, spreading tips, and beetle eggs.

The proposed standards, as revised, are as follows:

Subpart—U.S. Standards for Grades of Green Asparagus for Canning or Freezing

GRADES

Sec.
51.4075 U.S. No. 1.
51.4076 U.S. No. 2.

CULLS

51.4077 Culls.

BUTT

51.4078 Butt.

APPLICATION OF STANDARDS

51.4079 Application of standards.

DIAMETER CLASSIFICATION

51.4080 Diameter classification.

DEFINITIONS

51.4081 Fresh.
51.4082 Fairly well formed.
51.4083 Damage.
51.4084 Green color.
51.4085 Serious damage.

METRIC CONVERSION TABLE

51.4086 Metric Conversion Table.

GRADES

§ 51.4075 U.S. No. 1.

"U.S. No. 1" consists of spears of asparagus which meet the following requirements:

(a) Basic requirements:
(1) Fresh; and,
(2) Fairly well formed.
(b) Free from:
(1) Decay; and,
(2) Broken tips.
(c) Free from damage caused by:
(1) Doubles;
(2) Spreading tips;
(3) Knife cuts;
(4) Broken butts;
(5) Hail;
(6) Freezing;
(7) Dirt;
(8) Disease;
(9) Beetles or other insects; or,
(10) Mechanical, or other means.

(d) Size: Unless otherwise specified, each spear shall meet the following requirements:

(1) *For diameter.* Not less than one-fourth inch.

(2) *For length.* Not more than 7½ inches.

(e) Color: Unless otherwise specified, the spear shall have green color extending at least 4½ inches below the tip. There shall be no restrictions regarding the amount of white color permitted on a spear unless agreed upon by the processor and grower. (See § 51.4078.)

(f) For tolerances see "Application of Standards" § 51.4079.

§ 51.4076 U.S. No. 2.

"U.S. No. 2" consists of spears of asparagus which meet the following requirements:

(a) Basic requirements:
(1) Fresh.
(b) Free from:
(1) Decay.
(c) Free from damage caused by:
(1) Dirt.
(d) Free from serious damage caused by:
(1) Disease;
(2) Beetles or other insects; or,
(3) Mechanical, or other means.

(e) Size. Unless otherwise specified, each spear shall be not more than 7½ inches in length.

(f) Color. Unless otherwise specified, the spear shall have green color extending at least 3 inches below the tip. There shall be no restrictions regarding the amount of white color permitted on a spear unless agreed upon by the processor and grower. (See § 51.4078.)

(g) For tolerances see "Application of Standards" § 51.4079.

CULLS

§ 51.4077 Culls.

"Culls" are spears of asparagus which do not meet the requirements of either

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug and Cosmetic Act or with applicable State laws and regulations.

of the foregoing grades. Length of spear in excess of that specified in the lowest grade upon which a contract is based and any amount of white in excess of that which may be specified for that grade shall be considered as a "Butt".

BUTT

§ 51.4078 Butt.

That part of a spear that is in excess of the maximum length specified shall be classed as a butt; and if a contract between canner and grower restricts the amount of white on a spear, the white in excess of the amount specified shall also be classified as a butt; and in either case the remaining portion of the spear shall be considered as meeting the grade requirements in regard to these factors.

APPLICATION OF STANDARDS

§ 51.4079 Application of standards.

In the application of these standards to determine the percentage of U.S. No. 1 and U.S. No. 2 quality, culls, butts, and off-size in a lot, tolerances shall not apply.

(a) *Tolerances.* When lot of asparagus is required to meet a specified grade, the following tolerances, by weight, shall apply:

(1) *For defects.* 10 percent for spears in any lot which fail to meet the requirements of the grade other than for butts and off-size: *Provided,* That not more than one-tenth of this amount, or 1 percent, shall be allowed for spears affected by decay.

(2) *For butts.* 5 percent.

(3) *For off-size.* 10 percent, including not more than 5 percent for spears smaller than any specified minimum diameter.

DIAMETER CLASSIFICATION

§ 51.4080 Diameter classification.

(a) The following terms are provided for describing the diameter of the spears:

(1) *Small.* One-fourth inch to less than three-eighths inch in diameter.

(2) *Medium.* Three-eighths inch to less than five-eighths inch in diameter.

(3) *Large.* Five-eighths inch or larger in diameter.

(b) The diameter shall be the greatest thickness of the spear measured at a point 5 inches from the tip, except that spears which are less than 5 inches in length shall be measured at the base of the spear.

DEFINITIONS

§ 51.4081 Fresh.

"Fresh" means not wilted, limp or flabby.

§ 51.4082 Fairly well formed.

"Fairly well formed" means the spear is not badly flattened, crooked, or otherwise so badly deformed that its processing quality is materially affected.

§ 51.4083 Damage.

"Damage" means any defect which detracts from the processing quality of the portion of the spear that extends a distance of 4½ inches from the tip, or which materially detracts from the canning or freezing quality of the remaining portion of the spear exclusive of the butt. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Doubles which detract from the appearance of that portion of the spear that extends a distance of 4½ inches from the tip. Doubles which occur on the remaining portion of the spear shall not be regarded as damage.

(b) Spreading tips, when the tips are so spread or branched that the appearance is appreciably injured. Tips which have a "seedy" appearance shall be considered damaged.

(c) Dirt or sand which is so imbedded in the tip that it cannot be removed in the ordinary process of washing.

(d) Beetle eggs or holes which affect the portion of the spear that extends a distance of 4½ inches from the tip, or which materially detract from the processing quality of the remaining portion of the spear exclusive of the butt.

§ 51.4084 Green color.

"Green color" means any shade or tinge of green color or purple color which will blanch green. The amount of green color shall be determined by measuring the distance from the extreme tip to the lowest point at which any shade of green color completely encircles the spear.

§ 51.4085 Serious damage.

"Serious damage" means any defect which seriously detracts from the processing quality of that part of the spear not classed as a butt. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(a) Broken tips when three or more segments are missing from the tip or when the extreme tip is missing and the broken end is not at least fairly well concealed by lower scales.

(b) Spreading tips when the tip branches are more than three-quarter inch in length or when extending out from the spear.

(c) Beetle eggs when more than six eggs are present on the spear providing that not more than three eggs are present within a distance of 4½ inches below the tip.

METRIC CONVERSION TABLE

§ 51.4086 Metric Conversion Table.

Inches:	*Millimeters (mm.)*
⅛ equals	3.2
¼ equals	6.4
⅜ equals	9.5
½ equals	12.7
⅝ equals	15.9
¾ equals	19.1
1 equals	25.4
2 equals	50.8
3 equals	76.2
4 equals	101.6
4½ equals	114.3
5 equals	127.0
7½ equals	190.5
10 equals	254.0

Dated: February 14, 1972.

G. R. GRANGE,
Acting Administrator.

[FR Doc.72-2481 Filed 2-17-72;8:47 am]

[7 CFR Part 906]

ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Proposed Container, Pack, and Container Marking Regulations

Consideration is being given to the following proposal, applicable to § 906.340 Container, pack, and container marking regulations (7 CFR 906.340; 36 F.R. 143; 5962; 7049; 14253; 20029; 37 F.R. 2765), recommended by the Texas Valley Citrus Committee, established pursuant to the marketing agreement; as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

All persons who desire to submit written data, views, or arguments in connection with the proposal should file the same with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the seventh day after the 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)).

The proposed amendment would continue in effect certain requirements with respect to the packing of Navel oranges and Valencia and similar late type oranges, that have been in effect since February 7, 1972, under Amendment 10 to § 906.340. Such requirements, which unless extended beyond such date would expire March 6, 1972, expand by two-sixteenths inch, the diameter limits for fruit in each of the pack sizes for such oranges; establishes limits in the variation in size, from the smallest to the largest fruit, for each pack size for fruit in individual containers for such oranges; and provides diameter limits for the fruit for pack sizes not included in the pack requirements specified in paragraph (a)(2)(i) of § 906.340 for such oranges prior to February 7, 1972. The expansion of the diameter limits for the fruit in each pack size, by lowering the minimum diameter for each pack size by two-sixteenths inch, is intended to allow greater flexibility and prevent overfilling of containers, in the packing of Navel oranges and Valencia and similar late type oranges, especially for fruit which is slightly elongated. The establishment of limits in the variation in size, from the smallest to the largest fruit for each pack size for fruit in individual containers is designed to maintain uniformity of size, of the fruit, within each container. The listing of diameter limits for the fruit for those pack sizes, in addition to those specified in paragraph (a)(2)(i) of

§ 906.340 for such oranges prior to February 7, 1972, is for the purpose of permitting the handling of larger size oranges packed in accordance with the standard pack requirements but of larger pack sizes than set forth in the U.S. Standards. The larger size oranges are too big to be packed according to one of the smaller pack sizes, without damage to the fruit.

The proposal is that the provisions of paragraph (a) (2) (i) of § 906.340 (7 CFR 906.340; 36 F.R. 143; 5962; 7049; 14253; 20029; 37 F.R. 2765) be amended by adding 2 provisos to subdivision (i) *Oranges,* of subparagraph (2) *Pack regulations,* to read as follows:

§ 906.340 Container, pack, and container marking regulations.

(a) * * *
(2) * * *
(i) * * *: *Provided,* That on and after March 7, 1972, Navel oranges and Valencia and similar late type oranges when place packed in any box or carton shall be sized in accordance with the sizes set forth in the following table and otherwise meet the requirements of standard pack; and when in containers not packed according to a definite pattern shall be sized in accordance with the sizes set forth in the following table and otherwise meet the requirements of standard sizing:

TABLE

Pack sizes	Diameter limits in inches	
	Minimum	Maximum
46	4 3/16	5
54	4	4 12/16
64	3 13/16	4 5/16
70 or 72	3 11/16	4 1/16
80	3 8/16	4 1/16
100	3 5/16	3 13/16
112	3 3/16	3 11/16
125	3 1/16	3 5/16
163	2 13/16	3 5/16
200	2 9/16	3 1/16
252	2 5/16	2 12/16
288	2 2/16	2 9/16
324	2 1/16	2 5/16

Provided further, That on and after March 7, 1972, the variation from the smallest to the largest fruit in any container is not more than the following applicable amount:

(*a*) 46, 54, 64, 70, or 72, or 80 sizes—not more than eight-sixteenths inch in diameter;

(*b*) 100, 112, or 125 sizes—not more than six-sixteenths inch in diameter;

(*c*) 163 or 200 sizes—not more than five-sixteenths inch in diameter; and

(*d*) 252, 288, or 324 sizes—not more than four-sixteenths inch in diameter.

* * * * *

Dated: February 15, 1972.

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

[FR Doc.72-2526 Filed 2-17-72;8:51 am]

[7 CFR Part 993]

DRIED PRUNES PRODUCED IN CALIFORNIA

Proposed Disposition of Reserve Prunes

Notice is hereby given of a proposal to amend § 993.165(c) of the administrative rules and regulations (Subpart—Administrative Rules and Regulations; 7 CFR 993.101–993.174; 36 F.R. 15039). The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California (hereinafter collectively referred to as the "order"). The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The proposal was unanimously recommended by the Prune Administrative Committee.

The amendment would permit reserve prunes to be sold for dicing to be used in the manufacture of chocolate coated prune pieces. Currently, diced prunes for use in the manufacture of chocolate coated prune pieces are excluded from the definition of noncompetitive outlets (for reserve prunes) in § 993.165(c).

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than 7 days after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is to amend § 993.165(c) (4) of Subpart—Administrative Rules and Regulations (7 CFR 993.101–993.174; 36 F.R. 15039) by deleting therefrom "chocolate coated prune pieces". As so amended, § 993.165(c) would read as follows:

§ 993.165 Disposition of reserve prunes.

* * * * *

(c) *Noncompetitive outlets.* "Noncompetitive outlets" means (1) the U.S. Government or any agency thereof and any State or local government, except when such outlets are normally serviced through regular commercial trade channels, (2) any foreign government or any agency thereof, except any which normally is serviced through regular commercial trade channels, (3) any foreign country with an average of annual commercial imports of California prunes of less than 5 tons, based on imports during the most recent 5 years, (4) diced prunes for use as an ingredient in, or the manufacture of, food products for human consumption, other than for use in the manufacture of prune juice, prune concentrate, baby food, puree, butter, jam, and low moisture nuggets, granules, and powder, (5) charities, (6) research or educational activities, and (7) animal feed, distillation, and other salvage use.

Dated: February 15, 1972.

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

[FR Doc.72-2527 Filed 2-17-72;8:51 am]

DEPARTMENT OF COMMERCE

Bureau of Domestic Commerce

[15 CFR Part 610]

ADJUSTMENT ASSISTANCE

Notice of Proposed Rule Making

CROSS REFERENCE: For a document relating to trade adjustment assistance [15 CFR Part 500], see F.R. Doc. 72-2462, Department of Commerce, Office of Trade Adjustment Assistance, *infra.*

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 31]

NONALCOHOLIC BEVERAGES

Proposed Amendment to Soda Water Standard of Identity

Notice is given that a petition has been filed by the Aromatics International Manufacturing Co., Inc., Atlanta, Ga. 30331, proposing that the standard of identity for soda water (21 CFR 31.1) be amended to provide for the use of edible vegetable oils as optional ingredients in clouding agents and as carriers for flavoring ingredients used in soda water.

Grounds given in support of the petition are (1) That there is a need for a safe substitute for brominated vegetable oils which are no longer permitted to be used in soda water in quantity sufficient to produce the clouding effect desired and (2) that there is a need for an additional safe, edible, relatively flavorless carrier for flavoring.

Accordingly, it is proposed that § 31.1 (21 CFR 31.1) be amended to provide for the optional use of edible vegetable oils as emulsifying, stabilizing, or viscosity-producing agents and as carriers for flavoring ingredients used in soda water.

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), interested persons are invited to submit their views in writing (preferably in quintuplicate) regarding this proposal within 60 days after its date of FEDERAL REGISTER publication. Such views and comments should be addressed to the Hearing

Clerk, Department of Health, Education, and Welfare, Room 6–88, 5600 Fishers Lane, Rockville, Md. 20852, and may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: February 3, 1972.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.72–2467 Filed 2–17–72;8:47 am]

[21 CFR Part 191]

ASBESTOS-CONTAINING GARMENTS FOR GENERAL USE

Proposed Classification as Banned Hazardous Substance

Inhalation of asbestos fibers for as little as 3 months has been reported as causing lung cancer, mesothelioma, and lung fibrosis. To provide an emergency standard dealing with the exposure of employees to asbestos dust, the Occupational Safety and Health Administration of the Department of Labor promulgated 29 CFR 1910.93a in the FEDERAL REGISTER of December 7, 1971 (36 F.R. 23208), which reads in part "The 8-hour time-weighted average airborne concentration of asbestos dust to which employees are exposed shall not exceed 5 fibers per milliliter greater than 5 microns in length, as determined by the membrane filter method at 400–450 × magnification (4 millimeter objective) phase contrast illumination."

Said promulgation was based on recent studies by the National Institute for Occupational Safety and Health, recommendations by the American Conference of Governmental Industrial Hygienists, and other relevant material.

On the basis of reports and investigations, the Commissioner of Food and Drugs learned that certain garments made from an imported fabric containing 8 percent of asbestos have been marketed. An ad hoc committee of five experts in the field of asbestos toxicity was appointed to evaluate the health significance of asbestos in such garments. The committee concluded that the use of asbestos in garments for the general public was inappropriate and presented an unwarranted hazard of toxicity.

Accordingly, the Commissioner finds that asbestos-containing garments marketed for general use, other than those having a bona fide application for firefighting, are hazardous substances, that cautionary labeling is inadequate to protect the public health and safety, and therefore, that such articles should be kept from interstate commerce.

Therefore, pursuant to provisions of the Federal Hazardous Substances Act (sec. 2(q) (1)(B), (2), 74 Stat. 374, as amended 80 Stat. 1304–5; 15 U.S.C. 1261) and of the Federal Food, Drug and Cosmetic Act (sec. 701(e), 52 Stat. 1055, as amended; 21 U.S.C. 371(e)), and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that a new subparagraph (6) be added to § 191.9(a), as follows:

§ 191.9 Banned hazardous substances.

(a) Under the authority of section 2 (q)(1)(B) of the act, the Commissioner declares as banned hazardous substances the following articles because they possess such a degree or nature of hazard that adequate cautionary labeling cannot be written and the public health and safety can be served only by keeping such articles out of interstate commerce:

* * * * *

(6) General-use garments containing asbestos (other than such garments having a bona fide application for firefighting purposes).

Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6–88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: February 12, 1972.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc.72–2457 Filed 2–17–72;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 72–SW–9]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter the Johnson City, Tex., 700-foot transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, TX 76101. 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 public 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 Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.181 (37 F.R. 2143), the Johnson City, Tex., transition area is amended to read:

JOHNSON CITY, TEX.

That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of Johnson City RBN (latitude 30°12'32" N., longitude 98°37'05" W.) and within 2.5 miles each side of the 175° bearing (166° magnetic) from the RBN extending from the 10.5-mile radius area to 11.5 miles south of the RBN.

In addition to providing controlled airspace for the instrument approach procedure serving Johnson City Airport, this proposed alteration will also accommodate an approach procedure for Shepherd Farm Airport, Stonewall, Tex.

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

Issued in Fort Worth, Tex., on February 10, 1972.

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

[FR Doc.72–2478 Filed 2–17–72;8:46 am]

[14 CFR Part 71]

[Airspace Docket No. 71–WE–52]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Fortuna, Calif., transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, CA 90009. 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. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW.,

Washington, DC 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

As parts of this proposal relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 of and Annex 11 to the Convention on International Civil Aviation, which pertain to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Their purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

The airspace action proposed in this docket would alter the Fortuna, Calif., transition area to read as follows:

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Fortuna VORTAC 327° radial, extending from the VORTAC to 8 miles northwest of the VORTAC; within 2 miles northeast and 4.5 miles southwest of the Fortuna VORTAC 147° radial, extending from the VORTAC to 3.5 miles southeast of the VORTAC; within 2.5 miles southwest and 3.5 miles northeast of the 129° and 309° bearings from the Rohnerville Airport (lat. 40° 33'15" N., long. 124°07'53" W.), extending from 7.5 miles northwest to 3 miles southeast of the airport and within 2 miles each side of the Fortuna VORTAC 034° radial, extending from the VORTAC to 11 miles northeast of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 4.5 miles southeast and 10 miles northwest of the Fortuna VORTAC 229° radial, extending from the VORTAC to 18.5 miles southwest of the VORTAC.

The proposed alteration of the transition area is needed to provide controlled airspace for a procedure turn and final approach course for a new instrument approach procedure to Murray Field, Eureka, Calif.

This amendment is proposed under the authority of section 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510), Executive Order 10854 (24 F.R. 9565) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

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

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

[FR Doc.72-2479 Filed 2-17-72;8:46 am]

ATOMIC ENERGY COMMISSION

[10 CFR Part 50]

[Docket No. RM-50-2]

LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Change in Location of Hearing on Effluents From Light Water-Cooled Nuclear Power Reactors

Notice is hereby given that the hearing scheduled to be resumed at 10 a.m., on February 23, 1972, in accordance with this Board's order of January 13, 1972 (37 F.R. 1410, January 28, 1972), will be held in the auditorium of the Atomic Energy Commission in Germantown, Md. 20545. This change in the location is necessary because the Woodmont Building will not be available.

Dated this 16th day of February 1972, at Washington, D.C.

ALGIE A. WELLS,
Chairman.

[FR Doc.72-2595 Filed 2-17-72;8:51 am]

Notices

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

ASSISTANT SECRETARY OF DEFENSE (INTELLIGENCE)

Responsibilities, Functions, and Authorities

The Secretary of Defense approved the following on January 18, 1972:

References:

(a) DOD Directive 5100.30, "World-Wide Military Command and Control System (WWMCCS)," dated December 2, 1971.

(b) DOD Directive 5105.39, "Director of Net Assessment," dated December 6, 1971.

(c) DOD Directive 5000.19, "Policies for the Management and Control of DOD Information Requirements," dated June 2, 1971.

I. *General.* Pursuant to the authority vested in the Secretary of Defense under the provisions of title 10, United States Code, one of the authorized positions of Assistant Secretary of Defense is hereby designated Assistant Secretary of Defense (Intelligence) with responsibilities, functions, and authorities as prescribed herein.

II. *Responsibilities.* The Assistant Secretary of Defense (Intelligence) is the principal staff advisor and assistant to the Secretary of Defense for the management of intelligence resources, programs, and activities, including those for intelligence, warning, reconnaissance, and other related areas which may be designated by the Secretary of Defense. His responsibility specifically includes equipment, systems, and activities in the above areas which are organic to military forces or units. He is also responsible for staff supervision of the intelligence aspects of command and control, as provided for in Reference (a).[1]

III. *Functions.* Under the direction, authority, and control of the Secretary of Defense, the Assistant Secretary of Defense (Intelligence) shall perform the following functions in his assigned field of responsibility.

A. Recommend objectives, priorities, plans, and planning guidance for intelligence resources.

B. Review proposed intelligence resource programs and recommend resource allocations to those programs.

C. Monitor approved intelligence resource programs and supervise their implementation.

D. In conjunction with the Assistant Secretary of Defense (Comptroller), formulate budget estimates for the intelligence portion of the DOD budget.

E. Establish requirements for intelligence support of all research and development programs of the Military Departments and Defense Agencies.

F. Ensure that R&D project managers are provided intelligence information needed for effective direction of R&D programs.

G. Review the RDT&E intelligence programs of DOD; recommend funding levels and sources of funds for such programs.

H. Recommend to the Secretary of Defense RDT&E requirements and priorities for systems whose primary mission is intelligence and also for those systems for which intelligence should be a secondary mission.

I. Recommend policies for the management of intelligence operations, including operational requirements and priorities.

J. Coordinate intelligence activities within DOD and coordinate, as appropriate, intelligence programs for the DOD with other U.S. Government entities.

K. Provide for DOD representation for international and interdepartmental intelligence organizations and activities.

L. Recommend appropriate steps (including the transfer, reassignment, abolition, and consolidation of intelligence functions) which will provide in the Department of Defense for more effective, efficient, and economical management of intelligence resources, eliminate unnecessary duplication, and contribute to improved military preparedness. Monitor and evaluate approved actions in these areas.

M. Recommend to the Secretary of Defense requirements and priorities for net threat assessments of United States versus opposing foreign weapons systems. Provide for the development of terms of reference and the preparation of net threat assessments insuring the best available intelligence information is used by DOD Components in the process. Inform the Director of Net Assessment (Reference (b))[1] of the analyses and conclusions derived from such assessments.

N. Perform other functions as the Secretary of Defense assigns.

IV. *Relationships.* The Assistant Secretary of Defense (Intelligence) shall advise and develop recommendations for approval of the Secretary of Defense, or, as directed, act for the Secretary of Defense in the performance of the functions which are assigned herein or which may be otherwise assigned. In the performance of these functions, he shall:

A. Coordinate actions, as appropriate, with DOD Components having collateral or related functions.

B. Make full use of established facilities in the Office of the Secretary of Defense and other DOD Components rather than unnecessarily duplicating such facilities.

C. Maintain active liaison for the exchange of information and advice with DOD Components as appropriate.

V. *Authorities.* The Assistant Secretary of Defense (Intelligence), in the course of exercising staff functions, is hereby specifically delegated authority to:

A. Issue instructions and one-time direction-type memoranda, in writing, appropriate for carrying out approved policies and for establishing management procedures for his assigned fields of responsibilities in accordance with DOD Directive 5025.1.[1] Instructions to the Military Departments will be issued through the Secretaries of the departments or their designees.

B. Obtain such reports, information, and assistance from the Military Departments and other DOD Components, subject to the provisions of Reference (c),[1] as may be necessary for the performance of his assigned responsibilities and functions.

C. Communicate directly with the Secretaries of the Military Departments, the Joint Chiefs of Staff, Commanders of Unified and Specified Commands, and the Directors of Defense Agencies. Keep the Joint Chiefs of Staff informed of all communications with the Commanders of Unified and Specified Commands which have strategic or military operational implications.

D. Arrange for DOD participation in those international and interdepartmental intelligence programs for which he has been assigned primary staff cognizance.

E. Communicate directly with all government agencies participating with DOD in those interdepartmental programs for which he has been assigned primary staff cognizance.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division OASD (Comptroller).

[FR Doc.72-2485 Filed 2-17-72;8:47 am]

[1] Filed as part of original. Extra copies available from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120, Attention: Code 300.

ASSISTANT SECRETARY OF DEFENSE (TELECOMMUNICATIONS)

Responsibilities, Functions, and Authorities

The Secretary of Defense approved the following on January 11, 1972:

Reference: (a) DOD Directive 5100.30, "World-Wide Military Command and Control System (WWMCCS)," December 2, 1971.

I. *General.* Pursuant to the authority vested in the Secretary of Defense under the provisions of Title 10, United States Code, one of the authorized positions of Assistant Secretary of Defense is hereby designated Assistant Secretary of Defense (Telecommunications) with

responsibilities, functions, and authorities as prescribed herein. The purpose of this position is to help insure reliable, survivable, secure, cost-effective telecommunications for the Department of Defense and the National Communications System.

II. *Responsibilities.* The Assistant Secretary of Defense (Telecommunications) is the principal staff assistant to the Secretary of Defense on telecommunications matters. He is the principal assistant to the Secretary of Defense for the National Communications System. He will also have primary staff responsibility in the Office of the Secretary of Defense for the World-Wide Military Command and Control System (WWMCCS), National Military Command System (NMCS), and WWMCCS-related systems as provided for in Reference (a),[1] including membership on the WWMCCS Council.

III. *Functions.* Under the direction, authority, and control of the Secretary of Defense, the Assistant Secretary of Defense (Telecommunications) shall perform the following functions:

A. *General.* 1. Serve as principal staff assistant to the Secretary of Defense for telecommunications matters.

2. Act as DOD coordinator in the area of telecommunications, including telecommunications for command and control.

3. Review Military Department, Joint Chiefs of Staff, and other DOD Component validated telecommunications requirements to affirm the need thereof, including priorities for their fulfillment. Recommend alternatives as appropriate.

4. Act as the DOD coordinator for those special telecommunications of a sensitive nature, e.g., those related to the support of intelligence functions.

5. Act as the DOD coordinator for general purpose radio navigation matters.

6. Monitor nontelecommunications actions with respect to their impact upon telecommunications plans and programs.

7. Serve as the DOD central point of contact on telecommunications matters for organizations external to DOD.

8. Perform such other functions as the Secretary of Defense may assign.

B. *National Communications System (NCS).* 1. Serve as the principal assistant to the Secretary of Defense in his role as Executive Agent, NCS.

2. Coordinate as necessary with all agencies participating in the NCS.

3. Review progress in fulfilling NCS responsibilities and recommend to the Executive Agent for the NCS, as appropriate, measures for improving the NCS and for securing efficiency, effectiveness, and economy.

4. Provide for the receipt and processing of requests from any agency having requirements for service from the NCS to include determining feasibility, developing alternative methods of implementation, and recommending appropriate priorities.

5. Recommend NCS related tasks to be assigned to the Manager, NCS, or to other governmental agencies as appropriate.

C. *Policy and planning.* 1. Develop, coordinate, and recommend DOD telecommunications policy.

2. Develop implementing directives to support approved telecommunications policy and to provide processes for telecommunications planning.

3. Join the Defense System Acquisition Review Council when telecommunications matters are discussed.

4. Coordinate efforts within the Office of the Secretary of Defense to insure that adequate mechanisms exist for:

a. The development and procurement of integrated secure means of telecommunications.

b. Achievement of compatibility between telecommunications systems and their related cryptomaterials.

c. The necessary interchange of technical information between interested agencies.

5. Serve as a central point for coordination and review of telecommunications plans and programs of the NCS, Services and DOD agencies.

D. *Programing and budgeting.* 1. Coordinate and provide recommendations on program/budget policies and procedures as they relate to telecommunications.

2. Coordinate and provide recommendations on telecommunications programs, budgets, financial plans, and related financial management activity.

3. Serve as principal DOD witness before committees of the Congress on telecommunications programs/budgets.

4. Review NSA submissions on telecommunications security equipment and decisions with respect thereto for consistency with other telecommunications programs.

IV. *Scope.* The scope of telecommunications for which the Assistant Secretary of Defense (Telecommunications) has responsibility is delineated below:

A. *Categories of telecommunications.* 1. The Defense Communications System as defined in DOD Directive 5105.19 (32 F.R. 14781 and 33 F.R. 2721) including transportable contingency assets for extension or restoral of the DCS.

2. Camp, post, base, and station telecommunications.

3. Fixed and/or transportable non-DCS telecommunications facilities which are not included in telecommunications equipment/systems considered to be organic to military forces/units.

4. Telecommunications equipment/systems considered to be organic to military forces/units.

5. DOD elements of the National Communications System (to the extent this category is not included in the DCS).

6. Those special telecommunications of a sensitive nature, e.g., those related to the support of intelligence functions.

7. Telecommunications security (COMSEC) equipment insofar as reviewing such matters for consistency with other telecommunications matters.

8. Telecommunications for command and control, including directly coupled displays, consoles, processors, and other terminals whose primary function is telecommunications, and special subsystems such as Minimum Essential Emergency Communications Network (MEECN).

9. Areas indicated below are specifically excluded except to the extent necessary to establish interface and radio frequency compatibility with other systems.

a. Sensors for inteligence, warning and surveillance; electronic warfare systems except for those affecting telecommunications; satellite telemetry and command systems except those affecting telecommunications vulnerability.

b. Telecommunications integral to weapons systems designed for and usually delivered with and as a part of the airplane, missile complex, ship, tank, etc., whose costs are normally included in the cost of the weapons system.

B. The responsibilities for management and operational direction of telecommunications resources will remain with the Services and the Defense Agencies.

V. *Relationships.* A. In the performance of his functions, the Assistant Secretary of Defense (Telecommunications) shall:

1. Coordinate actions, as appropriate, with DOD Components having collateral or related functions.

2. Make full use of established facilities in the Office of the Secretary of Defense and other DOD Components rather than unnecessarily duplicating such facilities.

3. Maintain active liaison for the exchange of information and advice with DOD Components as appropriate.

B. The heads of all Department of Defense Components and their staffs shall cooperate fully with the Assistant Secretary of Defense (Telecommunications) and his staff in a continuous effort to achieve efficient administration of the DOD and to carry out effectively the direction, authority, and control of the Secretary of Defense.

VI. *Authorities.* The Assistant Secretary of Defense (Telecommunications) in the course of exercising staff functions, is hereby specifically delegated authority to:

A. Issue instructions and one-time directive-type memoranda, in writing, appropriate to carrying out policies approved by the Secretary of Defense for his assigned fields of responsibilities in accordance with DOD Directive 5025.1.[1] Instructions to the Military Departments will be issued through the Secretaries of the Departments or their designees.

B. Obtain such reports, information, and assistance from the Military Departments and other DOD Components as may be necessary to the performance of his assigned functions.

C. Communicate directly with the Secretaries of the Military Departments, the Joint Chiefs of Staff, the Directors of the Defense Agencies and the Director, National Security Agency.

D. Establish arrangements for DOD participation in those nondefense governmental programs for which he has been assigned primary staff cognizance.

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E. Communicate directly with all governmental agencies participating with DOD in those nondefense governmental programs for which he has been assigned primary staff cognizance.

F. Establish procedural arrangements for the discharge of overall responsibilities of the Executive Agent for the NCS.

G. Request such reports, information, and assistance from governmental agencies participating in the NCS as may be necessary.

H. Communicate directly with all governmental agencies participating in the NCS and, after appropriate clearance, with representatives of other nations on NCS matters.

VII. *Effective date.* This Directive is effective upon publication. In the event of conflict between this Directive and previous directives and instructions, the provisions of this Directive will govern. All DOD Components will review their existing directives, instructions, and regulations for conformance with this Directive; advise the Secretary of Defense of the results of this review within 30 days and implement any necessary changes within 90 days of publication of this Directive.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division OASD (Comptroller).

[FR Doc.72-2484 Filed 2-17-72;8:47 am]

DEFENSE MAPPING AGENCY

Organization, Responsibilities, and Functions

The Secretary of Defense approved the following on January 1, 1972:

I. *General.* Pursuant to the authority vested in the Secretary of Defense, the Defense Mapping Agency (DMA) is hereby established as an Agency of the Department of Defense under the direction, authority, and control of the Secretary of Defense and subject to DOD policies, directives and instructions.

II. *Mission and scope.* The mission of DMA is to provide support to the Secretary of Defense, the Military Departments, the Joint Chiefs of Staff, and other DOD Components, as appropriate, on matters concerning mapping, charting and geodesy (MC&G).

III. *Organization.* A. The DMA shall consist of:

1. A Director, a Deputy Director, a headquarters establishment, and such subordinate elements and facilities as are specifically assigned to the Agency by the Secretary of Defense.

2. Subordinate organizations as are established by the Director, DMA for the accomplishment of DMA's mission.

B. The chain of command shall run from the Secretary of Defense, through the Joint Chiefs of Staff, to the Director, DMA.

IV. *Responsibilities and functions.* A. The Director, DMA shall:

1. Organize, direct, and manage the the DMA and its field organizations.

2. Serve as Program Manager and coordinator of all DOD MC&G resources and activities. This includes review of the execution of all DOD plans, programs, and policies for MC&G activities not assigned to DMA.

3. Provide staff advice and assistance on MC&G matters to the Secretary of Defense, the Military Departments, the Joint Chiefs of Staff, other DOD Components, and other Government agencies as appropriate.

4. Develop a Consolidated Mapping, Charting, and Geodesy Program for review by the JCS and approval by the Secretary of Defense.

5. In support of the Joint Chiefs of Staff, review and validate MC&G requirements and priorities; develop a consolidated statement of MC&G requirements and priorities.

6. Insure responsive support to the MC&G requirements of the Military Departments and the Unified and Specified Commands.

7. Establish policies and provide DOD participation in national and international MC&G activities in coordination with the ASD (International Security Affairs); execute DOD responsibilities under interagency and international MC&G agreements.

8. Establish DOD MC&G data collection requirements; collect or task other DOD Components to collect and provide necessary data.

9. Establish DOD MC&G RDT&E requirements in coordination with the Director, Defense Research and Engineering; task other DOD Components or private contractors to accomplish such requirements.

10. Carry out the statutory responsibilities assigned under U.S.C. Title 10, chapter 639, sections 7391, 7392, 7393, 7394 for providing nautical charts and marine navigation data for the use of all vessels of the United States and of navigators generally.

B. The Secretaries of the Military Departments and the Commanders of Unified and Specified Commands shall:

1. Develop and submit to DMA their MC&G requirements and priorities.

2. Provide support, within their respective fields of responsibilities, to the Director, DMA, as required to carry out the assigned mission of the Agency.

3. Assess the responsiveness of the DMA to their operational needs.

C. The Joint Chiefs of Staff shall:

1. Advise the Secretary of Defense on MC&G requirements and priorities.

2. Provide guidance to the DMA and the Unified and Specified Commands which will serve as the basis for interrelationships between these organizations.

3. Obtain the advice and recommendations from the Director, DMA on matters within his areas of responsibility.

D. The Assistant Secretary of Defense (Comptroller) shall provide primary staff supervision and financial management of the DOD MC&G program on behalf of the Secretary of Defense.

V. *Authority.* The Director, DMA is specifically delegated authority to:

A. Command the Defense Mapping Agency.

B. Task DOD Components directly to accomplish MC&G RDT&E and data collection requirements as established by DMA.

C. Have access to direct communications with DOD Components and, after appropriate coordination, with other organizations.

D. Exercise the administrative authorities set forth below. To the extent that any law or executive order specifically limits the exercise of such authority to persons at the Secretarial level, such authority shall be exercised by the ASD (Comptroller).

VI. *Relationships.* A. In the performance of his functions, the Director, DMA shall:

1. Maintain appropriate liaison with other Components of the DOD and other agencies for the exchange of information in his field of assigned responsibilities.

2. Make use of existing DOD facilities and services wherever practicable to achieve maximum efficiency and economy.

3. Ensure that the Joint Chiefs of Staff, the Military Departments, and appropriate OSD staff elements are kept fully informed concerning DMA activities of substantive concern to them.

B. The Military Departments and other DOD Components shall:

1. Provide assistance within their respective fields of responsibility to the Director, DMA.

2. Coordinate with DMA all programs and activities which include or are related to MC&G.

VII. *Administration.* A. The Director, DMA will be a lieutenant general or vice admiral appointed by the Secretary of Defense, upon recommendation of the Joint Chiefs of Staff.

B. The Deputy Director will be appointed by the Secretary of Defense. If military, the Deputy Director will be recommended by the Joint Chiefs of Staff and will normally be selected from a Service different from that of the Director. If civilian, the Deputy Director will be recommended by the ASD (Comptroller).

C. DMA will be authorized such personnel, facilities, funds, and other administrative support as the Secretary of Defense deems necessary.

D. The Military Departments will assign military personnel to DMA in accordance with approved Joint Manpower Program authorizations. Procedures for such assignments will be as agreed upon between the Director, DMA, and the individual Military Departments.

MAURICE W. ROCHE,
Director, Correspondence and Directives Division OASD (Comptroller).

DELEGATIONS OF AUTHORITY

Pursuant to the authority vested in the Secretary of Defense, the Director, DMA, or in the absence of the Director, the person acting for him is hereby delegated, subject to the direction, authority, and control of the Secretary of Defense, and in accordance with

DOD policies, directives, and instructions, and pertinent OSD regulations, authority as required in the administration and operation of DMA to:

1. Exercise the powers vested in the Secretary of Defense by section 3101 of title 5, U.S.C. and section 302 of title 5, U.S.C. pertaining to the employment, direction and general administration of DMA civilian personnel.

2. Fix rates of pay for wage board employees exempted from the Classification Act by 5 U.S.C. 5102(c)(7) on the basis of rates established under the Coordinated Federal Wage System. DMA, in fixing such rates, shall follow the wage schedules established by DOD Wage Fixing Authority.

3. Establish such advisory committees and employ such part-time advisers as approved by the Secretary of Defense for the performance of DMA functions pursuant to the provisions of 10 U.S.C. 173, 5 U.S.C. 3109(b), and the Agreement between the DOD and the Civil Service Commission on employment of experts and consultants, dated July 22, 1959.

4. Administer oaths of office incident to entrance into the Executive Branch of the Federal Government or any other oath required by law in connection with employment therein, in accordance with the provisions of the Act of June 26, 1943, as amended, 5 U.S.C. 2903(b) and designate in writing, as may be necessary, officers and employees of DMA to perform this function.

5. Establish a DMA Incentive Awards Board and pay cash awards to and incur necessary expenses for the honorary recognition of civilian employees of the Government whose suggestions, inventions, superior accomplishments, and other personal efforts, including special acts of services, benefits or affect DMA or its subordinate activities in accordance with the provisions of the Act of September 1, 1954, as amended, 5 U.S.C. 4503 and Civil Service Regulations.

6. In accordance with the provisions of the Act of August 26, 1950, as amended (5 U.S.C. 7532); Executive Order 10450, dated April 27, 1953, as amended; and Part 156:

a. Designate any position in DMA as a "sensitive" position;

b. Authorize, in case of an emergency, the appointment of a person to a sensitive position in the Agency for a limited period of time for whom a full field investigation or other appropriate investigation, including the National Agency Check, has not been completed; and

c. Authorize the suspension, but not terminate the services of an employee in the interest of national security in positions within DMA.

7. Clear DMA personnel and such other individuals as may be appropriate for access to classified Defense material and information in accordance with the provisions of DOD Directive 5210.8,[1] dated February 15, 1962 (as revised), "Policy on Investigation and Clearance of Department of Defense Personnel for Access to Classified Defense Information," and of Executive Order 10501, dated November 5, 1953, as amended.

8. Act as agent for the collection and payment of employment taxes imposed by chapter 21 of the Internal Revenue Code of 1954 and, as such agent, make all determinations and certifications required or provided for under section 3122 of the Internal Revenue Code of 1954 26 U.S.C. 3122 and section 205(p) (1) and (2) of the Social Security Act, as amended, 42 U.S.C. 405(p) (1) and (2) with respect to DMA employees.

9. Authorize and approve overtime work for DMA civilian officers and employees in accordance with the provisions of section 550.111 of the Civil Service Regulations.

10. Authorize and approve:

a. Travel for DMA civilian officers and employees in accordance with Joint Travel Regulations, Volume 2, Department of Defense Civilian Personnel, dated July 1, 1965, as amended.

b. Temporary duty travel only for military personnel assigned or detailed to DMA in accordance with Joint Travel Regulations, Volume I, for members of the Uniformed Services, dated November 1969, as amended.

c. Invitational travel to persons serving without compensation whose consultive, advisory, or other highly specialized technical services are required in a capacity that is directly related to or in connection with DMA activities, pursuant to the provisions of section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 5703).

11. Approve the expenditure of funds available for travel by military personnel assigned or detailed to DMA for expenses incident to attendance at meetings of technical, scientific, professional or similar organizations in such instances where the approval of the Secretary of Defense or his designee is required by law (37 U.S.C. 412). This authority cannot be redelegated.

12. Develop, establish, and maintain an active and continuing Records Management Program, pursuant to the provisions of section 506(b) of the Federal Records Act of 1950, 44 U.S.C. 3102.

13. Establish and use Imprest Funds for making small purchases of material and services other than personal for DMA when it is determined more advantageous and consistent with the best interests of the government, in accordance with the provisions of DOD Instruction 7280.1,[1] dated August 24, 1970, and the Joint Regulation of the General Services Administration—Treasury Department—General Accounting Office, entitled "For Small Purchases Utilizing Imprest Funds."

14. Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, or other public periodicals as required for the effective administration and operation of DMA (44 U.S.C. 3702).

15. a. Establish and maintain appropriate Property Accounts for DMA.

b. Appoint Boards of Survey, approve reports of survey, relieve personal liability, and drop accountability for DMA property contained in the authorized Property Accounts that has been lost, damaged, stolen, destroyed, or otherwise rendered unserviceable, in accordance with applicable laws and regulations.

16. Promulgate the necessary security regulations for the protection of property and places under the jurisdiction of the Director, DMA, pursuant to paragraph III.A and V.B of DOD Directive 5200.8, dated August 20, 1954 (19 F.R. 5446).

17. Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of regulations, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DOD Directive 5025.1, dated March 7, 1961.

18. Enter into support and service agreements with the Military Departments, other DOD Agencies, or other government agencies as required for the effective performance of responsibilities and functions assigned to DMA.

19. Exercise the authority delegated to the Secretary of Defense by the Administrator of the General Services Administration with respect to the disposal of surplus personal property.

20. Sell maps, charts, and related products to the public as governed by the provisions of OMB Circular A-25 and U.S.C. title 10, chapter 639, section 7394.

21. Enter into and administer contracts, directly or through a Military Department, a DOD contract administration services component, or other Government department or agency, as appropriate, for supplies, equipment and services required to accomplish the mission of the DMA. To the extent that any law or executive order specifically limits the exercise of such authority to persons at the Secretarial level of a Military Department, such authority will be exercised by the Assistant Secretary of Defense (Installations and Logistics).

22. Authorize the release of classified DOD MC&G products to foreign nationals within DOD disclosure policies.

The Director, DMA, may redelegate these authorities, as appropriate, and in writing, except as otherwise specifically indicated above or as otherwise provided by law or regulation.

[FR Doc.72-2486 Filed 2-17-72;8:47 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Notice of Order Providing for Opening of Public Lands; Correction

FEBRUARY 11, 1972.

In F.R. Doc. 72-1272 appearing on page 1412, January 28, 1972, in the land description for S 3799, in sec. 2, third line now reading S½SE¼ should read N½ SE¼.

JESSE H. JOHNSON,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.72-2469 Filed 2-17-72;8:45 am]

Office of Hearings and Appeals

[Docket No. M72-26]

KAISER STEEL CORP.

Notice of Petition for Modification of Mandatory Safety Standard

In regard petition of Kaiser Steel Corp., for modification of mandatory safety standard (30 CFR 77.201-1), Docket No. M72-26.

In accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. section 861(c) (1970)), notice is given that Kaiser Steel Corp. has filed a petition to modify the application of 30 CFR 77.201-1 to petitioner's preparation plant which serves three of its mines located in Sunnyside, Carbon County, Utah.

30 CFR 77.201-1, 36 F.R. 9367, reads as follows:

Tests for methane; qualified person; use of approved device.

Tests for methane in structures, enclosures, or other facilities, in which coal is handled or stored shall be conducted by a qualified person with a device approved by the Secretary at least once during each operating shift, and immediately prior to any repair work in which welding or an open flame is used, or a spark may be produced.

Petitioner asks that it be allowed to install a methane monitor or gas watcher in the preparation plant and storage bins. The sensor heads would be located at the top of the plant and bins, and the monitor would be located where the plant operator could see it at all times. Petitioner believes that this system would be safer than having a man check for methane once each shift as required by the standard.

Parties interested in this petition should file their answers or comments within 30 days from the date of publication of this notice in the FEDERAL REGISTER with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 6432 Federal Building, Salt Lake City, Utah 84111. Copies of the petition are available for inspection at that address.

JAMES M. DAY,
Director,
Office of Hearings and Appeals.
FEBRUARY 9, 1972.

[FR Doc.72-2468 Filed 2-17-72;8:47 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

NUMBER OF EMPLOYEES, TAXABLE WAGES, GEOGRAPHIC LOCATION AND KIND OF BUSINESS FOR ESTABLISHMENTS OF MULTIUNIT COMPANIES

Notice of Consideration for Surveys

Notice is hereby given that the Bureau of the Census is considering a proposal under the provisions of title 13, United States Code, sections 181, 224, and 225, to conduct a First Quarter 1972 Survey of Selected Multiunit Companies. This survey is similar to those conducted for previous County Business Patterns Reports. It is designed to collect information for the 1972 Report on the number of employees, taxable wages, geographic location, and kind of business for the establishments of selected multiunit companies which did not report on Treasury Form 941, Schedule A in sufficient detail for County Business Patterns purposes. The data will have significant application to the needs of the public and to governmental agencies and are not publicly available from nongovernmental or governmental sources.

The survey, if conducted, shall begin not earlier than 30 days after publication of this notice in the FEDERAL REGISTER.

Copies of the proposed form are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

Any suggestions or recommendations concerning the subject matter of the proposed survey submitted to the Director in writing within 30 days after the date of this publication will receive consideration.

GEORGE H. BROWN,
Director, Bureau of the Census.

[FR Doc.72-2482 Filed 2-17-72;8:47 am]

Office of Import Programs

GEORGETOWN UNIVERSITY

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 70-00703-01-77040. Applicant: Georgetown University, Department of Chemistry, 37th and O Streets NW., Washington, DC 20007. Article: Mass spectrometer, Model MS-1201.

Manufacturer: Associated Electrical Industries, Ltd., United Kingdom.

Intended use of article: The article will be used for studies on isotope ratios; for spectra studies of organic compounds and; volatile inorganics; for rapid magnetic scan spectra of both known compounds and compounds whose structure must be determined; and for spectra on "fractionated" mixtures, to attempt identification of complex mixtures such as hair, skin, and body fluids for crime detection, and macerated tissues for the trace analyses of volatile drugs. Besides undergraduate and graduate students use, in chemistry courses, the article will be in operation in the Institute for Advanced Analytical Chemistry.

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

Decision: Application denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (March 22, 1967).

Reasons: The captioned application is a resubmission of Docket No. 68-00106-01-77040 which was denied without prejudice to resubmission on May 6, 1968, for informational deficiencies. In the captioned application, the applicant alleged that the foreign article has the following pertinent specifications: (1) Fast scan characteristics of 2 seconds/decade with a resolution of 700 or voltage scan at one second/decade with a resolution of 500; (2) maximum resolution of 2,500 at 10 percent valley definition; (3) high mass/charge (M/E) applications requiring 1000 to 1 M/E; (4) conversion to a high resolution instrument, i.e., single focusing to double focusing; (5) inlet system containing four separate ports for inlet system attachments and a 350° all glass inlet system, heated direct probe with temperature control, and a water cooled source; (6) delivery time of 3 months; and (7) appearance of the foreign article. The applicant again compared the foreign AEI Model MS-1201 to the domestic Nuclide Model 12-90-G, as in the initial application. A comparison of the pertinent specifications of the domestic instrument with those of the foreign article at the time the foreign article was ordered (March 22, 1967) discloses—

(1) Fast scan characteristics: Nuclide would provide a scan speed of 1 second per decade, with a resolution of 600. (See 12-90-G specifications dated January 1967.) The National Bureau of Standards (NBS) and the Department of Health, Education, and Welfare (HEW) in a joint memorandum dated March 23, 1971, advises that "A very careful review of the actual requirements of the applicant * * * indicates that the applicant's needs can actually be met with a resolution of 700. The domestic Nuclide 12-90-G with a 2 kHz amplifier would provide a resolution of 800 with a scan speed of 0.96 sec/decade * * *. It is noted that both the foreign and domestic manufacturer originally quoted the identical recording system (Honeywell Model 1508) and that various amplifiers for this system are sold as separate items and are directly interchangeable."

(2) Maximum resolution: Nuclide could provide a guaranteed resolution of 3,000 at 10 percent valley definition. (See 12-90-G specifications dated January 1967.)

(3) High mass/charge (M/E) applications: Nuclide could provide a 1-1300 M/E at 5 kilovolts (kv), 1-2600 M/E at 2.5 kv, and 1-6500 at 1 kv. (See 12-90-G specifications dated January 1967.)

(4) Conversion to a high resolution instrument: The applicant states in materials attached to the application that "* * *, the mass spectrometer must be convertible into a high resolution instrument (double focusing with a resolution of 20,000) at a later date." Section 602.-2(b)(4)(ii) of the regulations, however, provides in pertinent part: "The planned conversion of the article at some unspecified future time, for programs that may be undertaken in some unspecified future period shall not be considered in the comparison [of the article and the most closely comparable domestic instrument]." The capability for conversion to a high resolution instrument, therefore, cannot be considered.

(5) Inlet system: In the 12-90-G, four inlets can be connected to the MGS5 molecular source for simultaneous use. This provision for the simultaneous connection of a wide variety of inlet systems to the ion source permits such operations as switching between modes of sample introduction and provides such features as a convenient means of simultaneously introducing a calibrating gas with a gas-liquid chromatography sample for mass determinations and/or sensitivity calibrations. In addition, samples can be introduced without breaking the vacuum. Inlet systems offered include the Model 150S single or 150D dual inlet systems for the quantitative and qualitative analysis of gases, liquids and volatile solids with continuously variable temperature from

ambient to 150° C.; the all glass Model 350G high temperature inlet system for the quantitative analysis of low volatility liquids or solids; the Model CP–2 direct insertion crucible probe for the study of highly viscous liquids or low volatility solids with continuously variable temperature control to 500° C. and the Model GLC–N2 chromatograph inlet and detection system. All of these systems can be modified to increase capabilities by the addition of optional features and accessories, e.g., the variable temperature range of the crucible probe system can be extended to 1000° C. Nuclide could provide a low temperature source on special order. (Catalog received from Nuclide April 11, 1966);

(6) Delivery time: Section 602.1(g) of the regulations provides that "Duty-free entry of the article shall be considered justified without regard to whether there is being manufactured in the United States an instrument * * * of equivalent scientific value * * * if the delay in obtaining such domestic instrument * * * will seriously impair the accomplishment of the purposes." The applicant states in materials attached to the application that the quoted delivery time for the Nuclide 12–90–G was "a minimum of 9 months" and the delivery time for the foreign article was "3 months." The applicant does not show how the difference in delivery time will seriously impair the accomplishment of the purposes. We are advised by NBS in its memorandum dated November 18, 1970, that the difference in delivery dates is not pertinent for the applicant's purposes.

(7) Appearance: Section 602.1(b)(7) of the regulations defines the pertinent specifications of an instrument, apparatus or accessory as "those structural, operational, performance, and other characteristics * * * that are necessary for the accomplishment of the purposes described by the applicant in reply to Question 7 * * *" The appearance of the article is purely a matter of individual taste and as such is not pertinent to the purposes for which the article is intended to be used.

We are also advised in the joint memorandum cited above that NBS and HEW "both find the available domestic Nuclide 12–90–G to be scientifically equivalent to the foreign article for all of the applicant's intended purposes."

For these reasons, we find that Nuclide Model 12–90–G was of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, at the time the foreign article was ordered by the applicant.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72–2504 Filed 2–17–72;8:49 am]

GEORGETOWN UNIVERSITY MEDICAL SCHOOL

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72–00018–33–46500. Applicant: Georgetown University Medical School, Department of Obstetrics-Gynecology, 3800 Reservoir Road NW., Washington, DC 20007. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for a study of the physiologic and pathologic changes in the spiral arteries, maternal and festal parts of the placenta in an attempt to clarify the relationship between complicated pregnancy and the placental changes. The article will also be in the theory and practice of electron microscopy and training of post doctoral fellows and Ph. D. degree candidates on electron microscopic techniques.

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

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

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness, etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69–00665–33–46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section."

In connection with another prior case (Docket No. 70–00077–33–46500) relating to the duty-free entry of an identical foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT–2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec.

We are advised by HEW in its memorandum of December 30, 1971, that cutting speeds in excess of 4 mm./sec. are pertinent to the purposes for which the foreign article is intended to be used.

We, therefore, find that the Model MT–2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72–2521 Filed 2–17–72;8:50 am]

HARVARD UNIVERSITY

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71–00596–33–46500. Applicant: Harvard University, Purchasing Department, 75 Mount Auburn Street, Cambridge, MA 02138. Article: Ultramicrotome, Model Om U2. Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used to provide thin sections of material to be examined in the electron microscope in the following investigations: (a) An investigation of the polar organization of the spindle apparatus in dividing sperm mother cells of *Marsilea Vestita;* (b) an examination of microtubule fine structure and organization in the spindle apparatus of dividing endosperm cells of *Haemanthus;* and (c) a quantitative determination of the distribution of microtubules in dividing root tip cells of *Allium cepa.* The article will also be used as a teaching instrument by undergraduate and graduate students learning the technique of thin sectioning.

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

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

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness, etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69–00665–33–46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting, (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section."

In connection with another prior case (Docket No. 70–00077–33–46500) relating to the duty-free entry of an identical foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness, etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT–2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec.

We are advised by HEW in its memorandum of October 22, 1971, that cutting speeds in excess of 4 mm./sec. are pertinent to the purposes for which the foreign article is intended to be used, which includes ultrathin serial sectioning of single cells for ultrastructural studies including the centrosome and spindle apparatus cross-bridges between tubules.

We, therefore, find that the Model MT–2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72–2523 Filed 2–17–72;8:51 am]

INSTITUTE OF LOGOPEDIC, INC.

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71–00455–99–01200. Applicant: Institute of Logopedic, Inc., 2400 Jardine Drive, Wichita, KS 67219. Article: Pulsatone analyzers. Manufacturer: Dr. Guy Perdoncini, France. Intended use of article: The article is intended for use in the training and education of deaf and severely hard-of-hearing children. The instrument procedures specified pure tones at variable intensity levels, and has provision for visual monitoring of speech.

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

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

Reasons: The article provides unique controlling and display features for helping to educate the deaf according to a specific method. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated July 9, 1971, that the features cited above are pertinent to the applicant's intended purposes. HEW further advises that it knows of no comparable domestic system which matches the pertinent features of the foreign article.

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

B. BLAKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72–2510 Filed 2–17–72;8:49 am]

JOHNS HOPKINS UNIVERSITY

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71–00590–80–30050. Applicant: The Johns Hopkins University, Purchasing Department, Charles and 34th Streets, Baltimore, MD 21218. Article: Two miniflo flow velocity kits. Manufacturer: Kent Lea Instruments, Ltd., United Kingdom. Intended use of article: The article will be used in hydraulic model studies of momentum jet entrainment in heated effluents discharged horizontally into transverse currents.

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

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

Reasons: The foreign article consists of uniquely small sensors designed primarily for use in small scale hydraulic models. We are advised by the National Bureau of Standards (NBS) in its memorandum dated December 8, 1971, that physically small flow velocity sensors are pertinent to the intended uses of the article. NBS further advises that it knows of no comparable domestic instrument providing an equivalent capability.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72–2513 Filed 2–17–72;8:50 am]

NEW YORK HOSPITAL, CORNELL MEDICAL CENTER, ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the October 14, 1969, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 72–00224–33–46500. Applicant: New York Hospital, Cornell Medical Center, 1300 York Avenue, New

York, NY 10021. Article: Ultramicrotome, Model "Om U3". Manufacturer: C. Reichert Optische Werke A.G., West Germany. Intended use of article: The article is intended to be used for serial sections of the arachnoid granulations and villi of experimental animals for examination with the electron microscope. The fine structures and architecture of the endothelium will be studied. Application received by Commissioner of Customs: November 9, 1971.

Docket No. 72-00225-33-14200. Applicant: University of Iowa, Iowa City, Iowa 52240. Article: Quantimet 720 image analysing system. Manufacturer: Image Analysing Computers Ltd., United Kingdom. Intended use of article: The article is intended to be used in the three dimensional reconstruction of brain cells. The results of the research will be utilized in teaching medical students, graduate students in physiology and advanced courses in neurobiology. Application received by Commissioner of Customs: November 9, 1971.

Docket No. 72-00226-01-77030. Applicant: Albert Einstein College of Medicine of Yeshiva University, 1300 Morris Park Avenue, Bronx, NY 10461. Article: NMR spectrometer, Model PS-100. Manufacturer: JEOLCO, Japan. Intended use of article: The article will be used to investigate biological phenomena at the molecular level by observing the nuclear magnetic resonance of various nuclei in the following:

1. Iron transport by iron binding proteins.
2. Chemistry of metal chelates and metalloproteins using ^{19}F as a probe.
3. Drug—Receptor interactions.
4. Mechanism of ion transport by antibiotic ionophorous agents.
5. Structure and chemistry of heme proteins.
6. Conformation changes in oligosaccharide—hapten—antibody interactions using ^{19}F as a probe, and
7. Enzyme mechanisms.

Application received by Commissioner of Customs: November 9, 1971.

Docket No. 72-00227-01-56000. Applicant: Masonic Medical Research Laboratory, Bleecker Street, Utica, N.Y. 13501. Article: Osmometer. Manufacturer: Dr. -Ing. Herbert Knauer & Co., G.m.b.H., West Germany. Intended use of article: The article is intended to be used in testing of potential blood plasma expanders of low molecular weight in order to find a suitable plasma expander mixture made up of several physiologically acceptable materials. The experiments will be performed on a thermodynamic basis. Once this has been accomplished, the work can be extended to include osmotic pressure techniques and hemorheolgical studies. In addition the article will be used in the course Research Methods Chem. 185. Application received by Commissioner of Customs: November 9, 1971.

Docket No. 72-00228-00-77000. Applicant: University of Georgia, Department of Chemistry, Athens, Ga. 30601. Article: Computer interface No. DS-100. Manufacturer: AEI, Ltd., United Kingdom. Intended use of article: The article is an accessory for an existing electron spectrometer. Application received by Commissioner of Customs: November 12, 1971.

Docket No. 72-00229-01-77000. Applicant: Virginia Polytechnic Institute and State University, Chemistry Department, Blacksburg, Va. 24061. Article: Electron spectrometer. Manufacturer: AEI, Ltd., United Kingdom. Intended use of article: The article is intended to be used in various research projects such as studies of radiation damage, inorganic fluorine and rare earth oxides, organometallic compounds, valence binding energies and phase changes. The article will also be used in a course on instrumental methods of analysis. Application received by Commissioner of Customs: November 12, 1971.

Docket No. 72-00230-33-46500. Applicant: Wesleyan University, Department of Biology, Hall-Atwater Laboratories, Law Avenue, Middletown, Conn. 06457. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article is intended to be used in sectioning ovarian nurse cells from several species of moths, germinal and sensory tissues from Drosophila melanogaster, membrane-chromosome complex of micro-organisms, colleterial glands of silkmoths, and secretory granules in terminal nerve endings. These sections will be used in experiments to determine the ultrastructure of the tissues and to discern ultrastructural changes induced by a variety of substances. Application received by Commissioner of Customs: November 12, 1971.

Docket No. 72-00231-33-46500. Applicant: University of California, Davis, Davis, Calif. 95616. Article: Ultramicrotome, Model "Om U3". Manufacturer: C. Reichert Optische Werke A.G., West Germany. Intended use of article: The article is intended to be used to make ultrathin sections of portions of infundibular and uterovaginal junctions of oviducts of domestic fowl, turkeys, pheasants, quail, and possibly other avian species containing sperm-host glands and of blastodiscs of just ovulated ova, partially formed and laid eggs from the same species. These ultrathin sections will in turn be used in the study of the intimate mechanisms of embryogenesis in birds. The article will also be used by graduate students for training in the use of the equipment as one essential part of research training in investigations involving ultramicromorphology. Application received by Commissioner of Customs: November 12, 1971.

Docket No. 72-00232-33-46040. Applicant: Veterans Administration Hospital, 150 South Huntington Avenue, Boston, MA 02130. Article: Electron microscope, EM 300. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in two research projects, one dealing with the fine structural analysis of the nervous system in normal and disease states and the other dealing with arthritis research. The materials to be studied include:

1. Central and peripheral nervous system tissue from both patients and experimental animals.
2. Muscles from both patients and experimental animals.
3. Tissue and cell cultures prepared from human patients and hyperimmunized animals, and
4. Cells and tissue of both patients and animals with connective tissue disorders in particular arthritis.

Application received by Commissioner of Customs: November 12, 1971.

Docket No. 72-00233-33-03400. Applicant: University of Tennessee, Purchasing Department, Knoxville, Tenn. 37916. Article: Audio training unit, Model Suvag 73. Manufacturer: Mecanique Generale France. Intended use of article: The article is intended to be used in a program to habilitate and rehabilitate deaf children and adults. Application received by Commissioner of Customs: November 12, 1971.

Docket No. 72-00234-88-80045. Applicant: New York State Department of Transportation, 1220 Washington Avenue, Albany, NY 12226. Article: Television borehole telescope. Manufacturer: Eastman International Co., G.m.b.H., West Germany. Intended use of article: The article is intended to be used in geological investigation of boreholes, water engineering, tunnel and gallery work, and general geological exploration to determine additude of planes of weakness in rock. Application received by Commissioner of Customs: November 12, 1971.

Docket No. 72-00235-33-46500. Applicant: Shriners Hospitals for Crippled Children, Burns Institute—Cincinnati Unit, 202 Goodman Street, Cincinnati, Ohio 45219. Article: Ultramicrotome, Model Om U2. Manufacturer: C. Reichert Optische Werke A.G., West Germany. Intended use of article: The article is intended for serial sectioning of tissues for uniform thickness about 50 angstroms for study under the electron microscope in research dealing with transplantation, burns and other physiological conditions in human and animal tissues. Application received by Commissioner of Customs: November 12, 1971.

Docket No. 72-00236-90-28500. Applicant: Thomas S. Clarkson Memorial College of Technology, Potsdam, N.Y. 13676. Article: Particle electrophoresis apparatus. Manufacturer: Rank Bros., United Kingdom. Intended use of article: The article is to be used for the measurements of electrophoretic mobilities of a variety of dispersed systems. The article will also be used in undergraduate/graduate courses in "Experimental Techniques in Colloid and Surface Science." Application received by Commissioner of Customs: November 12, 1971.

Docket No. 72-00237-65-86300. Applicant: University of Cincinnati, Cincinnati, Ohio 45221. Article: Viscoelastometer, Model DDV-2-B. Manufacturer: Toyo Measuring Instruments Co., Japan. Intended use of article: The article is intended to be used for studies of semimicro samples of thin films and fibers of

the general class of polymeric materials in both glassy and leathery states. In addition the article will be used to teach students aspects of the physical, mechanical, and processing behavior of high polymers from a molecular viewpoint. Application received by Commissioner of Customs: November 16, 1971.

Docket No. 72-00238-33-46040. Applicant: Veterans Administration Hospital, 4801 Linden Boulevard, Kansas City, MO 64128. Article: Electron microscope, Model EM 300 and accessories. Manufacturer: Philips Electronic Instruments NVD., The Netherlands. Intended use of article: The article is intended to be used for ultrastructural characterization of a wide variety of pathological human tissue with emphasis on liver, kidney, hematologic and neoplastic pathology. Many of these objects of study will require differentiation and cellular interrelationships of fibrillar protein such as collagen, myosin, fibrin and amyloid. Application received by Commissioner of Customs: November 16, 1971.

Docket No. 72-00239-33-46500. Applicant: University of Pennsylvania, Department of Neurology, 3400 Spruce Street, Philadelphia, PA 19104. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article is intended to be used to study biological tissues, mainly mammalian tissues derived from humans, and exhibit both normal and pathologic structure to determine at the ultrastructural level the pattern of assembly of muscle, the ultrastructural localization of enzymes in muscle and the etiology and pathogenesis of human muscle disorders. Application received by Commission of Customs: November 16, 1971.

Docket No. 72-00240-33-46040. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139. Article: Electron microscope Model JEM-100B. Manufacturer: JEOLCO, Ltd., Japan. Intended use of article: The article is intended to be used as a key instrument in a wide variety of investigations such as growth and development of tumor viruses, the growth of malignant human cells, and the genetic control of virus structure. Application received by Commissioner of Customs: November 16, 1971.

Docket No. 72-00241—01-46040. Applicant: Cornell University, Department of Applied Physics, Clark Hall, Ithaca, N.Y. 14850. Article: Electron microscope, Model JEM-100B and accessories. Manufacturer: JEOLCO, Ltd., Japan. Intended use of article: The article is intended to be used to study the 3-D structure of biomacromolecules particularly the quaternary structure of enzymes and the location of their active sites. In addition structure of other biomolecular configurations, such as fibrinogen and ribosomes are to be investigated. Application received by Commissioner of Customs: November 16, 1971.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-2517 Filed 2-17-72;8:50 am]

OHIO AGRICULTURAL RESEARCH AND DEVELOPMENT CENTER

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00008-37-46500. Applicant: Ohio Agricultural Research and Development Center, Wooster, Ohio 44691.

Article: Ultramicrotome, Model LKB 8800A.

Manufacturer: LKB Produkter AB, Sweden.

Intended use of article: The article will be used to prepare ultrathin sections of various tissues in projects ranging from the investigation of plant virus pathology of soybean, corn, and wheat involving local lesion formation mechanisms, virus location within the tissue and general ultrastructural phenomena resulting from the infection, to pathological conditions in animals such as TGE virus in swine.

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

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

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness, etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00665-33-46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section."

In connection with another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an identical foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec.

We are advised by HEW in its memorandum of December 30, 1971 that cutting speeds in excess of 4 mm./sec. are pertinent for the purposes for which the foreign article is to be used.

We, therefore, find that the Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2522 Filed 2-17-72;8:50 am]

RESEARCH FOUNDATION OF STATE UNIVERSITY OF NEW YORK, ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the October 14, 1969, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at

the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 72-00243-33-46500. Applicant: Research Foundation of State University of New York, Downstate Medical Center-Pathology Department, 450 Clarkson Avenue, Brooklyn, N.Y. 11203.

Article: Ultramicrotome, Model LKB 8800A.

Manufacturer: LKB Produkter AB, Sweden.

Intended use of article: The article will be used for experimental medical research by the Department of Pathology for the following purposes:

1. Experiments designed to determine morphologic changes induced in animals by administration of a variety of agents.

2. Study of the mechanisms of control of embryonic differentiation.

3. Study of ionic localization of calcium to organelles of blood platelets.

4. Study of the molecular changes of myosin and its component parts during stages of muscle contraction relative to gaining experimental evidence in support of a modification of the sliding filament theory of contraction.

5. Study of ionic localization as related to insulin secretion from isolated islets of langerhans in the pancreas of mice and rabbits.

6. Study of the inhibitory effects of aspariginase on ascites tumor cells in mice.

7. Study of human biopsy tissue obtained from surgery.

8. Study of morphologic changes in experimentally induced cancer in mouse lung.

Application received by Commissioner of Customs: November 22, 1971.

Docket No. 72-00244-33-46500. Applicant: Stanford University, 820 Quarry Road, Palo Alto, CA 94304. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to investigate the ultrastructural features of malignant tissues and human tumor cell cultures in order to improve methods for tumor cell characterization studies and the determination of virus particles in human tumor cell populations. Application received by Commissioner of Customs: November 22, 1971.

Docket No. 72-00248-33-46040. Applicant: University of Massachusetts Medical School, 419 Belmont Street, Worcester, MA 01604. Article: Electron microscope, Model EM 300. Manufacturer: Philips NVD, Electronic Instruments, The Netherlands. Intended use of article: The article will be used in the Department of Pathology for diagnostic studies of human material by second year medical students and research studies at the tissue, cellular and macromolecular level of experimental animal tissues, involving in vivo and in vitro uptake of metals by cells and tissues taken from normal and from experimentally diseased animals. Application received by Commissioner of Customs: November 23, 1971.

Docket No. 72-00249-00-46040. Applicant: Indiana University Medical Center, 630 West New York Street, Indianapolis, IN 46202. Article: Anticontamination device. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is an accessory to be used with an existing Elmiskop I electron microscope used for research purposes. Application received by Commissioner of Customs: November 23, 1971.

Docket No. 72-00250-01-07730. Applicant: Purdue University, Lafayette, Ind. 47907. Article: Searle X-ray camera. Manufacturer: Elliott Automation Radar Systems, Ltd., United Kingdom. Intended use of article: The article will be used in studies on nucleic acids and nucopolysaccharides by the methods of X-ray diffraction analysis. The experiments to be conducted will involve the recording of the fiber diffraction on photographic plates; measurement of the intensities and their spatial distribution and the computation therefrom of the geometrical parameters of the molecules and molecular assemblies that would produce such a pattern. Application received by Commissioner of Customs: November 23, 1971.

Docket No. 72-00251-33-29900. Applicant: Cold Spring Harbor Laboratory, Post Office Box 100, Cold Spring Harbor, NY 11724. Article: Filter apparatus. Manufacturer: Yeda Co., Israel. Intended use of article: The article is intended to be used to collect radioactive samples in cancer research. Application received by Commissioner of Customs: November 23, 1971.

Docket No. 72-00252-33-19000. Applicant: Duke University Medical Center, Department of Biochemistry, Durham, N.C. 27710. Article: Digital Precision Density Meter, DMA, 02 C. Manufacturer: Anton Paar, Austria. Intended use of article: The article will be used for a project entitled "Protein Interactions and Biological Function" to measure the densities of solutions containing proteins of biomedical importance, and from this information the effective density of the protein itself (partial specific volume) will be calculated. Application received by Commissioner of Customs: November 23, 1971.

Docket No. 72-00253-33-46040. Applicant: Temple University Health Sciences Center, Skin and Cancer Hospital, 3322 North Broad Street, Philadelphia, PA 19140. Article: Electron microscope, Model Corinth 275. Manufacturer: AEI Scientific Instruments, Ltd., United Kingdom. Intended use of article: The article is intended to be used to examine ultrathin sections and surface replications of biological material. The research program involves a study of the role of plasma membrane specializations in regulating normal cell behavior. Application received by Commissioner of Customs: November 29, 1971.

Docket No. 72-00254-01-77095. Applicant: Louisiana State University, Department of Chemistry, Baton Rouge, La. 70803. Article: Spectrophotometer, Model JRS-S1. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in studies of the following materials:

a. Pure solid, liquid and gaseous organic compounds.

b. Solid ionic and covalent inorganic and organometallic compounds.

c. Transition metal organometallic and coordination complexes.

d. Gaseous molecular compounds (e.g. PF_5), and

e. Aqueous solutions of ionic salts.

Experiments to be conducted involve routine spectral analysis, temperature variation of band intensities, pressure broadening in gaseous samples, solvent-solute interactions and depolarization measurements. The article will also be utilized to teach undergraduates the use of analytical instruments and the design of sophisticated analytical experiments. Application received by Commissioner of Customs: November 29, 1971.

Docket No. 72-00255-33-46040. Applicant: Texas Tech University School of Medicine, Department of Anatomy, Post Office Box 4569, Lubbock, TX 79409. Article: Electron microscope, EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used in studies of steroid producing organs, their structure, function and developmental aspects and studies of bone structure, bone healing, fluid movement in bone and vascular-lymphatic aspects of bone biodynamics. The article will also be used to train medical students, residents and other medical personnel in the basic aspects of the clinical applications of electron microscopy. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72-00256-98-41700. Applicant: Purdue University, Lafayette, Ind. 47097. Article: Carbon dioxide TEA Laser System. Manufacturer: Gen Tec. Inc., Canada. Intended use of article: The article is intended to be used to study spontaneous and stimulated Raman scattering by free charge carriers, multiphoton excitation process, harmonic generation, and frequency mixing of the following materials: InSb, PbTe, InAs, PbSnTe, and various narrow gap semiconductors. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72-00257-33-78900. Applicant: University of Colorado, Purchasing Services Department, Regent Hall, Room 122, Boulder, Colo. 80302. Article: Stereotaxic Apparatus. Manufacturer: Narishige Scientific Instrument Laboratory, Ltd., Japan. Intended use of article: The article is intended to be used to orient a cat's head according to standard Hansley-Clarke coordinates in experiments geared toward an understanding of the way in which the individual nerve cells of the vertebrate visual system receive and process information. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72–00258–01–77030. Applicant: State University College at Brockport, Department of Chemistry, Brockport, N.Y. 14420. Article: NMR spectrometer, Model R–20B. Manufacturer: Hitachi Perkin-Elmer, Japan. Intended use of article: The article is intended to be used for NMR spectroscopy in various courses in basic organic chemistry, and intermediate biological, analytical, and physical chemistry as well as independent study projects, honors projects, and senior research. Application received by Commissioner of Customs: November 30, 1971.

Docket No. 72–00259–33–02300. Applicant: Idaho State University, Department of Biology, Pocatello, Idaho 83201. Article: Mammal Traps. Manufacturer: Longworth Scientific Instrument Co., Ltd., United Kingdom. Intended use of article: The article will be used to capture rodents for analysis in studies of population ecology of microfine rodents in semidesert habitat. Capture and release of these rodents allows assessment of population size, survival rates, dilution rates, growth rates, reproductive changes on a seasonal basis and movement and home-range patterns. Application received by Commissioner of Customs: November 30, 1971.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72–2501 Filed 2–17–72;8:49 am]

TEXAS AGRICULTURAL EXPERIMENT STATION

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71–00537–50–02000. Applicant: Texas Agricultural Experiment Station, Department of Soil and Crop Sciences, College Station, Tex. 77843. Articles: Six anemometers, Type R/AMC–6, and 10-yard multistrand cable fitted with one eight-pin cable socket and plug.

Manufacturer: Rauchfuss Instruments and Staff Pty., Australia. Intended use of article: The equipment is to be used for the measurement of wind profiles at a number of heights to calculate the intensity of atmospheric mixing above a crop.

Comments: No comments were received with respect to this application.

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

Reasons: The foreign article consists of lightweight anemometers with low rotor mass and a low stalling or starting speed. We are advised by the National Bureau of Standards (NBS) in its memorandum dated December 12, 1972, that the features of the article described above are pertinent to the purposes for which the article is intended to be used. NBS further advises that it knows of no comparable domestically manufactured instrument which provides all of the pertinent features of the article.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72–2511 Filed 2–17–72;8:49 am]

TEXAS A. & M. UNIVERSITY

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71–00570–60–70000. Applicant: Texas A. & M. University Agricultural Research and Extension Center, Post Office Box 537, Weslaco, TX 78596. Article: Miniature net radiometers, quantity four, and accessories. Manufacturer: Middleton & Pty., Ltd., Australia. Intended use of article: The articles will be used during citrus frost protection research (nighttime) to measure alternately and accurately the net resultant longwave radiation flux and the unidirectional flux of radiant energy.

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

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

Reasons: The foreign article has a heating ring for dew dissipation and provides about 40 langleys sensitivity for measurement of radiant flux, both net and unidirectional. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 17, 1971, that the characteristics of the foreign article described above are pertinent to the purposes for which the article is intended to be used. HEW further advised that the domestically produced Thornthwaite Model 605 and Science Associates Model 621 provides only 3.5 langleys sensitivity. We, therefore, find that neither the Model 605 nor the Model 621 is of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72–2512 Filed 2–17–72;8:49 am]

UNIVERSITY OF ARIZONA

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71–00292–01–07520. Applicant: University of Arizona Department of Chemistry, Tucson, Ariz. 85721. Article: Microcalorimeter, Model LKB–10700–2B. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used to examine the heat of association of insulin; the heat of small changes in protein conformation, associated with enzymic processes (activation of zymogens and that induced by binding of substrate to lysozyme); and the heat of reaction small, weakly bound ligands of lysozyme.

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

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

Reasons: The foreign article is a batch-type microcalorimeter which provides maximum sensitivity. We are advised by the National Bureau of Standards that the features in the foreign article noted above are pertinent to the intended uses of the article. (Memorandum dated November 15, 1971.) NBS further advises us that it knows of no comparable domestic instrument providing an equivalent capability.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article

is intended to be used, which is being manufactured in the United States.

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2505 Filed 2-17-72;8:49 am]

UNIVERSITY OF CALIFORNIA

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00062-75-44500. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, NM 87544. Article: Metallograph, Model MM-5RT. Manufacturer: Ernst Leitz GMBH, West Germany. Intended use of article: The article will be used in the study of radiation effects, mechanical stress, the microstructural properties and parameters of materials, and their relationship to temperature and other factors.

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

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

Reasons: The foreign article provides remote controlled, gas—tight, inert atmosphere metallography. We are advised by the National Bureau of Standards (NBS) in its memorandum dated January 4, 1972, that the characteristics described above are pertinent to the purposes for which the article is intended to be used. NBS further advises that it knows of no comparable domestic instrument providing an equivalent capability.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2506 Filed 2-17-72;8:49 am]

UNIVERSITY OF CHICAGO

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00560-75-40600. Applicant: University of Chicago, Operator of Argonne National Laboratory, 9700 South Cass Avenue, Argonne, IL 60439. Article: Negative ion source system, Model DX-SO-15. Manufacturer: Dr. E. Heinecke, West Germany. Intended use of article: The article will provide a large variety of both heavy and light ions to be injected into and accelerated by the existing FM Tandem Van de Graff Accelerator. Heavy ions will be used in a large variety of fundamental experiments designed to explore the nature of nuclear forces and the details of nuclear structure.

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

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

Reasons: The foreign article provides an intense source of negative ions for injection into and acceleration by the applicant institution's FN Tandem Van de Graaff Accelerator. We are advised by the National Bureau of Standards (NBS) in its memorandum of December 8, 1971, that the applicant's stated requirements for an intense source of negative ions of many species is pertinent to the intended use of the foreign article. NBS further advises that it knows of no comparable domestic instrument providing an equivalent capability.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2507 Filed 2-17-72;8:49 am]

UNIVERSITY OF KANSAS

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00498-01-07520. Applicant: University of Kansas, Lawrence, Kans. 66044. Article: Batch microcalorimeter with gold reaction cells, No. 10700-2B. Manufacturer: LBK Produkter A.B., Sweden. Intended use of article: The article will be employed in the determination of heats of dilution, heats of reaction and heat capacity changes for aqueous and nonaqueous solutions. Studies concern the effect of temperature on the heat of dilution of tetra-alkylammonium salts, salts of carboxylic acids in water and water organic mixtures; and the heat effects associated with the interaction of toxic metal ions and nucleic acids, amino acids and polyamine acids.

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

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

Reasons: The foreign article is a batch microcalorimeter which features maximum sensitivity and the capability to use small samples. We are advised by the National Bureau of Standards (NBS) in its memorandum dated November 19, 1971, that the characteristics of the foreign article described above are pertinent to the purposes for which the article is intended to be used. NBS further advises that it knows of no comparable domestic instrument providing an equivalent capability.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2508 Filed 2-17-72;8:49 am]

UNIVERSITY OF MIAMI

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00369-98-07000. Applicant: University of Miami, Post Office Box 8184, Coral Gables, FL 33124. Article: Special low inductance cable. Manufacturer: Sterling Cable Co., Ltd., United Kingdom. Intended use of article: The article will be used in studying the containment of a thermalnuclear plasma.

The research could lead to a potential power source of unequal utility combined with a minimum amount of contamination of the environment. Research physicists will be trained in plasma physics and magneto-hydrodynamics courses.

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

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

Reasons: The foreign article consists of 4,000 feet of a maximum 10-nanohenry pulse cable whose inner conductor and outer conductor have a resistance of 240×10^{-6} ohms per foot at 20° centigrade. The availability of this cable is pertinent to the applicant's intended purposes. We are advised by the National Bureau of Standards in its memorandum dated October 22, 1971, that it knows of no domestic manufacturer who is willing and able to meet all of the applicant's requirements. NBS also advised that it knows of no regular suppliers of this type of cable.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2509 Filed 2-17-72;8:49 am]

UNIVERSITY OF MINNESOTA

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00612-33-46500. Applicant: University of Minnesota, Minneapolis, Minn. 55455. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used in experiments designed to study the ultrastructure of globoid cells from cats with globoid leukodystrophy. It is also planned to characterize them from analytical and enzymatic viewpoints to find out if this is another enzymatically authentic animal model of human globoid leukodystrophy.

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

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

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness, etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00665-33-46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting, (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultra microtome to be used for sectioning materials that experience has shown difficult to section."

In connection with another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry on an identical foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec.

We are advised by HEW in its memorandum of November 19, 1971, that cutting speeds in excess of 4 mm./sec. are pertinent to the purposes for which the foreign article is intended to be used.

We, therefore, find that the Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

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

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-2518 Filed 2-17-72;8:50 am]

UNIVERSITY OF TENNESSEE

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00039-99-03400. Applicant: The University of Tennessee, Knoxville, Tenn. 37916. Article: Mini Suvag hearing aids. Manufacturer: Societe Sedi, France. Intended use of article: The articles will be used in training preschool deaf children.

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

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

Reasons: The foreign article provides extended low-frequency response suitable for a bone vibrating transducer. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated January 14, 1972, that characteristics of the article described above are pertinent to the purposes for which the foreign article is intended to be used. HEW further advises that it knows of no comparable domestic instrument which provides pertinent characteristics of the foreign article.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2515 Filed 2-17-72;8:50 am]

UNIVERSITY OF TENNESSEE

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00038-99-03400. Applicant: The University of Tennessee, Knoxville, Tenn. 37916. Article: Vibrators, Suvag Model 73. Manufacturer: Mecanique Generale, France. Intended use of article: The articles will be used to transmit acoustic energy to preschool

deaf children on an experimental project in teaching preschool children.

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

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

Reasons: The foreign article has the capacity for extended low frequency response. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated January 14, 1972, that this characteristic is pertinent to the purposes for which the foreign article is intended to be used. HEW further advises that it knows of no comparable domestic instrument with this pertinent characteristic of the foreign article.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2516 Filed 2-17-72;8:50 am]

UNIVERSITY OF WISCONSIN

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00600-33-46040. Applicant: University of Wisconsin, 750 University Avenue, Madison, WI 53706. Article: Electron miscroscope, Model EM 7. Manufacturer: AEI Scientific Apparatus, Ltd., United Kingdom. Intended use of article: The article will be used exclusively in biomedical research to extend the application of electron microscopy, specifically in three dimensional analysis of complex cell structure; construction of environmental undehydrated biological specimens which brings electron microscopic analysis closer to the living state; providing decreased interaction of electrons with the atoms of the specimens; and selected area electron diffraction at higher accelerating voltages on smaller structures only a couple hundred angstrom units in diameter.

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

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

Reasons: The foreign article provides an accelerating voltage of 1,000 kilovolts. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 30, 1971, that the capability described above provides extended penetration into the applicant's specimens which is pertinent to the purposes for which the foreign article is intended to be used. HEW further advises that it knows of no instrument or apparatus being manufactured in the United States which possesses the pertinent characteristic.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2514 Filed 2-17-72;8:50 am]

VETERANS ADMINISTRATION HOSPITAL, ALBANY, N.Y.

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00251-33-46500. Applicant: Veterans Administration Hospital, 113 Holland Avenue, Albany, NY 12208. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used to produce ultrathin sections for electron microscopic examination. Investigations concern the response of arterial disease to mechanical and hemodynamic injury.

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

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

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00665-33-46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section."

In connection with another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an identical foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec.

We are advised by HEW in its memorandum of February 12, 1971, that cutting speeds in excess of 4 mm./sec. are pertinent to the purposes for which the foreign article is intended to be used.

We, therefore, find that the Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2520 Filed 2-17-72;8:50 am]

VETERANS ADMINISTRATION HOSPITAL, LITTLE ROCK, ARK.

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

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

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00026-33-46500. Applicant: Veterans Administration Hospital,

300 East Roosevelt Road, Little Rock, AR 72206. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used in the investigation of the alterations of ultrastructural changes in biopsy and experimental materials which have been induced by alterations of metabolic process.

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

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

Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when such sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness, etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00665-33-46500) which relates to the duty-free entry of an identical foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section."

In connection with another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an identical foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness, etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." The foreign article has a cutting speed range of 0.1 to 20 millimeters/second (mm./sec.). The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm./sec.

We are advised by HEW in its memorandum of January 14, 1972, that cutting speeds in excess of 4 mm./sec. are pertinent to the purposes for which the foreign article is intended to be used.

We, therefore, find that the Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

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

B. BLANKENHEIMER,
Acting Director,
Office of Import Programs.

[FR Doc.72-2519 Filed 2-17-72;8:50 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-247]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Order Extending Completion Date

Consolidated Edison Company of New York, Inc., has filed a request dated January 25, 1972, for an extension of the latest completion date granted by Atomic Energy Commission letter dated November 17, 1971, specified in Provisional Construction Permit No. CPPR-21, as amended, for construction of a 2758 megawatt (thermal) pressurized water nuclear reactor, designated as the Indian Point Nuclear Generating Unit No. 2, at the applicant's site on the Hudson River in the village of Buchanan, Westchester County, N.Y. Good cause having been shown for extension of said date pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and § 50.55 of the Commission's regulations:

It is hereby ordered that the latest completion date is extended from March 1, 1972 to July 1, 1972.

Date of issuance: February 14, 1972.

For the Atomic Energy Commission.

RICHARD C. DEYOUNG,
Assistant Director for Pressurized Water Reactors, Division of Reactor Licensing.

[FR Doc.72-2490 Filed 2-17-72;8:48 am]

[Dockets Nos. 50-289, 50-320]

METROPOLITAN EDISON CO. AND JERSEY CENTRAL POWER & LIGHT CO.

Notice of Availability of Applicants' Revised Environmental Report

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 revised report entitled "Metropolitan Edison Co., Jersey Central Power & Light Co. Environmental Report Operating License Stage Three Mile Island Nuclear Station Unit 1 and Unit 2 ("the revised report"), submitted by the Metropolitan Edison Co., has been placed in the Commission's Public Document Room at 1717 H Street NW., Washington, DC, and in the Government Publications Section, State Library of Pennsylvania, Box 1601 (Education Building), Harrisburg, Pa. 17126. The revised report supersedes in its entirety the previous, now obsolete report dated October 1, 1970, and erratum thereto dated October 7, 1970. The revised report is also being made available to the public at the Pennsylvania State Planning Board, 503 Finance Building, State Capitol, Harrisburg, Pa. 17120, and at the Tri-County Regional Planning Commission, 341 South Cameron Street, Harrisburg, PA 17101.

The report discusses environmental considerations related to the proposed operation of the Three Mile Island Nuclear Station, Units 1 and 2 located on the Company's site on Three Mile Island in the Susquehanna River, Dauphin County, Pa.

After the report has been analyzed by the Commission's Director of Regulation or his designee, a draft detailed statement of environmental considerations related to the proposed action will be prepared. Upon preparation of the draft detailed statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft detailed statement. The summary notice will request comments from interested persons on the proposed action and on the draft statement. The summary notice will also contain a statement to the effect that the comments of Federal agencies and State and local officials thereon will be available when received.

Dated at Bethesda, Md., this 11th day of February 1972.

For the Atomic Energy Commission.

R. C. DEYOUNG,
Assistant Director for Pressurized Water Reactors, Division of Reactor Licensing.

[FR Doc.72-2463 Filed 2-17-72;8:46 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. 2-6; Notice 6]

MOTOR VEHICLE SAFETY STANDARDS

Roof Crush Resistance; Petition for Reconsideration

The purpose of this notice is to respond to a petition for reconsideration of Motor Vehicle Safety Standard No. 216, Roof Crush Resistance, in § 571.216 of Title 49, Code of Federal Regulations.

The standard as issued on December 3, 1971 (36 F.R. 23299) established August 15, 1973, as the effective date. A single petitioner, American Motors Corp., has requested that the date be delayed until January 1, 1974, in order to allow it additional leadtime.

Standard 216 is intended to provide an alternative to conformity with the roll-over test of Standard No. 208, Occupant Crash Protection, and the effective date of Standard 216 is set at August 15, 1973, in order to coincide with the effective date of one of the phases of Standard 208. Upon review of the data provided in the petition, the information concerning the rulemaking submitted by other manufacturers, and all other available information, the NHTSA has concluded that the effective date is no unreasonable. The petition of American Motors Corp. is therefore denied.

(Secs. 103, 119, National Traffic and Motor Vehicle Safety Act, 15 U.S.C. 1392, 1407, delegation of authority at 49 CFR 1.51)

Issued on February 14, 1972.

DOUGLAS W. TOMS,
Administrator.

[FR Doc.72-2498 Filed 2-17-72;8:48 am]

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

Modification to Area Determination Decision for Specified Locality in North Dakota

Area wage determination decision published in the FEDERAL REGISTER on the following date:

Decision No.	*Date*
AM-2,509	Aug. 27, 1971

is hereby modified as set forth below.

This modification is based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since this determination was issued.

The determination of prevailing rates and fringe benefits made in this modification has been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 F.R. 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, and of Secretary of Labor's Orders 13-71 and 15-71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in the foregoing area wage determination decision as hereby modified, shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the locality described therein.

The modification effective from the date of publication in the FEDERAL REGISTER until the end of the period for which the determination being modified was issued and is to be used in accordance with the provisions of 29 CFR Part 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. No. 553 is set forth in the document being modified.

The modification to the area wage determination decision listed above is set forth below.

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

HORACE E. MENASCO,
Administrator, Employment Standards Administration.

MODIFICATION

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacations	App. Tr.	Other
WD No. AM-2,509—36 F.R. 17133, Statewide North Dakota, Modification No. 2						
Change:						
Power equipment operators:						
Cableway operator; crane operator with over 135' boom; derrick (guy and stiff leg) (power) (skids and stationary); front end loader over 10 cu. yd.; gantry crane operator; mole operator, including power supply or tunnel mucking machine; power shovel and/or other equipment with shovel type controls 3½ cu. yd	$5.60	$0.25	$0.25			
Concrete mixer stationary plant operator over 34E; dredge operator or engineer, dredge operator (power) and engineer; elevator grader operator; locomotive, crane operator; master mechanic; mixer (paving) concrete paving operator, road; power shovels and/or other equipment with shovels and/or other equipment with shovel type controls up to 3½ cu. yd.; scraper tandem; tandem pusher Quad 9 or similar; tractor operator (pipeline) side boom; truck crane operator	5.45	.25	.25			
Dope machine operator (pipeline); drill rigs; heavy duty rotary or churn or cable drill; front end loader operator, 6 cu. yd. and over; locomotive, all types; pipeline wrapping, cleaning and bending machine operator; power actuated horizontal boring machine over 6" operator (pipeline); pumpcrete operator; refrigeration plant engineer; slip form operator (power driven) (paving); tandem scraper-twin engine, 50 cu. yd. struck and over	5.30	.25	.25			
Asphalt paving machine operator; asphalt plant operator and console board operator; CMI grading operator; crushing plant operator (gravel and stone or gravel washing, crushing and screening plant operator); front end loader operator, 1 cu. yd. up to 6 cu. yd.; grader or motor patrol, finishing earth work and bituminous; mechanic or welder (heavy duty); rubber tired dozer Napco or similar and over; rubber tired industrial tractor with backhoe attachment (water main sanitary sewer and storm sewer, trunk line construction); scraper operator; tractor type dozer D-6 and over; trenching machine operator, sewer and water (except Ditch Witch or similar use oiler rate); Turnapull operator (or similar type)	5.25	.25	.25			

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacations	App. Tr.	Other
Change—Continued						
Power equipment operators—Continued						
Bituminous spreader and bituminous finishing operator (power); concrete distributor and spreader operator, finishing machine longitudinal float operator, float machine operator and spray operator; concrete mixer operator on jobsite 16S or over; paving breaker or tamping machine operator including machine with power shovel attachments (power driven); power actuated augers and boring machine operator; power actuated jacks operator; power plant engineer, 100 kw.-hr. and over; push tractor; self-propelled traveling soil stabilizer; soil cement stabilizer	5.05	.25	.25			
Concrete saw operator (multiple blade) (power operated); fine grade operator; roller, steel, and self-propelled rubber, on hot mix asphalt paving; rubber tired dozer under Napco or similar; tractor type dozer under D-6; truck mechanic	4.82	.25	.25			
Brakeman or switchman; concrete batch plant operator (cement, rock, and sand) electronics; concrete mixer operator on jobsite under 16S; crane truck oiler; distributor operator; grader operator (motor patrol) (haul road); gravel screening plant operator (portable not crushing or washing); greaser (truck or tractor); Gunite operator gunall; hoist engineer (power); hydro crane operator launchman (tankerman or pilot license); pickup sweeper, 1 yd. and over hopper capacity; shouldering machine operator (power) (Apsco or similar type) including self-propelled sand chip spreader Flaherty or similar	3.94	.25	.25			
Crawler type tractor pulling compaction or aerating equipment; farm type rubber-tired tractor with backhoe attachment; self-propelled vibrating packer operator pad type (35 hp. and over); sheepsfoot roller or compactor (self-propelled); off-road self-propelled watering equipment	3.79	.25	.25			
Bituminous spreader and bituminous finishing operator (helper) (power); boom truck operator; concrete batch operator (cement, rock and sand) (manual); fireman or tank car heater operator; form trench digger (power); front end loader operator, up to 1 cu. yd.; Hyster carrier; leverman; loader operator (Barber Greene or similar type); mechanics' helper; oiler (power shovel, crane, dragline); pugmill operator; pump operator (well points); roller, steel and self-propelled rubber, on other than hot mix asphalt paving; self-propelled broom	3.69	.25	.25			
Conveyor operator; curb machine operator; dredge deck hand; farm tractors, rubber tired for compacting and aerating; front end loader operator (farm type rubber-tired tractor); stump chipper operator; tie tamper and ballast machine operator	3.35	.25	.25			

[FR Doc.72-2487 Filed 2-17-72;8:47 am]

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

Modification and/or Supersedeas Decisions to Area Wage Determination Decisions for Specified Localities in Certain States

Modification and/or supersedeas decisions to area wage determination decisions for specified localities in Arkansas, Florida, Illinois, Michigan, Mississippi, New Mexico, Ohio, Oklahoma, Oregon, Texas, and Wisconsin.

Area wage determination decisions published in the FEDERAL REGISTER on the following dates:

Decision No.	*Date*
AM-331, AM-332, AM-333, AM-336	Aug. 13, 1971
AM-373, AM-374, AM-375, AM-376, AM-377, AM-378, AM-379, AM-380, AM-381, AM-382, AM-383, AM-384, AM-385, AM-386, AM-387, AM-388, AM-389, AM-390, AM-391, AM-392, AM-393, AM-394, AM-404, AM-405, AM-407, AM-408, AM-409, AM-410, AM-411, AM-412, AM-414, AM-415, AM-416, AM-417, AM-423, AM-424, AM-425, AM-426, AM-427, AM-428, AM-429, AM-430 (8584,) AM-431, AM-432, AM-433 (8585), AM-434 (8586), AM-435 (8587)	Aug. 18, 1971
AM-453, AM-455, AM-461, AM-489, AM-490, AM-493	Aug. 20, 1971
AM-3555, AM-3573, AM-3601, AM-3602, AM-3613	Aug. 25, 1971
AM-2427 (6703)	Aug. 27, 1971
AM-7714, AM-7716	Nov. 19, 1971
AM-11,401	Feb. 4, 1972

are hereby modified and/or superseded as set forth below. Supersedeas decision numbers are in parentheses following the number of the decision being superseded.

These modifications and/or supersedeas decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since these determinations were issued.

The determinations of prevailing rates and fringe benefits made in these modifications and/or supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 F.R. 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, PROCEDURE FOR PREDETERMINATION OF WAGE RATES, and of Secretary of Labor's Orders 13-71 and 15-71 (36 F.R. 8755, 8756). The prevailing rates and fringe benefits determined in the foregoing area wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

The modification and/or supersedeas decisions are effective from their date of publication in the FEDERAL REGISTER until the end of the period for which the determinations being modified and/or superseded were issued and are to be used in accordance with the provisions of 29 CFR, Part 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 is set forth in the document being modified.

The modification and/or supersedeas decisions to the area wage determination decisions listed above are set forth below.

Signed at Washington, D.C., this 11th day of February 1972.

HORACE E. MENASCO,
Administrator, Employment Standards Administration.

MODIFICATIONS

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-3,573—36 F.R. 16733, Pulaski County, Ark., Modification No. 3						
CHANGE:						
Bricklayers:						
Bricklayers; stonemasons; cleaners; pointers; caulkers	$6.15	$0.15			$0.02	
Carpenters:						
Carpenters, floor men	5.35	.25	$0.15		.01	
Millwrights—piledriyers	5.60	.25	.15		.01	
Cement masons	5.45	.15				
Electricians:						
Electricians	6.85		1%		½%	
Cable splicers	6.975		1%		¾%	
Glaziers	5.41				$0.01	
Ironworkers:						
Structural; ornamental; reinforcing	6.18	.25	$0.25		.02	
Laborers:						
Construction laborer, carpenter helper, concrete laborer	3.65	.10	.20			
Mechanical tool operator, motorized Georgia buggy, tenders (plasterers, brick mason, cement and stone), mortar mixer, sanitary tile layer, asphalt raker	3.90	.10	.20			
Powderman	4.55	.10	.20			
Lathers	6.05		.10	$0.25	.01	
Painters:						
Brush	4.85		.20			
Structural steel	5.10		.20			
Spray	5.45		.20			
Plasterers	6.09				.02	
Plumbers—pipefitters	7.30				.02	
Plumbers—pipefitters:						
(Outside 10-mile radius of Pulaski County Courthouse)	7.60				.02	
Roofers:						
Roofers	5.05					
Sheet metal workers	6.40	.20	.20	.40	c	

Footnote: c. Apprenticeship fund shall be $0.50 per month per journeyman and apprentice employed.

WD No. AM-455—36 F.R. 16378, Dade County, Fla., Modification No. 7

CHANGE:						
Ironworkers:						
Structural and ornamental	8.30	.30	.33			
Reinforcing	8.30	.30	.33			

WD No. AM-455—36 F.R. 16381, Hillsborough County, Fla., Modification No. 6

CHANGE:						
Ironworkers:						
Structural	7.65	.35	.30		$0.05	
Ornamental	7.65	.35	.30		.05	
Reinforcing	7.65	.35	.30		.05	
Sheeters	7.65	.35	.30		.05	

WD No. AM-461—36 F.R. 16401, Pinellas County, Fla., Modification No. 4

CHANGE:						
Ironworkers:						
Structural and ornamental	7.65	.35	.30		.05	
Reinforcing	7.65	.35	.30		.05	

WD No. AM-331—36 F.R. 15161, DuPage County, Ill., Modification No. 6

CHANGE:						
Line construction:						
Linemen, digger operator	7.65	.15	1%		¼%	
Groundmen	5.00	.15	1%		¼%	
Groundmen, equipment operator, tractor operator	5.20	.15	1%		¼%	

WD No. AM-332—36 F.R. 15166, Kane County, Ill., Modification No. 7

CHANGE:						
Bricklayers and stonemasons	8.50	.30	$0.61			
Electricians and line construction:						
(Northern half of county):						
Electricians	8.30	3%	4%	4%	½ of 1%	
Linemen, digger operator	7.65	$0.15	1%		0.25%	
Groundmen	5.00	.15	1%		.25%	
Groundmen, equipment operator, and tractor operator	5.20	.15	1%		.25%	
(Southern half of county):						
Linemen, digger operator	7.65	.15	1%		.25%	
Groundmen	5.00	.15	1%		.25%	
Groundmen, equipment operator, and tractor operator	5.20	.15	1%		.25%	

WD No. AM-333—36 F.R. 15170, Lake County, Ill., Modification No. 4

CHANGE:						
Line construction:						
Linemen	7.65	.15	1%		¼%	
Groundmen	5.00	.15	1%		¼%	

WD No. AM-336—36 F.R. 15188, Rock Island County, Ill., Modification No. 5

CHANGE:						
Electricians	7.58	.25	1%		0.1%	
Cable splicers	7.83	.25	1%		.1%	
Line construction:						
Linemen	7.10	.15	1%			
Cable splicers	7.23	.15	1%			
Groundmen—truck or tractor drivers without winch	4.91	.15	1%			
Groundmen—truck or tractor drivers with winch	5.09	.15	1%			
Groundmen (over 6 months)	4.91	.15	1%			

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-373—36 F.R. 15777, Allegan County, Mich., Modification No. 7						
CHANGE:						
Michigan 8PEOH:						
Underground Construction;						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, endloader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	$8.74	.40	$0.45		$0.05	
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller) dozer (less than 9′ blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum ½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hrs. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
12—Mich. 3-7:						
Highway, bridge, airport (exclusive of buildings) and sewer construction:						
Cement masons (Saginaw and Livingston Counties)	$6.76	.15	.10			
Cement masons (remainder of counties)	6.51	.15	.10			
Laborers:						
Line—form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.89	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill and air trace operators, curb and side rail setters' helpers, diamond and core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jack-hammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters' helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck, jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender or manholes headwalls	5.34	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd., capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6″ discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled) back hoe (with over ¾ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, backhoes (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6″ ft. wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck drivers (remainder of county):						
Trucks, less than 8 cu. yd	6.54	a	b	$0.15		
Trucks, over 8 cu. yd	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck drivers (Lapeer, St. Clair, Livingston & Lenawee Counties):						
Trucks less than 8 cu. yd	6.64	a	b	.15		
Trucks, over 8 cu. yd	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD AM-874—36 F.R. 15782, Alpena County, Mich., Modification No. 4						
CHANGE:						
Michigan 8 PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type, or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, end loader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2-drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9′ blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.) air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hrs. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
14–Michigan–3–1:						
Highway, bridge, and airport (exclusive of buildings) and sewer construction:						
Cement masons	6.44	.15	.10			
Laborers:						
Line form setter curb or pavement	5.67	.30	.20	.40		
Pipelayers	5.37	.30	.20	.40		
Asphalt raker	5.65	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.47	.30	.20	.40		
Tunnel miner (highway work only), finishers tender, guard fence builder, bottom man, powder man, wagon drill, air track operators, curb and side rail setters' helper, diamond and core drills	5.32	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), spreader, boxman (asphalt, stone, gravel, etc.), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.12	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.02	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters helper, subgrade labor (hand tools), yard men, guard fence, builders helper, dumper (wagon, truck, etc.), jetting labor, joint filling labor, miscellaneous unskilled labor, powder monkey (helper), sprinkler labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), masons or bricklayer's tender on manholes and headwalls	4.97	.30	.20	.40		
Power equipment operators:						
Asphalt plant, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders trenching machines (ladder or wheel type), autograder, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), end-loader (1 yd. capacity, and over), bulldozer, hoisting engineer, tractors, finishing machines (asphalt), mechanics, pumps (6″ discharge or over, gas, diesel powered, or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoes (with over ⅜ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), gradall and similar type machines, asphalt planer (self-propelled), batch plant (concrete), slurry machine (asphalt), pile drivers, rollers (asphalt), bladegraders	6.49	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoe (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breakers, tractors (farm type with attachments)	5.81	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine-grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40. hp or over), power bins, plant driers (asphalt), vibratory compaction equipment (6′ wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.58	.40	.45	10%	.02	
Truck drivers:						
Truck drivers, less than 8 cu. yd., capacity	6.48	a	b	$0.15		
Truck drivers, 8 cu. yd., and over (including tandem axle trucks, tandem axle water trucks, transit mix and semis)	6.58	a	b	.15		
Drivers and Euclid type equipment (including double bottoms and lowboys)	6.73	a	b	.15		

FOOTNOTES:
a. $14.50 per week, per employee.
b. $12.00 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-875—36 F.R. 15787, Berrien County, Mich. Modification No. 6						
CHANGE:						
Michigan 8 PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, end loader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9′ blade) side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum-½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hrs. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
12—Mich. 3-Z:						
Highway, bridge, airport (exclusive of buildings) and sewer construction:						
Cement masons (Saginaw and Livingston counties)	6.76	.15	.10			
Cement masons (remainder of counties)	6.51	.15	.10			
Laborers:						
Line—form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.89	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill and air trace operators, curb and side rail setters' helpers, diamond and core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jack-hammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenter's helper, subgrade labor (hand tools), yard men, guard fence builders's helper, dumper (wagon, truck, jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender on manholes, headwalls	5.34	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), autograders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6″ discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoe (with over ⅜ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, backhoes (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (two or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. cap.), rollers (other than asphalt), curing equipment operators (self-propelled) concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6″ wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck Drivers: (remainder of county)						
Trucks, less than 8 cu. yds	6.54	a	b	.15		
Trucks, over 8 cu. yds	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck Drivers:						
(Lapeer, St. Clair, Livingston and Lenawee Counties)						
Trucks less than 8 cu. yds	6.64	a	b	.15		
Trucks over 8 cu. yds	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-376—36 F.R. 15791, Calhoun County, Mich., Modification No. 7						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type, or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9' blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8' digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9' blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6" discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumperete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4" up to 6" discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
12—Mich. 3–Z:						
Highway, bridge, airport (exclusive of buildings), and sewer construction:						
Cement masons (Saginaw and Livingston Counties)	6.76	.15	.10			
Cement masons (remainder of counties)	6.51	.15	.10			
Laborers:						
Line—form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.89	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill and air trace operators, curb and side rail setters' helpers, diamond and core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jack-hammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters' helper, subgrade labor (hand tools), yard men, guard fence builders' helper, dumper (wagon, truck), jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender on manholes, headwalls	5.34	.30	.20	.40		
Power equipment, operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6" discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled) back hoe (with over ⅜ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	
Sweeper (Wayne type and similar equip.), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, backhoes (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled) concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6" ft. wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck drivers (remainder of County):						
Trucks, less than 8 cu. yd	6.54	a	b	$0.15		
Trucks, over 8 cu. yd	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck drivers (Lapeer, St. Clair, Livingston and Lenawee Counties):						
Trucks, less than 8 cu. yd	6.64	a	b	.15		
Trucks, over 8 cu. yd	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-377—38 F.R. 15795, Charlevoix County, Mich., Modification No. 6						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, end loader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9' blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8' digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller) dozer (less than 9' blade), side boom tractor (smaller) than D–4 or equivalent, pump (1 or more 6" discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4" up to 6" discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—1½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete braker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
14-Michigan-3-1:						
Highway, bridge, and airport (exclusive of buildings) and sewer construction:						
Cement masons	6.44	.15	.10			
Laborers:						
Line form setter curb or pavement	5.67	.30	.20	.40		
Pipelayers	5.37	.30	.20	.40		
Asphalt raker	5.65	.30	.20	.40		
Asphalt temper and asphalt raker helper	5.47	.30	.20	.40		
Tunnel miner (highway work only), finishers tender, guard fence builder, bottom man, powder man, wagon drill, air track operators, curb and side rail setters' helper, diamond and core drills	5.32	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer etc.), spreader, boxman (asphalt, stone, gravel, etc., concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.12	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.02	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters helper, subgrade labor (hand tools), yard men, guard fence, builders helper, dumper (wagon, truck, etc.) jetting labor, joint filling labor, miscellaneous unskilled labor, powder monkey (halper), sprinkler labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), masons or bricklayer's tender on manholes and headwalls	4.97	.30	.20	.40		
Power equipment operators:						
Asphalt plant, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders trenching machines (ladder or wheel type), autograder, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloader (1 yd. capacity and over), bulldozer, hoisting engineer, tractors, finishing machines (asphalt), mechanics, pumps (6" discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoes (with over ⅜ yd. bucket), side boom tractor (type D–4 or equivalent or larger, tube finisher (slip form paving), concrete spreader (slip form paving), gradall and similar type machines, asphalt planer (self-propelled), batch plant (concrete) slurry machine (asphalt) pile drivers, rollers (asphalt), blade graders	6.49	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoe (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (two or more—less than 600 c.f.m.), wagon drills, concrete breakers, tractors (farm type with attachments)	5.81	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine-grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bins, plant driers (asphalt), vibratory compaction equipment (6' wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.58	.40	.45	10%	.02	
Truck drivers:						
Truck drivers, less than 8 cu. yd., capacity	6.48	a	b	$0.15		
Truck drivers, 8 cu. yd., and over (including tandem axle trucks, tandem axle water trucks, transit mix and semis)	6.58	a	b	.15		
Drivers and Euclid type equipment (including double bottoms and lowboys)	6.73	a	b	.15		

Footnote:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-378—36 F.R. 15800, Chippewa and Mackinac Counties, Mich., Modification No. 5						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, endloader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45	----	.05	----
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9′ blade), side boom tractor (smaller than D-4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45	----	.05	----
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumperete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45	----	.05	----
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45	----	.05	----
Oiler and firemen	7.31	.40	.45	----	----	----
CHANGE:						
13—Mich. 3-T:						
Highway, bridge, and airport (exclusive of buildings) and sewer construction:						
Cement masons	6.44	.15	.10	----	----	----
Laborers:						
Line—form setters for curb or pavement	5.67	.30	.20	.40	----	----
Pipe layers	5.37	.30	.20	.40	----	----
Asphalt raker	5.65	.30	.20	.40	----	----
Asphalt tamper and asphalt raker helper	5.47	.30	.20	.40	----	----
Tunnel miner (highway work only), finishers tender, guard fence builder, bottom man, powder man, wagon drill and air track operators, curb and side rail setters' helper, diamond and core drills	5.32	.30	.20	.40	----	----
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), spreader, boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.12	.30	.20	.40	----	----
Cement handler or dockman, top man, asphalt dust handler	5.02	.30	.20	.40	----	----
Asphalt shoveler or loader, asphalt plant miscellaneous axe man, batch bin (no power), burlap man, carpenters' helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck), jetting labor, joint filling labor, miscellaneous unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), masons' tender, bricklayers tender on manholes, headwalls	4.97	.30	.20	.40	----	----
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd., capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6″ discharge or over, gas diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoe (with over ⅜ yd. bucket), side boom tractor (type D-4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.49	.40	.45	10%	.02	----
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, washing plants, crushers, backhoes (with ⅝ yd. bucket or less), side boom tractor (smaller than D-4 type or equivalent)	6.31	.40	.45	10%	.02	----
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.) wagon drills, concrete breaker, tractors (farm type with attachments)	5.81	.40	.45	10%	.02	----
Boiler fireman, oiler, fireman, mechanic's helper trencher (service) flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6″ wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.58	.40	.45	10%	.02	----
Truck drivers:						
Trucks, less than 8 cu. yd	6.48	a	b	$0.15	----	----
Trucks, over 8 cu. yd	6.58	a	b	.15	----	----
Trucks, Euclid type equipment	6.73	a	b	.15	----	----

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-379—36 F.R. 15804, Emmet County, Mich., Modification No. 5						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type, or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, end loader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45	----	.05	----
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9′ blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45	----	.05	----
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45	----	.05	----
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hrs. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45	----	.05	----
Oiler and fireman	7.31	.40	.45	----	----	----
CHANGE:						
14-Michigan-3-1:						
Highway, bridge and airport (exclusive of buildings) and sewer construction:						
Cement masons	6.44	.15	.10	----	----	----
Laborers:						
Line form setter curb or pavement	5.67	.30	.20	.40	----	----
Pipelayers	5.37	.30	.20	.40	----	----
Asphalt raker	5.65	.30	.20	.40	----	----
Asphalt tamper and asphalt raker helper	5.47	.30	.20	.40	----	----
Tunnel miner (highway work only), finishers tender, guard fence builder, bottom man, powder man, wagon drill, air track operators, curb and side rail setters' helper, diamond and core drills	5.32	.30	.20	.40	----	----
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), spreader, boxman (asphalt, stone, gravel, etc., concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker, and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.12	.30	.20	.40	----	----
Cement handler or dockman, top man, asphalt dust handler	5.02	.30	.20	.40	----	----
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters helper, subgrade labor (hand tools), yard men, guard fence, builders helper, dumper (wagon, truck, etc.), jetting labor, joint filling labor, miscellaneous unskilled labor, powder monkey (helper), sprinkler labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), masons or bricklayer's tender on manholes and headwalls	4.97	.30	.20	.40	----	----
Power equipment operators:						
Asphalt plant, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, trenching machines (ladder or wheel type), autograder, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloader (1 yd. capacity, and over), bulldozer, hoisting engineer, tractors, finishing machines (asphalt), mechanics, pumps (6″ discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), backhoes (with over ⅜-yd. bucket), side boom tractor (type D–4 or equilavent or larger, tube finisher (slip form paving), concrete spreader (slip form paving), Gradall and similar type machines, asphalt planer (self-propelled), batch plant (concrete), slurry machine (asphalt), pile drivers, rollers (asphalt), blade graders	6.49	.40	.45	10%	.02	----
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoe (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	----
Air compressors (600 c.f.m. or more), air compressors (two or more—less than 600 c.f.m.), wagon drills, concrete breakers, tractors (farm type with attachments)	5.81	.40	.45	10%	.02	----
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine-grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bins, plant driers (asphalt), vibratory compaction equipment (6′ wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.58	.40	.45	10%	.02	----
Truck drivers:						
Truck drivers, less than 8 cu. yd. capacity	6.48	a	b	$0.15	----	----
Truck drivers, 8 cu. yd., and over (including tandem axle trucks, tandem axle water trucks, transit mix, and semis)	6.58	a	b	.15	----	----
Drivers and Euclid type equipment (including double bottoms and lowboys)	6.73	a	b	.15	----	----

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-380—36 F.R. 15809, Genesee County, Mich. Modification No. 5						
CHANGE:						
Michigan 8 PEOH:						
Underground Construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, end loader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	0.40	0.45		.05	
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9′ blade), side boom tractor (smaller) than D–4 or equivalent, pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hrs. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
11-Mich.-3:						
Highway, bridge, airport (exclusive of buildings) and sewer construction:						
Cement masons	6.76	.15	.10			
Laborers:						
Line—form setters for curb or pavement	6.55	.30	.20	.40		
Pipe layers	6.33	.30	.20	.40		
Asphalt raker	6.20	.30	.20	.40		
Asphalt tamper and asphalt raker helper	6.01	.30	.20	.40		
Tunnel miner (highway work only), finishers tender, guard fence builder, bottom man, powder man, wagon drill and air track operators, curb and side rail setters' helper, diamond and core drills	6.12	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), spreader, boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	6.01	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.95	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenter's helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck), jetting labor, joint filling labor miscellaneous, unskilled labor, form setting labor pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayers tender on manholes, headwalls	5.92	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6″ discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoe (with over ⅜ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.65	.40	.45	10%	.02	
Sweeper (Wayne type and similar equip.), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoes (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.43	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.97	.40	.45	10%	.02	
Boiler fireman, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6″ wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.84	.40	.45	10%	.02	
Truck drivers:						
Trucks, less than 8 cu. yds	6.64	a	b	$0.15		
Trucks, over 8 cu. yds	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnote:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-381—36 F.R. 15813, Gogebic County, Mich., Modification No. 6						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, endloader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	.40	.45		.05	
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9′ blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
13—Mich. 3–T:						
Highway, bridge, and airport (exclusive of buildings) and sewer construction:						
Cement masons	6.44	.15	.10			
LABORERS:						
Line—form setters for curb or pavement	5.67	.30	.20	.40		
Pipe layers	5.37	.30	.20	.40		
Asphalt raker	5.65	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.47	.30	.20	.40		
Tunnel miner (highway work only) finishers tender, guard fence builder, bottom man, powder man, wagon drill and air track operators, curb and side rail setters' helper, diamond and core drills	5.32	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), spreader, boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.12	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.02	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters's helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck), jetting labor, joint filling labor, miscellaneous unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), masons' tender, bricklayers tender on manholes, headwalls	4.97	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd., capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6″ discharge or over, gas diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoe (with over ¾ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.49	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoes (with ⅜-yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.81	.40	.45	10%	.02	
Boiler fireman, oiler, fireman, mechanic's helper, trencher (service) flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 h.p. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment opers. (6″ wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.58	.40	.45	10%	.02	
Truck drivers:						
Trucks, less than 8 cu. yd	6.48	a	b	$0.15		
Trucks, over 8 cu. yd	6.58	a	b	.15		
Trucks, Euclid type equipment	6.73	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-382—36 F.R. 15817, Grand Traverse and Leelanau Counties, Mich., Modification No. 5						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic end loader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9' blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8' digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9' blade), side boom tractor (smaller) than D–4 or equivalent), pump (1 or more 6" discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressor (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumperete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4" up to 6" discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
14–Michigan-3-1:						
Highway, bridge and airport (exclusive of buildings), and sewer construction:						
Cement masons	6.44	.15	.10			
Laborers:						
Line form setter curb or pavement	5.67	.30	.20	.40		
Pipelayers	5.37	.30	.20	.40		
Asphalt raker	5.65	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.47	.30	.20	.40		
Tunnel miner (highway work only), finishers tender, guard fence builder, bottom man, powder man, wagon drill, air track operators, curb and side rail setters' helper, diamond and core drills	5.32	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer etc.), spreader, boxman (asphalt, stone, gravel, etc.), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.12	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.02	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant misc,. axe man, batch bin (no power), burlap man, carpenter's helper, subgrade labor (hand tools), yard men, guard fence, builders helper, dumper (wagon, truck, etc.), jetting labor, joint filling labor, miscellaneous unskilled labor, powder monkey (helper), sprinkler labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), masons or bricklayer's tender on manholes and headwalls	4.97	.30	.20	.40		
Power equipment operators:						
Asphalt plant, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders trenching machines (ladder or wheel type), autograder, slipf orm paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloader (1 yd. capacity and over), bulldozer, hoisting engineer, tractors, finishing machines (ashphalt), mechanics, pumps (6" discharge or over, gas, diesel powered or generator or 300 a. or larger), shouldering or gravel distributing machines (self-propelled), backhoes (with over ¾ yd. bucket), side boom tractor (type D–4 or equivalent or larger, tube finisher (slip form paving), concrete spreader (slip form paving), gradall and similar type machines, asphalt planer (self-propelled), batch plant (concrete), slurry machine (asphalt) pile drivers, rollers (asphalt), blade graders	6.49	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoe (with ⅝ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breakers, tractors (farm type with attachments)	5.81	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bins, plant driers (asphalt), vibratory compaction equipment (6' wide or over), guard post drivers (power driven) all mulching equipment, stump remover	5.58	.40	.45	10%	.02	
Truck drivers:						
Truck drivers, less than 8 cu. yd. capacity	6.48	a	b	$0.15		
Truck drivers, 8 cu. yd. and over (including tandem axle trucks, tandem axle water trucks, transit mix, and semis)	6.58	a	b	.15		
Drivers and Euclid type equipment (including double bottoms and lowboys)	6.73	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM–36 F.R. 15822, Huron County Mich. Modification No. 6						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, end loader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9′ blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumperete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
12—Mich. 3–Z:						
Highway, bridge, airport (exclusive of buildings) and sewer construction:						
Cement masons (Saginaw and Livingston Counties)	6.76	.15	.10			
Cement masons (remainder of counties)	6.51	.15	.10			
Laborers:						
Line—form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.89	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill and air trace operators, curb and side rail setters' helpers, diamond and core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenter's helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck), jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender on manholes, headwalls	5.34	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd., capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6″ discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoe (with over ⅜ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, backhoes (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled) concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6″ ft. wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck drivers (remainder of county):						
Trucks, less than 8 cu. yd	6.54	a	b	$0.15		
Trucks, over 8 cu. yd	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck drivers (Lapeer, St. Clair, Livingston & Lenawee Cos.):						
Trucks, less than 8 cu. yd	6.64	a	b	.15		
Trucks, over 8 cu. yd	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-384—36 F.R. 15828, Ingham County, Mich. Modification No. 6						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9' blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8' digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9' blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6" discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.) air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4" up to 6" discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hrs. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
12—Mich. 3-Z:						
Highway, bridge, airport (exclusive of buildings) and sewer construction:						
Cement masons (Saginaw and Livingston Counties)	6.76	.15	.10			
Cement masons (remainder of counties)	6.51	.15	.10			
Laborers:						
Line—form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.89	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill and air trace operators, curb and side rail setters' helpers, diamond and core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenter's helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon), truck, jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender on manholes, headwalls	5.34	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd., capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6" discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled) back hoe (with over ⅜ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving) Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	
Sweeper (Wayne type & similar equip.), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, backhoes (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 cu. ft. per min. or more), air compressors (two or more—less than 600 cfm), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. cap.), rollers (other than asphalt), curing equipment operators (self-propelled) concrete saws (40 H.P. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment opers. (6" ft. wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck Drivers: (remainder of county)						
Trucks, less than 8 cu. yds	6.54	a	b	$0.15		
Trucks, over 8 cu. yds	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck Drivers:						
(Lapeer, St. Clair, Livingston and Lenawee Counties.)						
Trucks less than 8 cu. yds	6.64	a	b	.15		
Trucks over 8 cu. yds	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee
b. $12 per week, per employee

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-385—36 F.R. 15833, Kalamazoo County, Mich. Modification No. 7						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truch type, or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, end loader (over 1½ cu yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	0.40	0.45		.05	
Trencher (8′ digging capacity and smaller), endloader (1½ cu yd. capacity and smaller), dozer (less than 9′ blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar epuipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hrs. or more a day—gas or diesel power—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	~~7.31~~	.40	.45			
CHANGE:						
12—Mich. 3–Z:						
Highway, bridge, airport (exclusive of buildings) and sewer construction:						
Cement masons (Saginaw and Livingston Counties)	6.76	.15	.10			
Cement masons (remainder of counties)	6.51	.15	.10			
Laborers:						
Line—form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.89	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill and air trace operators, curb and side rail setters' helpers, diamond and core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenter's helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck, jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender on manholes, headwalls	5.34	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6″ discharge or over, gas, diesel powered, or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoe (with over ⅜ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, backhoes (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled) concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6″ ft. wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck drivers (remainder of county):						
Trucks, less than 8 cu. yd	6.54	a	b	$0.15		
Trucks, over 8 cu. yd	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck drivers (Lapeer, St. Clair, Livingston and Lenawee Counties):						
Trucks, less than 8 cu. yd	6.64	a	b	.15		
Trucks, over 8 cu. yd	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-386—36 F.R. 15857, Kent County, Mich. Modification No. 6						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, endloader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	$8.74	$0.40	$0.45		.05	
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9′ blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.) air compressors (600 c.f.m. or larger), pumperete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
12—Mich. 3–Z:						
Highway, bridge, airport (exclusive of buildings) and sewer construction:						
Cement masons (Saginaw and Livingston Counties)	6.76	.15	.10			
Cement masons (remainder of counties)	6.51	.15	.10			
Laborers:						
Line—form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.89	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill and air trace operators, curb and side rail setters' helpers, diamond and core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenter's helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck), jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender on manholes, headwalls	5.34	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1-yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6″ discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled) back hoe (with over ⅝-yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, backhoes (with ⅝ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled) concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6″ wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck drivers (remainder of county):						
Trucks, less than 8 cu. yd	6.54	a	b	$0.15		
Trucks, over 8 cu. yd	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck drivers (Lapeer, St. Clair, Livingston, and Lenawee Counties):						
Trucks less than 8 cu. yd	6.64	a	b	.15		
Trucks over 8 cu. yd	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-887—86 F.R. 1584, Keweenaw, Houghton, Ontonagon, and Baraga Counties, Mich., Modification No. 6						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9' blade and over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	$8.74	$0.40	$0.45		.05	
Trencher (8' digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9' blade), side boom tractor (smaller than D-4 or equivalent), pump (1 or more 6" discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4" up to 6" discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
13—Mich. 3-T:						
Highway, bridge and airport (exclusive of buildings), and sewer construction:						
Cement masons	6.44	.15	.10			
Laborers:						
Line—form setters for curb or pavement	5.67	.30	.20	.40		
Pipe layers	5.37	.30	.20	.40		
Asphalt raker	5.65	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.47	.30	.20	.40		
Tunnel miner (highway work only), finishers tender, guard fence builder, bottom man, powder man, wagon drill, and air track operators, curb and side rail setters' helper, diamond and core drills	5.32	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), spreader, boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.12	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.02	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters' helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck), jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), masons' tender, bricklayers tender on manholes, headwalls	4.97	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6" discharge or over, gas diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoe (with over ¾-yd. bucket), side boom tractor (type D-4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.49	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoes (with ¾ yd. bucket or less), side boom tractor (smaller than D-4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.81	.40	.45	10%	.02	
Boiler fireman, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1-yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6" wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.58	.40	.45	10%	.02	
Trucks, less than 8 cu. yd	6.48	a	b	$0.15		
Trucks, over 8 cu. yd	6.58	a	b	.15		
Truck drivers:						
Trucks, less than 8 cu. yd	6.48	a	b	$0.15		
Trucks, over 8 cu. yd	6.58	a	b	.15		
Trucks, Euclid type equipment	6.73	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-388—36 F.R. 15846, Marquette County, Mich. Modification No. 6						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, end loader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9' blade and over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8' digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9' blade), side boom tractor (smaller than D-4 or equivalent), pump (1 or more 6" discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4" up to 6" discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
13—Mich. 3-T:						
Highway, bridge, and airport (exclusive of buildings) and sewer construction:						
Cement masons	6.44	.15	.10			
LABORERS:						
Line—form setters for curb or pavement	5.67	.30	.20	.40		
Pipe layers	5.37	.30	.20	.40		
Asphalt raker	5.65	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.47	.30	.20	.40		
Tunnel miner (highway work only) finishers tender, guard fence builder, bottom man, powder man, wagon drill and air track operators, curb and side rail setters' helper, diamond and core drills	5.32	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), spreader, boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.12	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.02	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters's helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck), jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), masons' tender, bricklayers tender on manholes, headwalls	4.97	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders pile drivers, rollers (ashpalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1-yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6" discharge or over, gas diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoe (with over ⅜-yd. bucket), side boom tractor (type D-4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.49	.40	.45	10%	.02	
Sweeper (Wayne type and similar equip.), asphalt paver (self-propelled), screening plants, washing plants, crushers, back-hoes (with ⅜-yd. bucket or less), side boom tractor (smaller than D-4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.) wagon drills, concrete breaker, tractors (farm type with attachments)	5.81	.40	.45	10%	.02	
Boiler fireman, oiler, fireman, mechanic's helper, trencher (service) flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6" wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.58	.40	.45	10%	.02	
Truck drivers:						
Trucks, less than 8 cu. yd	6.48	a	b	$0.15		
Trucks, over 8 cu. yd	6.58	a	b	.15		
Trucks, Euclid type equipment	6.73	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-389—36 F.R. 15850, Mason County, Mich., Modification No. 6						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type, or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity) mechanic, end loader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	$8.74	$0.40	$0.45		.05	
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9′ blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
CHANGE:						
14—Michigan-3-1:						
Highway, bridge and airport (exclusive of buildings), and sewer construction:						
Cement masons	6.44	.15	.10			
Laborers:						
Line form setter curb or pavement	5.67	.30	.20	.40		
Pipelayers	5.37	.30	.20	.40		
Asphalt raker	5.65	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.47	.30	.20	.40		
Tunnel miner (highway work only), finishers tender, guard fence builder, bottom man, powder man, wagon drill, air track operators, curb and side rail setters' helper, diamond and core drills	5.32	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer etc.), spreader, boxman (asphalt, stone, gravel, etc.), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker, and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.12	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.02	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous axe man, batch bin (no power), burlap man, carpenters helper, subgrade labor (hand tools), yard men, guard fence, builders helper, dumper (wagon, truck, etc.) jetting labor, joint filling labor, miscellaneous unskilled labor, powder monkey (helper), sprinkler labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), masons or bricklayer's tender on manholes and headwalls	4.97	.30	.20	.40		
Power equipment operators:						
Asphalt plant, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders trenching machines (ladder or wheel type), autograder, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloader (1-yd. capacity, and over), bulldozer, hoisting engineer, tractors, finishing machines (asphalt), mechanics, pumps (6″ discharge or over, gas, diesel powered, or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoes (with over ⅜-yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall and similar type machines, asphalt planer (self-propelled), batch plant (concrete), slurry machine (asphalt), pile drivers, rollers (asphalt), blade graders	6.49	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoe (with ⅜-yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breakers, tractors (farm type with attachments)	5.81	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine-grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1-yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bins, plant driers (asphalt), vibratory compaction equipment (6′ wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.58	.40	.45	10%	.02	
Truck drivers:						
Truck drivers, less than 8 cu. yd. capacity	6.48	a	b	$0.15		
Truck drivers, 8 cu. yd. and over (including tandem axle trucks, tandem axle water trucks, transit mix, and semis)	6.58	a	b	.15		
Drivers and Euclid type equipment (including double bottoms and lowboys)	6.73	a	b	.15		

Footnote:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-890—36 F.R. 15855, Muskegon and Oceana Counties, Mich., Modification No. 6						
CHANGE:						
Michigan 8PEOH						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8′ digging capacity), mechanic, endloader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9′ blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8′ digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9′ blade), side boom tractor (smaller) than D–4 or equivalent), pump (1 or more 6″ discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4″ up to 6″ discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4″ discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6′ wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			
Muskegon County						
CHANGE:						
12—Mich. 3–Z:						
Highway, bridge, airport (exclusive of buildings) and sewer construction:						
Cement masons (Saginaw and Livingston Counties)	6.76	.15	.10			
Cement masons (remainder of counties)	6.51	.15	.10			
Laborers:						
Line—form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.89	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill and air trace opers., curb and side rail setters' helpers, diamond and core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 h.p.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous axe man, batch bin (no power), burlap man, carpenters' helper, subgrade labor (hand tools), yard men, guard fence builders' helper, dumper (wagon, truck, jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender on manholes, headwalls	5.34	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1-yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6″ discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled) back hoe (with over ¾-yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, backhoes (with ¾ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	[a] 10%	.02	
Air compressors (600 cu. ft. per min. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6″ wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck drivers (remainder of county):						
Trucks, less than 8 cu. yd	6.54	a	b	$0.15		
Trucks, over 8 cu. yd	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck drivers (Lapeer, St. Clair, Livingston and Lenawee Counties):						
Trucks less than 8 cu. yd	6.64	a	b	.15		
Trucks over 8 cu. yd	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Oceana County						
CHANGE:						
14—Michigan–3–1:						
Highway, bridge, and airport (exclusive of buildings) and sewer construction:						
Cement masons	6.44	.15	.10			
Laborers:						
Line form setter curb or pavement	5.67	.30	.20		.40	
Pipelayers	5.37	.30	.20		.40	
Asphalt raker	5.65	.30	.20		.40	
Asphalt tamper and asphalt raker helper	5.47	.30	.20		.40	
Tunnel miner (highway work only), finishers tender, guard fence builder, bottom man, powder man, wagon drill, air track operators, curb and side rail setters' helper, diamond and core drills	5.32	.30	.20		.40	
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), spreader, boxman (asphalt, stone, gravel, etc., concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.12	.30	.20		.40	
Cement handler or dockman, top man, asphalt dust handler	5.02	.30	.20		.40	
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters helper, subgrade labor (hand tools), yard men, guard fence, builders helper, dumper (wagon, truck, etc.) jetting labor, joint filling labor, miscellaneous unskilled labor, powder monkey (helper), sprinkler labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), masons or bricklayer's tender on manholes and headwalls	4.97	.30	.20		.40	
Power equipment operators:						
Asphalt plant, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders trenching machines (ladder or wheel type), autograder, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), end-loader (1 yd. capacity and over), bulldozer, hoisting engineer, tractors, finishing machines (asphalt), mechanics, pumps (6" discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoes (with over ¾-yd. bucket), side boom tractor (type D–4 or equivalent or larger, tube finisher (slip form paving), concrete spreader (slip form paving), Gradall and similar type machines, asphalt planer (self-propelled), batch plant (concrete), slurry machine (asphalt), pile drivers, rollers (asphalt), blade graders	6.49	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoe (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breakers, tractors (farm type with attachments)	5.81	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine-grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bins, plant driers (asphalt), vibratory compaction equipment (6' wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.58	.40	.45	10%	.02	
Truck drivers:						
Truck drivers, less than 8 cu. yd. capacity	6.48	a	b	$0.15		
Truck drivers, 8 cu. yd., and over (including tandem axle trucks, tandem axle water trucks, transit mix and semis)	6.58	a	b	.15		
Drivers and Euclid type equipment (including double bottoms and lowboys)	6.73	a	b	.15		
Footnote:						
a. $14.50 per week, per employee.						
b. $12 per week, per employee.						
WD No. AM–391—36 F.R. 15861, Saginaw County, Mich., Modification No. 6						
CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type, or pile driving), dragline, backhoe, clamshell trencher (over 8' digging capacity), mechanic, end loader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9' blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	0.40	0.45		.06	
Trencher (8' digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9' blade), side boom tractor (smaller) than D–4 or equivalent), pump (1 or more 6" discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.) air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4" up to 6" discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CHANGE:						
12—Mich. 3-Z						
Highway, bridge, airport (exclusive of buildings), and sewer construction:						
Cement masons (Saginaw and Livingston Counties)	6.76	.15	.10			
Cement masons (remainder of counties)	6.51	.15	.10			
Laborers:						
Line—form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.80	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill, and air trace operators, curb and side rail setters' helpers, diamond and core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters' helper, subgrade labor (hand tools) yard men, guard fence builders' helper, dumper (wagon, truck, jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender on manholes headwalls	5.34	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1-yd. capacity, and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6" discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled) back hoe (with over ⅜-yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, backhoes (with ⅜-yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trenche; (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1-yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6" wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck drivers (remainder of county):						
Trucks, less than 8 cu. yd	6.54	a	b	$0.15		
Trucks, over 8 cu. yd	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck drivers (Lapeer, St. Clair, Livingston and Lenawee Counties):						
Trucks less than 8 cu. yd	6.64	a	b	.15		
Trucks over 8 cu. yd	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

WD No. AM-392—36 F.R. 15867, St. Clair County, Mich., Modification No. 7

CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, end loader (over 1½ cu. yd. capacity), grader, scraper (self propelled or tractor drawn), dozer (9' blade and over), concrete paver (2 drum or larger), side doom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8' digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9' blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6" discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4" up to 6" discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine pumps (2 or more up to 4" discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments: H & W	Pensions	Vacation	App. Tr.	Other
CHANGE:						
12—Mich. 3-Z:						
Highway, bridge, airport (exclusive of buildings) and sewer construction:						
Cement masons (Saginaw and Livingston Counties)	6.76	.15	.10			
Cement masons (remainder of counties)	6.51	.15	.10			
Laborers:						
Line—form setter for curb or pavement	6.03	.30	.20	.40		
Pipelayers	5.80	.30	.20	.40		
Asphalt raker	5.89	.30	.20	.40		
Asphalt tamper and asphalt raker helper	5.70	.30	.20	.40		
Tunnel miner (highway work only), finishers' tender, guard fence builder, bottom man, powder man, wagon drill and air trace operators, curb and side rail setters' helpers, diamond and core drills	5.64	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	5.48	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.42	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenters' helper, subgrade labor (hand tools), yard men, guard fence builders' helper, dumper (wagon, truck, jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor, pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayer's tender on manholes, headwalls	5.34	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1 yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6" discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled) back hoe (with over ⅜ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.57	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, washing plants crushers, backhoes (with ⅜ yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.31	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.85	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled) concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6" wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.60	.40	.45	10%	.02	
Truck drivers (remainder of county):						
Trucks, less than 8 cu. yd	6.54	a	b	$0.15		
Trucks, over 8 cu. yd	6.64	a	b	.15		
Trucks, Euclid type equipment	6.69	a	b	.15		
Truck drivers (Lapeer, St. Clair, Livingston, and Lenawee Counties):						
Trucks less than 8 cu. yd	6.64	a	b	.15		
Trucks over 8 cu. yd	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

WD No. AM-394—36 F.R. 15877, Oakland, Wayne, and Macomb Counties, Mich. Modification No. 6

CHANGE:						
Michigan 8PEOH:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9' blade and over), concrete paver (2 drum or larger), side boom tractor (type D–4 or equivalent and larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	$0.40	$0.45		.05	
Trencher (8' digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9' blade), side boom tractor (smaller than D–4 or equivalent), pump (1 or more 6" discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.), air compressors (600 c.f.m. or larger), pumperete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4" up to 6" discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hrs. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CHANGE:						
11-Mich.-3:						
Highway, bridge, airport (exclusive of buildings) and sewer construction:						
Cement masons	6.76	.15	.10			
Laborers:						
Line—form setters for curb or pavement	6.55	.30	.20	.40		
Pipe layers	6.33	.30	.20	.40		
Asphalt raker	6.20	.30	.20	.40		
Asphalt tamper and asphalt raker helper	6.01	.30	.20	.40		
Tunnel miner (highway work only) finishers tender, guard fence builder, bottom man, powder man, wagon drill and air track operators, curb and side rail setters' helper, diamond and core drills	6.12	.30	20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), spreader, boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	6.01	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.95	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant misc., axe man, batch bin (no power), burlap man, carpenter's helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck), jetting labor, joint filling labor, misc., unskilled labor, form setting labor pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayers tender on manholes, headwalls	5.92	.30	.20	40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1-yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6" discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoe (with over ⅜ yd. bucket), side boom tractor (type D-4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.65	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoes (with ⅜-yd. bucket or less), side boom tractor (smaller than D-4 type or equivalent)	6.43	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.97	.40	.45	10%	.02	
Boiler fireman, oiler, fireman, mechanic's helper, trencher (service) flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1 yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6" wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.84	.40	.45	10%	.02	
Truck drivers:						
Trucks, less than 8 cu. yds	6.64	a	b	$0.15		
Trucks, over 8 cu. yds	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

WD No. AM-393—36 F.R. 15872, Washtenaw County, Mich., Modification No. 6

CHANGE:						
Michigan 8PEOII:						
Underground construction:						
Power equipment operators:						
Power shovels, crane (crawler, truck type, or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. capacity), grader, scraper (self-propelled or tractor drawn), dozer (9' blade and over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent and larger), elevating grader, roller (asphalt), Gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (Euclid type)	8.74	.40	.45		.05	
Trencher (8' digging capacity and smaller), endloader (1½ cu. yd. capacity and smaller), dozer (less than 9' blade), side boom tractor (smaller than D-4 or equivalent), pump (1 or more 6" discharge or larger—gas or diesel powered or powered by generator of 300 a. or more—inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneumatic-tired, other than backhoe or front endloader), crusher	8.61	.40	.45		.05	
Air compressors (2 or more—less than 600 c.f.m.) air compressors (600 c.f.m. or larger), pumperete machine (and similar equipment), mechanic helper, maintenance man, boom truck (nonswinging, nonpowered type boom), welding machine or generator (2 or more—300 a. or larger gas or diesel powered), pump (2 or more—4" up to 6" discharge—gas or diesel powered—excluding submersible pumps), concrete paver (1 drum—½ yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted—includes compressor)	7.88	.40	.45		.05	
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hr. or more a day—gas or diesel powered—excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	7.31	.40	.45		.05	
Oiler and firemen	7.31	.40	.45			

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CHANGE:						
11—Mich.-3:						
Highway, bridge, airport (exclusive of buildings), and sewer construction:						
Cement masons	6.76	.15	.10			
Laborers:						
Line—form setters for curb or pavement	6.55	.30	.20	.40		
Pipe layers	6.33	.30	.20	.40		
Asphalt raker	6.20	.30	.20	.40		
Asphalt tamper and asphalt raker helper	6.01	.30	.20	.40		
Tunnel miner (highway work only) finishers tender, guard fence builder, bottom man, powder man, wagon drill and air track operators, curb and side rail setters' helper, diamond and core drills	6.12	.30	.20	.40		
Mixer operator (less than 5 sacks), air or electric tool operator (jackhammer, etc.), spreader, boxman (asphalt, stone, gravel), concrete paddler, power chain saw operator, paving batch truck dumper, asphalt screed checker, grade checker and tunnel mucker (highway work only), concrete saw (under 40 hp.)	6.01	.30	.20	.40		
Cement handler or dockman, top man, asphalt dust handler	5.95	.30	.20	.40		
Asphalt shoveler or loader, asphalt plant miscellaneous, axe man, batch bin (no power), burlap man, carpenter's helper, subgrade labor (hand tools), yard men, guard fence builder's helper, dumper (wagon, truck), jetting labor, joint filling labor, miscellaneous, unskilled labor, form setting labor pavement reinforcing, handling and placing (wire mesh, steel mats, dowel bars), mason's tender, bricklayers tender on manholes, headwalls	5.92	.30	.20	.40		
Power equipment operators:						
Asphalt plants, cranes, draglines, shovels, locomotives, pavers (5 bags or more), elevating graders, pile drivers, rollers (asphalt), blade graders, trenching machines (ladder or wheel type), auto-graders, slip form paver, self-propelled or tractor drawn scraper, conveyor loaders (Euclid type), endloaders (1-yd. capacity and over), bulldozer, hoisting engineer, tractor operator, finishing (asphalt), mechanics, pumps (6" discharge or over, gas, diesel powered or generator of 300 a. or larger), shouldering or gravel distributing machines (self-propelled), back hoe (with over ¾ yd. bucket), side boom tractor (type D–4 or equivalent or larger), tube finisher (slip form paving), concrete spreader (slip form paving), Gradall (and similar type machines), asphalt planer (self-propelled), batch plant (concrete), slurry machines (asphalt)	6.65	.40	.45	10%	.02	
Sweeper (Wayne type and similar equipment), asphalt paver (self-propelled), screening plants, washing plants, crushers, backhoes (with ⅜-yd. bucket or less), side boom tractor (smaller than D–4 type or equivalent)	6.43	.40	.45	10%	.02	
Air compressors (600 c.f.m. or more), air compressors (2 or more—less than 600 c.f.m.), wagon drills, concrete breaker, tractors (farm type with attachments)	5.97	.40	.45	10%	.02	
Boiler firemen, oiler, fireman, mechanic's helper, trencher (service), flexplanes, cleftplanes, graders self-propelled fine grade or form (concrete), finishing machines (concrete), boom or winch hoist trucks, endloaders (under 1-yd. capacity), rollers (other than asphalt), curing equipment operators (self-propelled), concrete saws (40 hp. or over), power bin operators, plant driers (asphalt), vibratory compaction equipment operators (6" wide or over), guard post drivers (power driven), all mulching equipment, stump remover	5.84	.40	.45	10%	.02	
Truck drivers:						
Trucks, less than 8 n cu. yds	6.64	a	b	$0.15		
Trucks, over 8 cu. yds	6.74	a	b	.15		
Trucks, Euclid type equipment	6.89	a	b	.15		

Footnotes:
a. $14.50 per week, per employee.
b. $12 per week, per employee.

WD No. AM-489—36 F.R. 16461, Harrison and Pearl River Counties, Miss., Modification No. 5

CHANGE:						
Carpenters	5.90					
Millwrights	6.22					
Soft floor layers	5.90					

WD No. AM-490—36 F.R. 16464, Hinds County, Miss., Modification No. 3

CHANGE:						
Plasterers	5.55	$0.15				

WD No. AM-493—36 F.R. 16468, Claiborne, Copiah, Hinds, Holmes, Humphreys, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren, and Yazoo Counties, Miss., Modification No. 2

ADD:						
Pipelayer	2.25					
Tractor operator (wheel type)	1.60					

WD No. AM-3613—36 F.R. 16744, Bernalillo County, N. Mex., Modification No. 4

ADD:						
General building and heavy engineering construction:						
Plasterers	5.44	.24			.02	

WD No. AM-404—36 F.R. 15897, Butler County, Ohio, Modification No. 4

CHANGE:						
Asbestos workers:						
Balance of county	9.36	.25	$0.30		.02	
Bricklayers	9.335	.25				
Glaziers:						
Middletown and vicinity	8.58					
Ironworkers, structural, ornamental, and reinforcing:						
Middletown and northeastern part of county	8.60	.40	.65		.02	
Oxford, Hamilton, and balance of county:						
Structural and ornamental	8.545	.40	.55		.015	
Reinforcing	8.445	.40	.65		.02	
Laborers (building construction):						
Common laborers	6.35	.35	.15			
Asphalt rakers, tamper, smoother, hand air pump, hand air tamper, chisel, vibrator power tamper operator	6.45	.35	.15			
Gunite operators, sandblasters, concrete pumps and hose men	6.70	.35	.15			
Mason tenders, mortar mixers and scaffold builders	6.68	.35	.15			
Lathers	8.04		.20		.01	
Marble setters	8.85	.25				
Marble setters' helpers	8.035					
Sheet metal workers	8.64	.25	.40		.10	
Soft floor layers:						
Northeast corner of county	7.35	.40	.40		.05	
Stonemasons	9.335	.25				
Terrazzo workers	8.85					
Terrazzo workers' helpers	7.985					
Tile setters	8.85	.25				
Tile setters' helpers	7.935					

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CHANGE—Continued						
Carpenters and piledrivermen:						
Northeast corner of county	8.70	.30	.40		.025	
Millwrights	9.29	.30			.05	
Electricians	8.45	.30	1%+.30		⅛ of 1%	
Cable splicers	8.95	.30	1%+.30		⅛ of 1%	
Plumbers and steamfitters:						
North ½ of county	9.09	.20	$0.50		$0.05	
WD No. AM-405—36 F.R. 15902, Clark County, Ohio, Modification No. 4						
CHANGE:						
Bricklayers and stonemasons	8.05	.15				
Carpenters	7.90	.30	.35		.01	
Millwrights and piledrivermen	8.15	.30	.35		.01	
Cement masons (building)	8.05	.15				
Glaziers	8.58				.01	
Ironworkers, structural, ornamental, and reinforcing	8.45	.40	.65		.02	
Marble setters	8.05	.15				
Sheet metal workers	8.64	.25	.40		.10	
Soft floor layers	7.90	.30	.35		.01	
Terrazzo workers	8.05	.15				
Tile setters	8.05	.15				
WD No. AM-407—36 F.R. 15911, Franklin and Pickaway Counties, Ohio, Modification No. 5						
CHANGE:						
Painters:						
Brush, paperhanger, wall washer, and rollers	7.20	.15	.15			
Structural steel and swing stage	7.50	.15	.15			
Spray	7.70	.15	.15			
Sandblast and steam clean, bridges, heavy and highway	7.90	.15	.15			
Dry wall taper and finishers	7.60	.15	.15			
WD No. AM-408—36 F.R. 15915, Green and Montgomery Counties, Ohio, Modification No. 6						
CHANGE:						
Millwrights	8.72	.32	.10			
Glaziers	8.58				.01	
Ironworkers (within 15 mi. of Dayton):						
Structural, ornamental, and reinforcing	8.45	.40	.65		.02	
Ironworkers (beyond 15 mi. of Dayton):						
Structural, ornamental, and reinforcing	8.60	.40	.65		.02	
Lathers	8.04		.20		.01	
Plumbers and steamfitters:						
Remainder of Green County and all of Montgomery County	8.85	.25	.45		.05	
Sheet metal workers	8.64	.25	.40		.10	
Soft floor layers—resilient floor layer	7.81	.12	.10			
WD No. AM-409—36 F.R. 15920, Hamilton County, Ohio, Modification No. 4						
CHANGE:						
Abestos workers	9.36	.25	.30		.02	
Bricklayers	9.345	.25				
Ironworkers, structural and ornamental	8.545	.40	.55		.015	
Ironworkers, reinforcing	8.445	.40	.65		.02	
Marble setters' helpers	8.035					
Plumbers and gas fitters	9.255	.28	.25		.03	
Sheet metal workers	7.805	.25	.55		.02	
Resilient floor layers	7.35	.40	.40		.05	
Terrazzo workers' helpers and grinders	7.985					
Terrazzo base grinder	8.405					
Tile setters' helpers	7.935					
Carpenters and piledrivermen	8.70	.30	.40		.025	
Millwrights	9.29	.30			.05	
Marble setters	9.085					
WD No. AM-410—36 F.R. 15925, Licking County, Ohio, Modification No. 7						
CHANGE:						
Bricklayers and stonemasons	8.10	.30	.25		.02	
Laborers:						
Laborers	5.20	.30	.15	.15		
Air tool operator (jackhammer, vibrator)	5.40	.30	.15	.15		
Mason tender, hod carriers, scaffold builders	5.40	.30	.15	.15		
Mortar mixers, and mortar mixer operator	5.40	.30	.15	.15		
Pipelayers	5.40	.30	.15	.15		
Plasterers' tenders	5.40	.30	.15	.15		
Power driven tool and power buggy	5.40	.30	.15	.15		
Tile setters	8.10	.30	.25		.02	
WD No. AM-411—36 F.R. 15929, Lucas County, Ohio, Modification No. 7						
CHANGE:						
Ohio—29—LAB R:						
Laborers:						
Unskilled laborers	$7.61	.25	.10		.01	
Mason tenders	7.74	.25	.10		.01	
Gunite pot men, mortar mixers	7.81	.25	.10		.01	
Concrete pump nozzle man, all power driven tools and power buggies, burners and torchmen	7.765	.25	.10		.01	
Pipe layers, bellman and bottom man for fire brick work only	7.865	.25	.10		.01	
Nozzle operators for Gunite work	8.32	.25	.10		.01	
Caisson, cofferdam, tunnel, cylinder, shaft sewer, water, conduit, gas, oil, and pipelines except main lines:						
Pipe layers, bottom men (over 6'); shoring and cribbing	7.865	.25	.10		.01	
Mason tenders, winch operators	7.74	.25	.10		.01	
Mortar mixers	7.81	.25	.10		.01	
Caisson (over 25')	8.07	.25	.10		.01	
Miners (without pressure)	8.32	.25	.10		.01	
Muckers (without pressure)	8.05	.25	.10		.01	
Car pushers	7.95	.25	.10		.01	
Unskilled laborers	7.61	.25	.10		.01	

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-412—36 F.R. 15984, Mahoning County, Ohio, Modification No. 5						
CHANGE:						
Roofers	$7.125	.35	.40		.01	
Roofers' helpers	65% J R	.35	.40		.01	
WD No. AM-414—36 F.R. 15943, Portage County, Ohio, Modification No. 5						
CHANGE:						
Lathers	$8.05	.30	.15		.01	
Roofers	8.34	.40	.30		.02	
WD No. AM-415—36 F.R. 15948, Stark County, Ohio, Modification No. 6						
CHANGE:						
Roofers	8.34	.40	.30		.02	
WD No. AM-416—36 F.R. 15953, Summit County, Ohio, Modification No. 5						
CHANGE:						
Lathers (southern portion of county)	8.05	.30	.15		.01	
Roofers	8.34	.40	.30		.02	
WD No. AM-417—36 F.R. 15958, Trumbull County, Ohio, Modification No. 3						
CHANGE:						
Roofers	7.125	.35	.40		.01	
Roofers' helpers	65% J R	.35	.40		.01	
WD No. AM-3601—36 F.R. 16755, Oklahoma County, Okla., Modification No. 3						
CHANGE:						
Carpenters	$5.90	.20			.02	
Millwrights	6.15	.20			.02	
Piledrivermen and power saw operator	6.15	.20			.02	
Soft floor layers:						
Resilient floor layers	5.35	.15				
Carpet layers	5.35	.15				
WD No. AM-3602—36 F.R. 16758, Tulsa County, Okla., Modification No. 6						
CHANGE:						
Bricklayers; stonemasons	6.64	.30	.35	.32	.06	
Carpenters	6.41	.15			.03	
Millwrights	6.71	.15			.03	
Piledrivermen	6.71	.15			.03	
Pipefitters	7.11	.35	.40		.05	
Plumbers	7.11	.35	.40		.05	
Soft floor layers	5.12		.15	.18	.05	
WD No. AM-3,555—36 F.R. 16773, Bexar County, Tex., Modification No. 7						
CHANGE:						
Building Construction:						
Electricians:						
Electricians	6.78	.20	1%		½%	
Cable splicers	7.03	.20	1%		½%	
Power equipment operators:						
All foundation drilling rigs; all rollers (5 tons or over); backfiller; backhoe; blade graders (self-propelled); bull clam; bull-dozers; cableway; clamshell operator; crane (power-operated, all types); derricks (power operated, all types); draglines; DW-10 Caterpillar and similar tractors; elevating graders (self-propelled); Euclid; fork lift used on construction; gasoline or diesel-driven welding machines (7 to 12); Gradall; heavy duty mechanic; high lifts; hoist (two drums or more); locomotives; mixer (14 cu. ft. or over); mixmobile; paving mixers (all sizes); piledriver; pumpcrete machine operator; rock crusher operator on job; scoopmobile; scrapers; shovel (power operated); Turnapulls; trenching machines (all sizes); winch truck; all other equipment of similar nature, coming within the heavy equipment class, when power operated	6.15	.30	$0.20			
Air compressor (any time there are 3 or more attachments operating on a 125 cu. ft. air compressor or less, a light equipment operator shall be employed. Any compressor over 125 cu. ft. shall have a light equipment operator); blade graders (towed); building elevator used on construction; flex planes; form graders; hoist (single drum); mixer (less than 14 cu. ft.); pneumatic roller; pulsometers; pump (2½ or larger shall require a light equipment operator); 3 to 6 welding machines or any 3 pieces of equipment of equal or similar nature, coming within the light equipment class when power operated; roller (under 5 tons); truck crane drivers	5.53	.30	.20			
Fireman	4.68	.30	.20			
Oiler	4.50	.30	.20			
WD No. AM-7,714—36 F.R. 22119, Travis County, Tex., Modification No. 4						
CHANGE:						
BUILDING CONSTRUCTION:						
Ironworkers:						
Structural; ornamental; reinforcing	6.015	.25	.40		$0.02	
WD No. AM-7,716—36 F.R. 22123, Lubbock County, Tex., Modification No. 5						
CHANGE:						
Building construction:						
Cement masons	4.75					
WD No. AM-11,401—37 F.R. 2722, Brazoria, Fort Bend, Galveston, Harris, Matagorda, Montgomery, Waller and Wharton Counties, Tex., Modification No. 1						
OMIT:						
Power equipment operators:						
Mixer 16 cu. yd. and less						
ADD:	3.55					
Power equipment operators:						
Mixer 16 cu. ft. and less	3.55					

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-425—36 F.R. 15966, Brown County, Wis., Modification No. 5						
CHANGE:						
Building construction:						
Electricians	7.40	.23	.1%	3%	¼ of 1%	
Ironworkers:						
Structural, ornamental, reinforcing	7.71	.40	$0.50	$0.50		
Painters:						
Brush	6.00	.35				
Structural	6.38	.35				
Spray	6.38	.35				
Swing stage	6.38	.35				
Wisc 5—LAB—2-3 H:						
Heavy and highway construction:						
Laborers:						
Group A:						
Laborer, miscellaneous, unskilled; stone handler; joint sawer or filler (pavement); reinforcing steel setter (pavement); guard rail builder; puddler (concrete paving); strikeoff man; demolition and wrecking laborer; bituminous worker: dumper, ironer, smoother, tamper, shoveler, loader, utility man	$5.75	.25	.15		$0.02	
Group B:						
Formsetter (curb, walk, and pavement); tree trimmer	5.80	.25	.15		.02	
Group C:						
Vibrator or tamper operator, mechanical (hand operated); batch truck dumper or cement handler; air tool operator (hand operated)	5.85	.25	.15		.02	
Group D:						
Demolition burning torch laborer; bituminous worker: raker, lutemen; chain saw operators	5.90	.25	.15		.02	
Group E:						
Powderman, blaster	5.95	.25	.15		.02	
Group F:						
Pipelayer crew (sewer, water):						
Pipelayer	6.20	.25	.15		.02	
Bottom man	6.00	.25	.15		.02	
Topman	5.85	.25	.15		.02	
WD No. AM-424—36 F.R. 15970, Dane County, Wis., Modification No. 4						
CHANGE:						
Building construction:						
Asbestos workers	7.68	.35	.50	.50		
Carpenters	6.95	.25	.15			
Ironworkers:						
Structural, ornamental, reinforcing	7.42	.25	.25		.03	
Lathers	7.05	.20	.20		.01	
Millwrights	7.10	.25	.15			
Piledrivermen	7.10	.25	.15			
Soft floor layers	6.95	.25	.15			
WD No. AM-425—36 F.R. 15973, Eau Claire County, Wis., Modification No. 6						
OMIT:						
Building construction:						
Soft floor layers	6.15	.25	.25	.40	.03	
Footnote: d. Includes $0.10 holiday pay.						
CHANGE:						
Building construction:						
Carpenters	7.00	.25	.25		.03	
Laborers:						
Laborers, common	5.40	.25	.15			
Mason tender	5.40	.25	.15			
Mortar mixer and plaster laborer, air, gas, electric equipment, and vibrator operator, kettlemen, dumpmen and pitmen, burner on wrecking, scaffold builder and washing walls on swinging scaffold	5.55	.25	.15			
Gunnite man and nozzle men, puddlers (when concrete pumps and when working behind paving machine), cement dumper, scaffold builder, kettlemen, burner on wrecking, dumpmen and pitmen	5.55	.25	.15			
Jackhammer	5.65	.25	.15			
Millwrights	7.40	.25	.25		.03	
Piledrivermen	7.40	.25	.25		.03	
Wisc 5—LAB—2-3 H:						
Heavy and highway construction:						
Laborers:						
Group A:						
Laborer, miscellaneous, unskilled; stone handler; joint sawer or filler (pavement); reinforcing steel setter (pavement); guard rail builder; puddler (concrete paving); strike-off man; demolition and wrecking laborer; bituminous worker: Dumper, ironer, smoother, tamper, shoveler, loader, utility man	5.75	.25	.15		.02	
Group B:						
Formsetter (curb, walk, and pavement); tree trimmer	5.80	.25	.15		.02	
Group C:						
Vibrator or tamper operator, mechanical (hand operated); batch truck dumper or cement handler; air tool operator (hand operated)	5.85	.25	.15		.02	
Group D:						
Demolition burning torch laborer; bituminous worker: Raker, lutemen; chain saw operators	5.90	.25	.15		.02	
Group E:						
Powderman, blaster	5.95	.25	.15		.02	
Group F:						
Pipelayer crew (sewer, water):						
Pipelayer	6.20	.25	.15		.02	
Bottom man	6.00	.25	.15		.02	
Topman	5.85	.25	.15		.02	

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-426—36 F.R. 15976, Juneau County, Wis., Modification No. 5						
CHANGE:						
Building construction:						
Asbestos workers	7.68	.35	.50	.50		
Carpenters:						
South of Highway No. 21 and east of county trunk No. 80:						
Carpenters	6.95	.25	.15			
Millwrights	7.10	.25	.15			
Piledrivermen	7.10	.25	.15			
Soft floor layers	6.95	.25	.15			
Ironworkers	7.42	.25	.25		.03	
Lathers	7.05	.20	.20		.01	
Wisc 5—LAB—2-3 H:						
Heavy and highway construction:						
Laborers:						
Group A:						
Laborer, miscellaneous, unskilled; stone handler; joint sawer or filler (pavement); reinforcing steel setter (pavement); guard rail builder; puddler (concrete paving); strike-off man; demolition and wrecking laborer; bituminous worker: Dumper, ironer, smoother, tamper, shoveler, loader, utility man	5.75	.25	.15		.02	
Group B:						
Formsetter (curb, walk and pavement); tree trimmer	5.80	.25	.15		.02	
Group C:						
Vibrator or tamper operator, mechanical (hand operated); batch truck dumper or cement handler; air tool operator (hand operated)	5.85	.25	.15		.02	
Group D:						
Demolition burning torch laborer; bituminous worker: Raker, lutemen; chain saw operators	5.90	.25	.15		.02	
Group E:						
Powderman, blaster	5.95	.25	.15		.02	
Group F:						
Pipelayer crew (sewer, water):						
Pipelayer	6.20	.25	.15		.02	
Bottom man	6.00	.25	.15		.02	
Topman	5.85	.25	.15		.02	
WD No. AM-427—36 F.R. 15979, Kenosha County, Wis., Modification No. 6						
CHANGE:						
Building construction:						
Asbestos workers	7.68	.35	.50	.50		
Ironworkers	7.71	.40	.50	.50		
WD No. AM-428—36 F.R. 15984, La Crosse County, Wis., Modification No. 5						
OMIT:						
Building construction:						
Ironworkers, structural	7.85	.30	.25			
Ironworkers, ornamental	7.85	.30	.25			
Ironworkers, reinforcing	7.85	.30	.25			
ADD:						
Ironworkers (all but northwest corner of county) structural, ornamental, reinforcing	7.42	.25	.25		.03	
CHANGE:						
Building construction:						
Asbestos workers	7.68	.35	.50	.50		
Wisc 5—LAB—2-3 H:						
Heavy and highway construction:						
Laborers:						
Group A:						
Laborer, miscellaneous, unskilled; stone handler; joint sawer or filler (pavement); reinforcing steel setter (pavement); guard rail builder; puddler (concrete paving); strike-off man; demolition and wrecking laborer; bituminous worker: Dumper, ironer, smoother, tamper, shoveler, loader, utility man	5.75	.25	.15		.02	
Group B:						
Formsetter (curb, walk, and pavement); tree trimmer	5.80	.25	.15		.02	
Group C:						
Vibrator or tamper operator, mechanical (hand operated); batch truck dumper or cement handler; air tool operator (hand operated)	5.85	.25	.15		.02	
Group D:						
Demolition burning torch laborer; bituminous worker: Raker, lutemen; chain saw operators	5.90	.25	.15		.02	
Group E:						
Powderman, blaster	5.95	.25	.15		.02	
Group F:						
Pipelayer crew (sewer, water):						
Pipelayer	6.20	.25	.15		.02	
Bottom man	6.00	.25	.15		.02	
Topman	5.85	.25	.15		.02	
WD No. AM-429—36 F.R. 15988, Marathon County, Wis., Modification No. 5						
ADD:						
Building construction:						
Cable splicers	7.53	.25	1%	3%		
CHANGE:						
Building construction:						
Carpenters	6.33	.15	$0.10			
Millwrights	6.93	.15	.10			
Piledrivermen	6.83	.15	.10			
Electricians	7.03	.25	1%	3%		
Ironworkers	7.42	.25	$0.25		.03	

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
CHANGE—Continued						
Wisc. 5—LAB—2-3 H:						
Heavy and highway construction:						
Laborers:						
Group A:						
Laborer, miscellaneous, unskilled; stone handler; joint sawer or filler (pavement); reinforcing steel setter (pavement); guard rail builder; puddler (concrete paving); strike-off man; demolition and wrecking laborer; bituminous worker: Dumper, ironer, smoother, tamper, shoveler, loader, utility man	5.75	.25	.15		.02	
Group B:						
Formsetter (curb, walk, and pavement); tree trimmer	5.80	.25	.15		.02	
Group C:						
Vibrator tamper operator, mechanical (hand operated); batch truck dumper or cement handler; air tool operator (hand operated)	5.85	.25	.15		.02	
Group D:						
Demolition burning torch laborer; bituminous worker: Raker, lutemen; chain saw operators	5.90	.25	.15		.02	
Group E:						
Powderman, blaster	5.95	.25	.15		.02	
Group F:						
Pipelayer crew (sewer, water):						
Pipelayer	6.20	.25	.15		.02	
Bottom man	6.00	.25	.15		.02	
Topman	5.85	.25	.15		.02	
WD No. AM-431—36 F.R. 15997, Polk County, Wis., Modification No. 4						
OMIT:						
Building construction:						
Carpenters:						
Western half of county:						
Carpenters, millwrights, and pile-drivermen	7.13	.40	.15	$0.50	.02	
Soft floor layers	7.65	1				
Eastern half of county:						
Carpenters and soft floor layers	6.15	$0.25	.25	$0.40+f	.03	
Millwrights and piledrivermen	6.55	.25	.25	.40+f	.03	
Footnotes:						
f. Includes 0.10 holiday pay.						
i. Employer contributes $25 per month to H&W fund.						
j. With at least 1,700 hours of service during the current year, 1 week vacation after 1 year, 2 weeks after 3 years, 3 weeks after 15 years.						
ADD:						
Building construction:						
Carpenters	7.00	.25	.25		.03	
Millwrights	7.40	.25	.25		.03	
Piledrivermen	7.40	.25	.25		.03	
CHANGE:						
Wis. 5—LAB—2-3 H:						
Heavy and highway construction:						
Laborers:						
Group A:						
Laborer, miscellaneous, unskilled; stone handler; joint sawer or filler (pavement); reinforcing steel setter (pavement); guard rail builder; puddler (concrete paving); strike off man; demolition and wrecking laborer; bituminous worker: dumper, ironer, smoother, tamper, shoveler, loader, utility man	5.75	.25	.15		.02	
Group B:						
Formsetter (curb, walk, and pavement); tree trimmer	5.80	.25	.15		.02	
Group C:						
Vibrator or tamper operator, mechanical (hand operated); batch truck dumper or cement handler; air tool operator (hand operated)	5.85	.25	.15		.02	
Group D:						
Demolition burning torch laborer; bituminous worker: raker, lutemen; chain saw operators	5.90	.25	.15		.02	
Group E:						
Powderman, blaster	5.95	.25	.15		.02	
Group F:						
Pipelayer crew (sewer, water):						
Pipelayer	6.20	.25	.15		.02	
Bottom man	6.00	.25	.15		.02	
Topman	5.85	.25	.15		.02	
WD No. AM-432—36 F.R. 16000, Racine County, Wis., Modification No. 6						
CHANGE:						
Building construction:						
Asbestos workers	7.68	.35	.50	$0.50		
Electricians (balance of county)	7.65	.27	1%	.7%	.75%	
IronWorkers, structural, and ornamental	7.71	.40	$0.50	$0.50		
IronWorkers, reinforcing	7.71	.40	.50	.50		
Wis. 17—LAB—2-3 L:						
Laborers:						
Group A:						
Laborer, miscellaneous, unskilled; tree trimmer; stone handler; reinforcing steel setter (pavement); guard rail builder; demolition and wrecking laborer; bituminous worker: shoveler, loader, utility man	6.23	.35	.20	.20	$0.20	
Group B:						
Puddler (concrete paving); batch truck dumper or cement handler; bituminous worker: Dumper, ironer, smoother, tamper	6.33	.35	.20	.20	.02	
Group C:						
Vibrator or tamper operator, mechanical (hand operated); joint sawer or filler (pavement); demolition burning torch laborer; chain saw operator	6.38	.35	.20	.20	.02	
Group D:						
Air tool operator (hand operated)	6.43	.35	.20	.20	.02	
Group E:						
Strike-off man; formsetter (curb, walk and pavement)	6.48	.35	.20	.20	.02	
Group F:						
Bituminous worker; raker, luteman	6.53	.35	.20	.20	.02	
Group G:						
Powderman, blaster	6.88	.35	.20	.20	.02	
Group H:						
Sewer or water crew:						
Pipelayer	6.98	.35	.20	.20	.02	
Bottomman	6.58	.35	.20	.20	.02	
Topman	6.38	.35	.20	.20	.02	

SUPERSEDEAS DECISIONS

State: Oregon; Counties: Statewide.
Decision No. AM-6,703: Date of decision: Feb. 18, 1972.
Supersedes Decision No. AM-2,475, dated Aug. 27, 1971, in 36 F.R. 17217.
Description of work: Building construction (excluding single-family homes and garden-type apartments up to and including 4 stories), heavy and highway construction, and dredging.

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$7.35	$0.35	$0.60		$0.06	
Boilermakers	6.70	.30	.70	$0.45	.02	
Boilermakers' helpers	6.40	.30	.70	.45	.02	
Bricklayers; stonemasons:						
Clackamas, Clatsop, Columbia, Gilliam, Hood River North ½ of Lincoln, Marion, Multnomah, Morrow, Polk, Sherman, Tillamook, Wasco (north of the city of Maupin), Washington, and Yamhill Counties	7.10	.35	.35		.02	
Baker, North ½ of Malheur, Union, and Wallowa Counties	6.91	.15				
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, South ½ of Lincoln, Linn, South ½ of Malheur, Wasco (including the city of Maupin and south thereof), and Wheeler Counties	6.75	.35	.35		.02	
Carpenters:						
Acoustical and drywall applicators; automatic nailing machine; carpenters; form strippers; manhole builders	6.38	.40	.35	.30	.03	
Piledrivermen, bridge, dock and wharf builders	6.48	.40	.35	.30	.03	
Floor layers and finishers; stationary power saw operators	6.50	.40	.35	.30	.03	
Boom men	6.58	.40	.35	.30	.03	
Millwrights and machine erectors	6.63	.40	.35	.30	.03	
Cement masons:						
Cement masons	5.91	.30	.25		.09	
Mastic worker; composition workers; gunite man; power machinery operator	6.035	.30	.25		.09	
Drywall tapers	5.85	.25		.50	.01	
Electricians:						
Malheur County:						
Electricians	6.52	.22	1%		2/10%	
Cable splicers	7.18	.22	1%		2/10%	
Baker, Gilliam, Grant, Morrow, Umatilla, Union, Wallowa, and Wheeler Counties:						
Electricians	7.12	.25	1%		$0.02	
Cable splicers	7.57	.25	1%		.02	
Coos, Curry, Lincoln, and those portions of Douglas and Lane Counties lying west of a line north and south from the northeast corner of Coos County to the southeast corner of Lincoln County:						
Electricians	7.14	.15	1%			
Cable splicers	7.85	.15	1%			
Clatsop and Tillamook Counties:						
Electricians	7.10	.15	1%+.30			
Cable splicers	7.60	.15	1%+.30			
Benton, Crook, Deschutes, Jefferson, Lane (except coast portion), Linn, Marion, Polk Counties, and S½ of Yamhill County:						
Electricians	6.80	.15	1%		.02	
Cable splicers	7.15	.15	1%		.02	
Clackamas, Columbia, Hood River, Multnomah, Sherman, Wasco, Washington Counties, and N½ of Yamhill County:						
Electricians	7.10	.15	1%+.30		.02	
Cable splicers	7.60	.15	1%+.30		.02	
Harney, Jackson, Josephine, Klamath, Lake Counties and that portion of Douglas lying east of a line running north and south from the corner of Coos County to the southeast corner of Lincoln County:						
Electricians	7.42	.15	1%		.02	
Cable splicers	7.87	.15	1%		.02	
Elevator constructors	6.84	.185	$0.20	2%+a		
Elevator constructors' helpers	70%JR	.185	.20	2%+a		
Elevator constructors' helpers (prob.)	50%JR					
Glaziers	$6.22	.16	.20	4%	.01	
Ironworkers:						
Reinforcing	7.38	.43	.40		.03	
Fence erectors; ornamental; riggers; signal men; structural	7.38	.43	.40		.03	
Lathers:						
Clackamas, Clatsop, Columbia, Gilliam, Harney, Hood River, Morrow, Multnomah, Sherman, Tillamook, Wasco, Washington, and Yamhill Counties	6.60	.15			.01	
Marble setters:						
Clackamas, Clatsop, Columbia, Gilliam, Hood River, North ½ of Lincoln, Marion, Multnomah, Morrow, Polk, Sherman, Tillamook, Wasco (north of the city of Maupin), Washington, and Yamhill Counties	6.80	.25	.35		.01	
Baker, North ½ of Malheur, Union, and Wallowa Counties	6.91	.15				
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, South ½ of Lincoln, Linn, South ½ of Malheur, Wasco (including the city of Maupin and south thereof), and Wheeler Counties	6.55	.25	.25		.02	
Painters:						
Brush	6.30	.25	.15	$0.10	.015	
Spray	6.55	.25	.15	.10	.015	
High work over 100'	6.80	.25	.15	.10	.015	
High towers, ground to 100'	6.45	.25	.15	.10	.015	
High towers, ground to 300'	6.80	.25	.15	.10	.015	
High towers, ground to over 300'	7.30	.25	.15	.10	.015	
Plasterers	6.45	.35	.35		.01	
Plumbers; steamfitters:						
Baker, Harney (except northwest portion), and Malheur Counties	6.58	.28	.30		.05	
Grant (except southwest corner), Morrow, Umatilla, Wallowa, and Union Counties	7.15	.26	.45	.44	.06	
N½ of Benton, Lincoln, and Linn Counties, Marion, Polk, S½ of Tillamook, and Yamhill Counties	6.63	.36	.50	.75	.08	
Clackamas, Clatsop, Columbia, Gilliam, Hood River, Jefferson, Multnomah, Sherman, N½ of Tillamook, Wasco, Wheeler, Washington Counties and N½ of Yamhill County	6.74	.40	.30		.05	
Coos, Curry, coast portion of Douglas County, Lane (city of Florence)	6.71	.35	.40		.0175	
Lane (except for city of Florence), Douglas (except coast portion), Crook, Deschutes, northwest portion of Harney, northern portions of Klamath and Lake Counties, S½ of Lincoln, Linn, Benton, and Jefferson Counties, and southwest corner of Grant County	7.20	.21	.30		.02	
Remainder of Klamath and Lake Counties	7.06	.25	.45	.50		
Jackson and Josephine Counties	6.85	.25	.15	.43	.02	
Roofers:						
Clackamas, Clatsop, Columbia, Gilliam, Hood River, Jefferson, Multnomah, Sherman, Tillamook, and Wasco Counties.						
Roofers	6.65	.45	.35			
Coal tar	7.15	.45	.35			
Coal tar in confined areas	7.40	.45	.35			
Wallowa County	6.25					
Coos, Crook, Curry, Deschutes, Douglas, Harney, Jackson, Josephine, Klamath, Lake, Lane, and Malheur Counties	6.20	.25				

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Sheet metal workers:						
Benton, Clackamas, Clatsop, Columbia, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Lincoln, Linn, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Wasco, Washington, Wheeler, and Yamhill Counties	6.05	.20	.24	.24	.02	
Malheur County	6.43	.22	.20	.40		
Baker, Umatilla, Union, and Wallowa Counties	6.50	.22	.30			
Coos, Curry, Douglas, and Lane Counties	6.68	.22	.24			
Jackson, and Josephine	6.03	.22	.30			
Soft floor layers	6.15	.25	.30	b	.05	
Sprinkler fitters	7.95	.20	.30		.05	
Tile setters and terrazzo workers:						
Clatsop, Clackamas, Columbia, Gilliam, Harney, Hood River, N ½ of Lincoln, Marion, Morrow, Multnomah, Polk, Sherman, Wasco (north of the city of Maupin), Washington, Tillamook, and Yamhill Counties	6.55	.25	.24			
Baker, North ½ of Malheur, Union, and Wallowa Counties	6.91	.15				
Benton, Coos, Crook, Curry, Deschutes, Douglas, Grant, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, South ½ of Lincoln, Linn, South ½ of Malheur, Wasco (including the city of Maupin and south thereof), and Wheeler Counties	6.95	.25				
Tile setters' helpers	5.74	.25				
Welders; riggers: Receive rate prescribed for craft performing operation to which welding is incidental.						
Paid holidays: A—New Year's Day; B—Memorial Day; C—Independence Day; D—Labor Day; E—Thanksgiving Day; F—Christmas Day.						
Footnotes:						
a. Employer credits 4% basic hourly rate of employee with over 5 years' service, 2% basic hourly rate from 6 months to 5 years' service to Vacation Plan. Six Paid Holidays: A through F.						
b. 4% of all gross wages to be placed to the credit of employees with less than 1 year of service. 6% to employees with more than 1 year of service.						
Laborers:						
Group I:						
Asphalt plant laborers; asphalt spreaders; batch weighman; broomers; brush burners and cutters; car and truck loaders; carpenter tender; change-house man or dry shack men; choker setters; clean up laborers; concrete laborers; crusher feeders; culvert, hand labor; curing, concrete; demolition, wrecking, and moving laborers; driller helpers; dumpers, road oiling crew; dumpmen (for grading crew); elevator feeders; fence builder (including guard rail, median rail, reference post, guide post, right-of-way marker); fine graders; form strippers (not swinging stages); general laborers; landscaping or planting laborers; leverman on aggregate spreader (Flaherty and similar types); loading spotters; material yard man (including electrical); Pittsburgh chipper operator or similar types; powderman helper; railroad track laborers; ribbon setters (including steel forms); rip rap man (hand placed); road pump tender; sewer labor; skipmen; signalman; slopers; spraymen; stake chaser—stake setter—grade checker; stockpiler; timber faller and bucker (hand labor); toolroom man (at job site) tunnel bull gang (above ground); weigh man-crusher aggregate (when used)	5.25	.40	.45	$0.20	.02	
Group II:						
Applicator (including pot tender for same), applying protective material by hand or nozzle on utility lines or storage tanks on project; burners; choker splicer; Clary power spreader and similar types; clean-up nozzleman; greencutter (concrete rock, etc.); concrete power buggyman; demolition and wrecking charred materials; Gunite nozzleman tender; Gunite or sand blasting pot tender; handlers or mixers of all materials of an irritating nature including cement and lime); manhole builder; powertool operator includes but not limited to: chipping guns, jackhammer, paving breakers, post hole digger, air, gas, or electric, tampers, vibrating screed, vibrators (less than 4" in diameter); ribbon setter, head; rip rap man (head), hand placed; sand blasting (wet); sewer timbermen; timber buckers and fallers, brush cutters (power saw); tunnel-muckers, brakemen, concrete crew, bull gang (underground)	5.40	.40	.45	.20	.02	
Group III:						
Asphalt rakers; bid grinder; concrete saw operator; drill doctor; drill operator, air tracks, cat drills wagon drills, rubber-mounted drills, and other similar types; Gunite nozzleman; high scalers, strippers and drillers (covers work in swinging stages, chairs or belts, under extreme conditions unusual to normal drilling, blasting, barring-down, or sloping and stripping); powdermen; power saw operators (bucking and falling merchantable logs); pumperete nozzlemen; sand blasting (dry); sewer pipe layers; track liners, anchor machines, ballast regulators, multiple tampers, power jacks; tugger operator; tunnel—chuck tenders, nippers, and timbermen; vibrators (4" and larger); water blaster	5.55	.40	.45	.20	.02	
Group IV:						
Tunnel miners; tunnel powderman	5.70	.40	.45	.20	.02	
Power equipment operators:						
Group I:						
Assistant conveyor; oiler, including plant and crusher; crusher feederman; deckhand; self-propelled scaffolding; guard rail punch oiler; pump under 4" brakeman; switchman; parts man (tool room)	6.10	.40	.50	.20		
Group II:						
Blade, pulled type; truck crane oiler-driver, 25-ton capacity or over; fireman, all equipment; A-frame truck, single drum; tugger or coffin type hoist, any power; drill helper; auger oiler; boatman; forklift or lumber stacker; temporary heating plant; grade oiler, required to check grade; grade checker; tar pot fireman; tar pot fireman (power agitated); H.D. repairman helper; Welder's helper; fireman helicopter radio-man (ground); roller, rock	6.24	.40	.50	.20		
Group III:						
Plant fireman; pugmill; truck mounted asphalt spreader, with screed; compressor, any power, under 1,000 cu. ft. total capacity; mixer box concrete plant; concrete conveyor; cement hog; concrete saw, self-propelled unit; wire mat machine or booming machine; concrete curing machine, self-propelled; bucket elevator loader, Barber Greene and similar type; hydraulic pipe press; pump any power, 4" and over; hydrostatic pump; motorman; ballast jack tamper; bell boy, phones, etc.; tamping machine, mechanical self-propelled; hydrographic seeder machine, straw, pump or seed; broom operator, self-propelled; air filtration equipment; welding machine	6.34	.40	.50	.20		
Group IV:						
Screed; compactor, including vibratory; compressor, over 1,000 cu. ft. total capacity; concrete mixer, single drum, under 5-bag capacity; concrete cooling machine; combination mixer and compressor, gunite work; helicopter hoist; forklift, over 5 tons; Lull Hi-Lift or similar type, 20 ft. or over; service oiler (greaser); Hydra Hammer or similar types: pavement breaker; pump, more than 3, any size; locomotive, under 40 tons; roller, oiling, CTB	6.50	.40	.50	.20		
Group V:						
Curb machine, mechanical berm, curb and/or curb and gutter; Wagner Pactor or similar type (without blade); batch plant material control; power jumbo, setting slip forms, etc. in tunnels; slip form pumps, power driven hydraulic lifting device for concrete forms; hoist, single drum; elevator, diesel, gas, engineer; chip spreading machine; lime spreading sweeper (Wayne type) self-propelled; tractor, rubber-tired 50 hp. flywheel and under; trenching machine, maximum digging capacity 3 ft. depth	6.52	.40	.50	.20		
Group VI:						
Asphalt plant; asphalt paver; Maginnis, internal full slab vibrator; concrete finishing machine, Clary, Johnson, Bidwell, Burgess, bridge deck or similar type; curb machine, mechanical berm, curb and/or curb and gutter; concrete joint machine; concrete planer; cast in place pipe laying machine; concrete paving machine; concrete spreader; loaders, rubber-tired type, 2½ cu. yd. and under; rock spreader, self-propelled	6.60	.40	.50	.20		

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Power equipment operators—Continued						
Group VII:						
Roller, asphalt; concrete mixer, single drum, 5-bag capacity and over; beltcrete; pumpcrete; cement pump, Fuller-Kenyon and similar; grouting machine; concrete pump; tower mobile; A-frame truck, double drums; boom truck; churn drill and earth boring machine; hydraulic backhoe, wheel type ⅜ cu. yd. and under with or without front end attachments 2½ cu. yd. and under (Ford, John Deere, Case type); elevating grader, tractor and towed requiring operator or grader; pot rammer; ballast regulator; ballast tamper multi-purpose; track liner; tie spacer; shuttle car; locomotive, 40 tons and over	6.66	.40	.50	.20	
Group VIII:						
Diesel-electric engineer, plant or floating; batch plant and/or wet mix, 1 and 2 drums; generator; diesel-electric engineer; belt loaders, Kolman and Ko Cal types	6.76	.40	.50	.20	
Group IX:						
Bulldozer; drill cat; side-boom cat; compactor, with blade; Chicago boom and similar types; lift slab machine; boom type lifting device, 5 tons capacity or less; cherry picker or similar type crane-hoist 5-ton capacity or less; grizzley; crusher plant; boring machine; surface heater and planer; hydraulic backhoe, truck type ⅜ cu. yd. loader, front end and overhead 2½ cu. yd. and under 4 cu. yd.; pipe cleaning machine; pipe doping machine; pipe bending machine; pipe wrapping machine; bolt threading machine; drill doctor; including bit grinder; H.D. mechanic; H.D. welder; machine tool operator; Stationary drag scraper; tractor rubber-tired over 50 hp. flywheel; tractor, rubber-tired with boom attachments; trenching machine maximum digging capacity over 3 ft. depth	6.82	.40	.50	.20	
Group X:						
Bulldozer, twin-engine (TC 12 and similar type); cable-plow; compactor, multi-engine; driller—percussion, diamond, core, cable, rotary, and similar types; jack operator elevating barges; barge operator, self-unloading; combination H.D. mechanic-welder; welder—certified; rubber-tired dozers and pushers (Michigan, Cat, Hough type)	6.88	.40	.50	.20	
Group XI:						
Mixer mobile; crane, 25 tons and under; shovel, dragline, clamshell, hoe, etc., under 1 cu. yd.; Gradall, under 1 cu. yd.; mucking machine	6.90	.40	.50	.20	
Group XII:						
Blade; batch plant and/or wet mix, 3 units or more; hoist, 2-drum; hoist, 3 or more drums; elevating loader, Athey and similar types; piledriver (not crane type); rubber-tired scraper, single engine, single scraper; scraper—self-loading, paddle wheel ladder type; rubber-tired scraper, twin engine; rubber-tired scraper, with push-pull attachments; blade mounted spreaders, Ulrich and similar types; shield operator	6.96	.40	.50	.20	
Group XIII:						
Blade, finish (working with either red or blue tops); blade, electronically controlled by wire or laser beams; blade, multi-engine; concrete paving and road mixer; bridge crane, locomotive, gantry, overhead; derrick, under 100 tons; hoist, stiffleg, guy derrick or similar type 50 tons and over; cableway, up to 25 tons; crane, over 25 tons and including 40 tons; tower crane; piledriver (not crane type); floating clamshell, etc., under 3 cu. yd.; floating crane (derrick barge), less than 30 tons; hydraulic backhoe, truck type over ⅜ cu. yds. elevating grader, operated by tractor, Sierra, Euclid, or similar types; back-filling machine; shovel, etc., 1 cu. yd. but less than 3 cu. yd.; Gradall, 1 cu. yd. and over; back filling machine	7.04	.40	.50	.20	
Group XIV:						
Rubber-tired scraper with tandem scraper	7.20	.40	.50	.20	
Group XV:						
Rock hound; leader, 4 cu. yd. but less than 6 cu. yd	7.36	.40	.50	.20	
Group XVI:						
Auto grader (i.e. CMD) or trimmer; tandem bulldozer, quad-nine and similar type; automatic concrete slip form paver; concrete canal liner; cableway, 25 tons and over; crane, over 40 tons and including 100 tons; whirley, 80 tons and under; floating clamshell, etc., 3 cu. yd. and over; floating crane (derrick barge), 30 tons but less than 80 tons; loader, 6 cu. yd., but less than 8 cu. yd., loader 8 cu. yd., but less than 12 cu. yd.; rubber-tired scraper, with tandem scrapers, multi-engine; shovel, etc. 3 cu. yd. but less than 5 cu. yd.; wheel excavator, under 750 cu. yd. per hour	7.54	.40	.50	.20	
Group XVII:						
Crane, over 100 tons and including 200 tons; whirley over 80 tons and including 150 tons; floating crane (derrick barge), 80 tons but less than 150 tons; loader, 12 cu. yd. and over; shovel, etc., 5 cu. yd. and over; canal trimmer	7.68	.40	.50	.20	
Group XVIII:						
Crane, over 200 tons; whirley, 150 tons and over; floating crane 150 tons but less than 250 tons; wheel excavator, over 750 cu. yd. per hour; band wagons, in conjunction with wheel excavator	7.86	.40	.50	.20	
Group XIX:						
Helicopter; when used in erecting work; floating crane 250 tons and over; remote controlled earth moving equipment (no one operator shall operate more than two pieces of moving equipment at one time); underwater equipment, remote or otherwise	8.00	.40	.50	.20	
Truck drivers:						
Battery rebuilder; bus or man-haul driver; concrete buggies (power operated); dump trucks, side, end and bottom dumps, including semi-trucks and trains or combinations thereof: 6 cu. yd. and under; lift jitneys, fork lifts (all sizes used in loading, unloading and transporting material on job site); loader and/or leverman on concrete dry batch plant (manually operated); pilot car; solo flat bed and miscellaneous body trucks, 0-10 tons; truck helper; truck mechanic helper; warehouseman (warehouse parts, tool men and parts chaser, checker and receivers); water wagons (rated capacity), up to 1,600 gal	5.93	.35	.40	.15	
"A" frame or hydra-lift truck w/load bearing surface; lubrication man, fuel truck driver, tireman, wash rack, steam cleaner or combination; team drivers	5.98	.35	.40	.15	
Dump trucks, side, end and bottom dumps, including semi-trucks and trains or combination thereof: over 6 cu. yd. including 10 cu. yd.; slurry truck driver or leverman; transit mix and dry or wet trucks: 5 cu. yd. and under; tireman (full-time basis); water wagons (rated capacity): 1,690 to 3,000 gal	6.03	.35	.40	.15	
Flaherty spreader driver or leverman; low bed equipment, flat bed semi-trailer, truck and trailer or doubles transporting equipment or wet or dry materials; lumber carrier driver—straddle carrier (used in loading, unloadoing and transporting of materials on job site); oil distributor driver or leverman; water wagons (rated capacity): 3,000 to 5,000 gal	6.08	.35	.40	.15	
Dumpster or similar equipment, all sizes; transit mix and wet or dry mix trucks; over 5 cu. yd. and including 7 cu. yd	6.13	.35	.40	.15	
Dump trucks, side end, and bottom dumps, including semi-trucks and trains or combinations thereof: over 10 cu. yd. and including 20 cu. yd.; transit mix and dry or wet mix trucks: over 7 cu. yd. and including 9 cu. yd.; truck mechanic—welder—body repairman; water wagons (rated capacity): 5,000 to 7,000 gal	6.23	.35	.40	.15	
Dump trucks, side, end, and bottom dumps, including semi-trucks and trains or combination thereof: over 20 cu. yd. and including 30 cu. yd.; transit mix and wet or dry mix trucks: over 9 cu. yd. and including 11 cu. yd.; water wagons (rated capacity); over 7,000 gal. to 10,000 gal	6.33	.35	.40	.15	
Dump trucks, side, end, and bottom dumps, including semi-trucks and trains or combination thereof: over 30 cu. yd. and including 40 cu. yd.; transit mix and wet or dry mix trucks: over 11 cu. yd. and including 13 cu. yd.; water wagons (rated capacity): over 10,000 gal. to 15,000 gal	6.43	.35	.40	.15	
Dump trucks, side, end, and bottom dumps, including semi-trucks and trains or combination thereof: over 40 cu. yd. and including 50 cu. yd.; transit mix and wet or dry mix trucks: over 13 cu. yd. and including 15 cu. yd	6.53	.35	.40	.15	
Dump trucks, side, end, and bottom dumps, including semi-trucks and trains or combination thereof: over 50 cu. yd. and including 60 cu. yd	6.70	.35	.40	.15	
Dump trucks, side, end, and bottom dumps, including semi-trucks and trains or combination thereof: over 60 cu. yd. and including 70 cu. yd	6.80	.35	.40	.15	

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments: H & W	Pensions	Vacation	App. Tr.	Other
Truck drivers—Continued						
Dump trucks, side, end, and bottom dumps, including semi-trucks and trains or combination thereof: over 70 cu. yd. and including 80 cu. yd	6.90	.35	.40	.15		
Dump trucks, side, end, and bottom dump, including semi-trucks and trains or combination thereof: over 80 cu. yd. and including 90 cu. yd	7.00	.35	.40	.15		
Dump trucks, side, end, and bottom dump, including semi-trucks and trains or combination thereof: over 90 cu. yd. and including 100 cu. yd	7.10	.35	.40	.15		
Drivers and helpers (handling sacked cement add $0.15 per hour).						
Winch truck—takes classification of truck on which winch is mounted.						
Dredging:						
Dipper leverman:						
(a) 5 yards and under	7.59	.40	.50	.20		
(b) Over 5 yards	8.14	.40	.50	.20		
Leverman, hydraulic	7.20	.40	.35	.20		
Assistant engineer (electric generator operator for primary pump; power barge or dredge)	6.88	.40	.50	.20		
Assistant engineer (electric, diesel, steam or booster pump); mates and boatmen	6.78	.40	.50	.20		
Engineer welder; craneman	6.83	.40	.50	.20		
Fireman; oiler	6.44	.40	.50	.20		
Assistant mate (deckhand)	6.34	.40	.50	.20		
Line Construction—Oregon e (1):						
Cable splicers; leadman pole sprayer	8.02	.15	1%			1%
Lineman; pole sprayer; heavy line equipment man; certified lineman welder	7.24	.15	1%			1%
Tree trimmer	6.54	.15	1%			1%
Line equipment man	6.24	.15	1%			1%
Head groundman (chipper); head groundman; powderman; jackhammer man	5.46	.15	1%			1%
Groundman: tree trimmer helper	5.15	.15	1%			1%
Hole digger	4.93	.15	1%			1%

State: Wisconsin County: Milwaukee.
Decision No. AM-8584; Date of decision: Feb. 18, 1972.
Supersedes Decision No. AM-430 dated Aug. 18, 1971, in 36 F.R. 15991.
Description of work: Building, heavy and highway construction, including residential construction and dredging.

Asbestos workers	$7.68	$0.35	$0.50	$0.50	
Boilermakers	7.80	.30	.85		$0.02
Boilermakers' helpers	7.625	.30	.85		.02
Bricklayers:					
Bricklayers	7.59	.50	.50	.55	
Carpenters	7.11	.40	.50	.50	
Millwrights	7.41	.40	.50	.50+a	
Piledrivermen	7.34	.40	.50	.50	
Leaderman	7.74	.40	.50	.50	
Welder-burner	7.34	.40	.50	.50	
Loftman	7.44	.40	.50	.50	
Cement masons	6.85	.40	.50	.50	
Electricians	7.76	.37	1%+0.20	7%	.25%
Elevator constructors	6.94	.17	$0.185	2%+a&b	$0.005
Elevator constructos' helpers	70% J R	.17	.185	2%+a&b	.005
Elevator constructos' helpers (prob)	50% J R				
Glaziers	$5.10	.35	.40	$0.50	
Ironworkers, structural and ornamental	7.71	.40	.50	.50	
Ironworkers, reinforcing	7.71	.40	.50	.50	
Lathers	6.72	.40	.50	.65	.03
Leadburners	6.35	.25		c	.01
Line construction:					
Linemen	6.15	.15	1%+.10	7%	0.5%
Equipment operator class A	4.95	.15	1%+.10	7%	.5%
Equipment operator class B	4.70	.15	1%+.10	7%	.5%
Groundmen—experienced	4.43	.15	1%+.10	7%	.5%
Marble setters	6.97	.50	$0.50	$0.55	
Marble setters' helpers	6.07	.30	.50	.50	
Painters:					
Brush	6.66	.40	.25	.50	
Swing stage, up to 80 ft	6.81	.40	.25	.50	
Structural steel	7.01	.40	.25	.50	
Spray and sandblasting	7.01	.40	.25	.50	
Swing stage, 80 ft. and over	6.91	.40	.25	.50	
Plasterers	6.72	.40	.50	.65	$0.01
Plumbers and gasfitters	7.57	.40	.50	.50	.03
Roofers:					
Mastic work:					
Spreaders	7.12	.40	.50	.50	
Rubbers and Kettlemen	6.92	.40	.50	.50	
Additional help	6.67	.40	.50	.50	
Tower work:					
Without swings	7.07	.40	.50	.50	
With swing seat or bos'n chair	7.37	.40	.50	.50	
Slate, tile and transite work:					
Roofers	7.07	.40	.50	.50	
Steepy and siding work:					
Composition, damp and waterproof roofers	6.92	.40	.50	.50	
Sheet metal workers	6.56	.20	.25	.50	
Soft floor layers	6.91	.40	.50	.50+a	
Sprinkler fitters	8.35	.25	.40		.02
Steam fitters	7.62	.35	.50	.50	.02
Stone masons	7.59	.50	.50	.55	
Terrazzo workers	6.22	.30	.30	.22	
Terrazzo workers' helpers	5.40	.30	.25	d	
Terrazzo base machine operator	5.60	.30	.25	d	
Tile setters	6.85	.30	.50	$0.45	
Tile setters' helpers	6.07	.30	.50	.50	

Welders—receive rate prescribed for craft performing operation to which welding is incidental.
Paid holidays:
A—New Year's Day; B—Memorial Day; C—Independence Day; D—Labor Day; E—Thanksgiving Day; F—Christmas Day.
Footnotes:
a. Holidays: A through F.
b. Empolyer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.
c. Holidays, A through F plus Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.
d. Additional payment of 4 hours per month plus $0.03 per hour weekly for employee who has worked less than 5 years—6⅔ hours per month for employee who has worked 5 years or more.

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Wisc. 13-Lab. F:						
Laborers (building construction):						
General laborers, form stripper, concrete worker, mason tender	6.18	.35	.50	.50		
Scaffold builder, pitman or dumpman, building wrecker, hod carrier, mortar mixer, vibrator operator, kettleman, air spade operator	6.29	.35	.50	.50		
Barco tamper, jackhammer operator, sheeting driver, gunite man, concrete buster	6.40	.35	.50	.50		
Topman on chimney (up to 50')	6.29	.35	.50	.50		
Nozzleman	6.69	.35	.50	.50		
Plasterer laborer	6.39	.35	.50	.50		
Topman (every additional 50 ft.)	6.54	.35	.50	.50		
Caisson work	6.84	.35	.50	.50		
Caisson worker—top man	6.49	.35	.50	.50		
Bridge, road and railway construction:						
General laborer	6.23	.35	.50	.50		
Vibrator, pitman, and dumpman	6.29	.35	.50	.50		
Bullfloat, strikeoff man, puddler, cement dumper	6.34	.35	.50	.50		
Formsetter	6.51	.35	.50	.50		
Wisc. 1 PEO Z:						
Building and heavy construction:						
Power equipment operators:						
Tower crane	8.29	.25	.25		.05	
Cranes, shovels, draglines, backhoes, clamshells, derricks, caisson rigs, pile driver and skid rigs	8.04	.25	.25		.05	
Concrete paver (over 27E), concrete spreader and distributor	7.89	.25	.25		.05	
Material hoists, stack hoists, tractor or truck mounted hydraulic crane (5 tons or under), man hoist, tractor (over 40 hp.), bulldozer (over 40 hp.), forklift (25' and over), motor patrol, scraper operator, sideboom, straddle carrier, mechanic and welder, bituminous plant and power operator, roller (over 5 tons)	7.79	.25	.25		.05	
Concrete and grout pumps, backfiller, concrete auto breaker (large), concrete finishing machines (road type)	7.59	.25	.25		.05	
Roller (rubber tire)	7.54	.25	.25		.05	
Concrete batch hopper, concrete conveyor systems, concrete mixers (14S or over), screw type pumps, and gypsum pumps, tractor, bulldozer, endloader (under 40 hp.), pumps (well points)	7.49	.25	.25		.05	
Roller (under 5 tons)	7.44	.25	.25		.05	
Hoists (automatic), forklift (12' to 25'), tampers-compactors (riding type), "A" frames and winch trucks, concrete auto breaker, hydrohammer (small), brooms and sweepers	7.39	.25	.25		.05	
Shouldering machine operator, screed operator, farm or industrial tractor mounted equipment	7.18	.25	.25		.05	
Fireman—asphalt plants	7.10	.25	.25		.05	
Generators over 150 kw., air compressors over 300 cu. ft., and pumps over 3", augers (vertical and horizontal)	7.06	.25	.25		.05	
Combination small equipment operators:						
Air, electric, hydraulic jacks (slip form); compressors (under 300 c.f.m.); welding machine; heaters (mechanical); prestress machine; bobcats; generators (under 150 kw.); pumps (3" and under); winches (small electric); oiler and greaser	6.94	.25	.25		.05	
Forklift (12' and under)	6.75	.25	.25		.05	
Endloader (over 40 hp.)	7.79	.25	.25		.05	
Wis. 6-TD m:						
Building construction:						
Truck drivers:						
Excavating, paving, batch work, gas, pipe, sewer and tunnel work, asphalt blacktop snow removal, ashes:						
Two-axle trucks	5.095	a10.50	a10.00	b		
Three-axle trucks and semitrailer	5.145	a10.50	a10.00	b		
Ready mix concrete truck	5.395	a10.50	a10.00	b		
Cinders, sand, gravel, stone and gravel pit stripping:						
Two-axle trucks	5.045	a10.50	a10.00	b		
Three-axle trucks and semitrailers	5.095	a10.50	a10.00	b		
Building materials:						
Two-axle trucks	5.095	a10.50	a10.00	b		
Three-axle trucks	5.145	a10.50	a10.00	b		
Helpers	4.985	a10.50	a10.00	b		
Warehousemen	5.035	a10.50	a10.00	b		
Paid holidays (where applicable): A—New Year's Day; B—Memorial Day; C—Independence Day; D—Labor Day; E—Thanksgiving Day; F—Christmas Day.						
Footnotes:						
a. Per week for each employee.						
b. Six paid holidays: A through F.						
Wis-8-Lab (S & T) L:						
Sewer, water, and tunnel construction:						
Laborers:						
Tunnel (free air):						
Blaster	6.77	.35	.50	$0.50		
Concrete manhole builder, concrete buster, jackhammer operator & rock driller, caisson worker and pipe layer, caulker, joint man and pipe yarner, bracerman, nozzle man on Gunite, and timber man—concrete brusher	6.61	.35	.50	.50		
Topman and sawman	6.05	.35	.50	.50		
Muckers, mucking machine and dinkey	6.32	.35	.50	.50		
Form strippers and car pushers	6.22	.35	.50	.50		
Tower man and general labor on surface	6.00	.35	.50	.50		
Miner, mining machine and welder	6.71	.35	.50	.50		
Tunnel (compressed air):						
Miner, mining machine and welder	7.09	.35	.50	.50		
Lock tender in tunnel, concrete buster, jackhammer operator and rock driller, caisson worker and pipe layer, caulker joint man and pipe yarner, bracerman, nozzleman on Gunite, timber man, concrete brusher	6.99	.35	.50	.50		
Mucker	6.82	.35	.50	.50		
Form stripper and car pusher	6.72	.35	.50	.50		
Lock tender on surface	6.63	.35	.50	.50		
Open cut:						
Concrete manhole builder, caisson worker and miner, pipe layer, caulker, joint man and pipe yarner, timber man and concrete brusher, bracer in trench behind machine, bracer in tight sheeting, concrete formsetter and shoveler, concrete buster, jackhammer operator and rock driller	6.61	.35	.50	.50		
Blaster	6.77	.35	.50	.50		
Mucker, form stripper, bottom digger and miscellaneous bottom man	6.22	.35	.50	.50		
Gunite man on top and scaffold man, mud mixer	6.05	.35	.50	.50		

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Wisc 6—LAB–2-3 S:						
Heavy and highway construction:						
Laborers:						
Group A:						
Laborer, miscellaneous, unskilled; tree trimmer; stone handler; reinforcing steel setter (pavement); guard rail builder; demolition and wrecking laborer; bituminous worker: Shoveler, loader, utility man	6.23	.35	.25	.25	.02	
Group B:						
Puddler (concrete paving); batch truck dumper or cement handler; bituminous worker: Dumper, ironer, smoother, tamper	6.33	.35	.25	.25	.02	
Group C:						
Vibrator or tamper operator, mechanical (hand operated); joint sawer or filler (pavement); demolition burning torch laborer; chain saw operator	6.38	.35	.25	.25	.02	
Group D:						
Air tool operator (hand operated)	6.43	.35	.25	.25	.02	
Group E:						
Strike off man; formsetter (curb, walk and pavement)	6.48	.35	.25	.25	.02	
Group F:						
Bituminous worker; raker, luteman	6.53	.35	.25	.25	.02	
Group G:						
Powderman, blaster	6.88	.35	.25	.25	.02	
Wisconsin 7-LAB–3 J:						
Laborers (asphalt paving):						
Rakers and luteman	4.99	.30	.15	.20		
Ironer	4.74	.30	.15	.20		
Dumper	4.74	.30	.15	.20		
Asphalt laborers	4.47	.30	.15	.20		
Shovelers	4.47	.30	.15	.20		
Wisc. 6 PEO T & S G:						
Sewer, tunnel, water and utilities:						
Power equipment operators:						
Air compressor	5.52	.20	.15			
Caisson excavators	5.97	.20	.15			
Fireman	5.41	.20	.15			
Helper and oiler	5.52	.20	.15			
Pump	5.47	.20	.15			
Well point pump operator	5.58	.20	.15			
Hoist No. 1 (no swinging)	5.97	.20	.15			
Loading and unloading device	5.69	.20	.15			
Pumps concrete	5.97	.20	.15			
Backfiller (sewer, water, and tunnel)	5.97	.20	.15			
Clamshell and orange peel	5.97	.20	.15			
Crane	5.97	.20	.15			
Derrick	5.97	.20	.15			
Dragline	5.97	.20	.15			
Elevator on tunnel	5.97	.20	.15			
Tractor or bulldozer (40 hp. or less)	5.64	.20	.15			
Tractor or bulldozer (over 40 hp.)	5.80	.20	.15			
Hoe	5.97	.20	.15			
Horizontal drill (large not manually handled)	5.97	.20	.15			
Locomotive crane	5.97	.20	.15			
Pile driver	5.97	.20	.15			
Mixer	5.80	.20	.15			
Power shovel	5.97	.20	.15			
Skimmer scoop	5.97	.20	.15			
Trench machine	5.97	.20	.15			
Tractor wagon	5.80	.20	.15			
Turnapull	5.86	.20	.15			
End loader	5.80	.20	.15			
Straddle carrier	5.80	.20	.15			
Scraper	5.80	.20	.15			
Side-boom tractor (large)	5.97	.20	.15			
Side-boom tractor (small)	5.80	.20	.15			
Stump cutting equipment	5.58	.2p	.15			
Mechanic helper	5.30	.20	.15			
Mechanic and/or welder	5.58	.20	.15			
Tunnel classification:						
Mucking machine:						
Free air	5.81	.20	.15			
Compressed air	6.19	.20	.15			
Dinkey locomotive:						
Free air	5.81	.20	.15			
Compressed air	6.19	.20	.15			
Wisc.—4—PEO–3–K:						
Highway construction:						
Power equipment operators:						
Asphalt plant engineer; asphalt heater and planer, auto slipform concrete placer; auto subgrader (concrete); batch mixer portable, batch plant engineer (concrete); bituminous paver or plant; boatmen; bump cutter and grooving machine; caisson rigs; central mixer concrete, central mix plant concrete; concrete breaker, truck mounted (heavy); concrete pavement spreader, heavy duty (rubber-tired); cranes, derrick, draglines; dredge, dredge engineer; end loader; grader or motor patrol; hydro. back hoe; loading machine (conveyor); material hoist; mechanic or welder, heavy duty, equip.; mixer or paver (21 cu. ft. or over), pile driver, power shovel, roller steel (over 5 tons), shoulder widener; stabilizing mixer (self-propelled); tractor, side boom (heavy), trenching machine; tugger, winch and A-frame operator	7.62	.25	.25		.05	
Mixer, concrete (less than 21 cu. ft.); pump, concrete; roller steel (5 tons or less)	7.36	.25	.25		.05	
Screed (bituminous paver); self-propelled chip spreader; shouldering machine	7.27	.25	.25		.05	
Belting machine; burlap machine; concrete breaker and tamper (light); concrete spreader, finishing machine, mechanical float, curing machine or power subgrader; fork lift; jeep digger; joint sawer (multiple blade); launch; mulcher; roller (pneumatic tired self-propelled); texturing machine; tractor (mounted or towed compactors and light equipment); tractor, end loader (rubber-tired, light)	7.19	.25	.25		.05	
Fireman	7.11	.25	.25		.05	
Air compressor; curb machine; drilling or boring machine (mechanical heavy); generators; greaser, heavy equipment, lead-man; mudjacks; stump chipper; tankcar heater operator	7.07	.25	.25		.05	
Auto belt conveyor and surge bin; crusher or screen plant; pneumatic tired roller farm tractor towed; pug mill operator	6.98	.25	.25		.05	
Oiler; pump (over 3 inches); surge bin operator	6.86	.25	.25		.05	

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WISCONSIN-1-TD O:						
Heavy and highway construction:						
Truck drivers:						
Two-axle truck	5.73	a	b	.35+c		
Three or more axle truck	5.88	a	b	.35+c		
Euclids or dumpster type hauling units	5.88	a	b	.35+c		
Truck mechanic	5.88	a	b	.35+c		
Truck mechanics' helpers	5.73	a	b	.35+c		
Footnotes:						
a. $12.50 per week for employee who has been on payroll 30 days or longer.						
b. $10 per week.						
c. Includes $0.10 contribution to holiday fund.						
DREDGING: 5 Great Lakes X:						
Dipper and hydraulic dredging:						
Chief engineer	7.5850	.25	.15	a		
Operators	7.52875	.25	.15	a		
Assistant engineers	7.25125	.25	.15	a		
Firemen, oilers	6.44875	b 3.00	.25	a		
Welder	7.17125	.25	.15	a		
Deckhands	6.40375	b 3.00	.25	a		
Scowman—Chicago and South Chicago	6.425	b 3.00	.25	a		
Scowman—other ports	6.40375	b 3.00	.25	a		
Pipeline men	6.40375	b 3.00	.25	a		
Cranemen—dipper dredging	7.17125	.25	.15	a		
Spill barge operator—hydraulic dredging	7.17125	.25	.15	a		
Drill boats:						
Engineers	7.1575	.25	.15	c		
Blasters	7.2575	.25	.15	c		
Firemen	6.88	.25	.15	c		
Drillers, welders, or machinists	7.15875	.25	.15	c		
Oilers and helpers	6.73875	.25	.15	c		
Tug engineers and operators	6.94125		.40	a		
Tug firemen, linemen, and oilers:						
Chicago and South Chicago	6.54	b 3.00	.40	a		
(Michigan City, Ind., to Waukegan, Ill., both included) all other parts	6.505	b 3.00	.25	a		
Floating equipment (clamshell, dragline and marine construction):						
Engineer and operator	8.55f			d & e		
Equipment operator	7.86f			d & e		
Firemen	7.47f			d & e		
Oilers	7.18f			d & e		
Engineer helpers, rangermen, rodemen sweepers:						
Engineer helpers, rangermen, rodemen, or sweepmen	5.10	b 3.00		a		
Service truck drivers	4.73	b 3.00		a		

Paid holidays (where applicable): A—New Year's Day; B—Memorial Day; C—Independence Day; D—Labor Day; E—Thanksgiving Day; F—Christmas Day.

Footnotes:

a. 8 paid holidays; A through F plus Washington's Birthday and Veterans Day; 6½ days vacation with pay for 104 days of service, 1 additional day of vacation with pay for each of the next 3 periods of 26 days of service, and for 208 days or over of service 13 days of vacation with pay, all in 1 calendar year. Employee not qualifying for vacation to receive 1 day's vacation with pay for each full 24 days of service in 1 calendar year.
b. Per day, per employee.
c. 8 paid holidays. A through F plus Washington's Birthday and Veterans Day; 6½ days vacation with pay for 104 days of service, 1 additional day of vacation with pay for each additional 21⅔ days of service, all in 1 calendar year. Employees not qualifying for vacation to receive 1 day's vacation with pay for each full 24 days of service in 1 calendar year.
d. 8 paid holidays, A through F plus Washington's Birthday and Veterans Day.
e. ½ day vacation for each full 12 days employment in 1 calendar year.
f. Plus $0.80 in fringe benefits.

State: Wisconsin; County: Rock.
Decision No.: AM-8585; Date of decision: Feb. 18, 1972.
Supersedes Decision No. AM-433 dated Aug. 18, 1971, in 36 F.R. 16005.
Description of work: Building construction (excluding single-family homes and garden-type apartments up to and including 4 stories), heavy, and highway construction.

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Building construction:						
Asbestos workers	$7.68	$0.35	$0.50	$0.50		
Boilermakers	7.80	.30	.85		$0.02	
Boilermakers' helpers	7.625	.30	.85		.02	
Bricklayers and stonemasons	7.54					
Carpenters	7.15	.20	.15		.02	
Millwrights	7.65	.20	.15		.02	
Piledrivermen	7.30	.20	.15		.02	
Soft floor layers	7.15	.20	.15		.02	
Cement masons	6.60	.15	.20			
Electricians	7.12	.25	1%	6.5%+d	.25%	
Cable splicers	7.62	.25	1%	6.5%+d	.25%	
Elevator constructors:						
Southern portion of county	6.57	.17	$0.185	2%+b&c	$0.005	
Northern portion of county	6.75	.17	.185	2%+a&b	.005	
Elevator constructors' helpers:						
Southern portion of county	70% JR	.17	.185	2%+b&c	.005	
Northern portion of county	70% JR	.17	.185	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50% JR					
Glaziers:						
Northern two-thirds of county	$06.50	.25	.20			
Southern one-third of county	4.55	.14	.10	3%		
Ironworkers (all):						
Vicinity of Edgerton, Milton, Poolville, and Evansville	7.42	.25	.25		.03	
Vicinity of Janesville, Beloit, Oxfordville, Shopiers and Clinton	8.00	.175	.125			
Lathers:						
Eastern one-half	7.35		.35		.01	
Southwestern portion	5.74	.15	.10		.01	
Remainder of county	6.75	.20	.20		.01	
Lead burners	6.35	.25		c	.01	

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Building construction—Continued						
Line construction:						
Linemen and digger operator	7.13	.15	1%		.25%	
Groundmen	4.65	.15	1%		.25%	
Equipment operators	4.85	.15	1%		.25%	
Painters:						
Brush	6.53	.30	$0.30		$0.01	
Structural steel (brush)	6.68	.30	.30		.01	
Spray	7.28	.30	.30		.01	
Swing stage	6.78	.30	.30		.01	
Plasterers	7.20	.15	.20			
Plumbers	6.85	.18		$0.17		
Roofers:						
Composition	4.85	.15	.40			
Slate slab work, tile and asbestos	5.20	.15	.40			
Helpers	3.80	.15	.40			
Sheet metal workers	7.45	.22	.20	.18		
Sprinkler fitters	8.00	.25	.40		.05	
Steamfitters	6.85	.18		.17		
Terrazzo workers	7.54					
Terrazzo workers' helpers:						
Northern one-half of county	5.40	.30	.20	e		
Remainder of county	5.15	.10				
Tile setters	7.54					
Tile setters' helpers:						
Northern one-half of county	6.07	.30	.50	$0.50		
Remainder of county	5.15	.10				
Truck drivers	4.92	.15		.10+a		

Welders receive rate prescribed for craft performing operation to which welding is incidental.

Paid holidays: A—New Year's Day; B—Memorial Day; C—Independence Day; D—Labor Day; E—Thanksgiving Day; F—Christmas Day.

Footnotes:

a. Holidays: A through F.
b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years, and 2% of rate for employee who has worked less than 5 years.
c. Holidays, A through F plus Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.
d. Includes 1.5% holiday pay.
e. Additional payment of 4 hours per month and $0.03 per hour weekly for employee who has worked less than 5 years. 6⅔ hours per month for 5 years or more.

WISC. 10–Lab. S & T F:						
Laborers building, sewer, and tunnel construction:						
Building construction:						
General laborers, concrete laborers building wrecker, form strippers concrete saw and power buggy operator	5.50	.20	.15			
Mortar mixer, power rammer, vibrator operator, air chisel operator (over 18 lbs.), chipping hammer operator (over 18 lbs.), fork lift operator, railroad tampler, plaster mixer and concrete pump hose operator (1 man)	5.65	.20	.15			
Mason tender	5.50	.20	.15			
Pneumatic hammer (60 lbs. or over manufacturer specifications)	5.75	.20	.15			
Sewer, tunnel, shafts, waterman, and natural gas laborers:						
General laborer, watchman	5.50	.20	.15			
Pipelayer, manhole builder cement	5.80	.20	.15			
Caulker and bottom man	5.70	.20	.15			
Bracer	5.60	.20	.15			
Augerman on mechanical auger or pipe pusher	5.65	.20	.15			
Bituminous paving laborers:						
General laborer	5.50	.20	.15			
Raker and Luteman	5.60	.20	.15			
Wisc. 5—TD K:						
Heavy and highway construction:						
Truck drivers:						
Two-axle trucks	5.65	a	b	.35 + c		
Three or more axles	5.80	a	b	.35 + c		
Euclids or dumpter type hauling units	5.80	a	b	.35 + c		
Mechanic, truck	5.80	a	b	.35 + c		
Mechanic's helpers, truck	5.65	a	b	.35 + c		

Footnotes:

a. $54.17 per month for employee who has been on payroll 30 days or longer.
b. $10 per week.
c. Includes $0.10 employer contribution to holiday fund.

Wisc. 1 PEO Z:						
Building and heavy construction:						
Power equipment operators:						
Tower crane	8.29	.25	.25		.05	
Cranes, shovels, draglines, backhoes, clamshells, derricks, caisson rigs, pile driver and skid rigs	8.04	.25	.25		.05	
Concrete paver (over 27E), concrete spreader and distributor	7.89	.25	.25		.05	
Material hoists, stack hoists, tractor or truck mounted hydraulic crane (5 tons or under), man hoist, tractor (over 40 hp.), bulldozer (over 40 hp.), forklift (25′ and over), motor patrol, scraper operator, sideboom, straddle carrier, mechanic and welder, bituminous plant and power operator, roller (over 5 tons)	7.79	.25	.25		.05	
Concrete and grout pumps, backfiller, concrete auto breaker (large), concrete finishing machines (road type)	7.59	.25	.25		.05	
Roller (rubber tire)	7.54	.25	.25		.05	
Concrete batch hopper, concrete conveyor systems, concrete mixers (14S or over), screw type pumps, and gypsum pumps, tractor, bulldozer, endloader (under 40 hp.), pumps (well points)	7.49	.25	.25		.05	
Roller (under 5 tons)	7.44	.25	.25		.05	
Hoists (automatic), forklift (12′ to 25′), tampers-compactors (riding type), "A" frames and winch trucks, concrete auto breaker, hydrohammer (small), brooms and sweepers	7.39	.25	.25		.05	
Shouldering machine operator, screed operator, farm or industrial tractor mounted equipment	7.18	.25	.25		.05	
Fireman—asphalt plants	7.10	.25	.25		.05	
Generators over 150 kw., air compressors over 300 cu. ft., and pumps over 3″, augers (vertical and horizontal)	7.06	.25	.25		.05	
Combination small equip. operators:						
Air, electric, hydraulic jacks (slip form); compressors (under 300 c.f.m.); welding machine; heaters (mechanical); prestress machine; bobcats; generators (under 150 kw.); pumps (3″ and under); winches (small electric); oiler and greaser	6.94	.25	.25		.05	
Forklift (12′ and under)	6.75	.25	.25		.05	
Endloader (over 40 hp.)	7.79	.25	.25		.05	

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Wisc. 5—LAB—2-3 H:						
Heavy and highway construction:						
Laborers:						
Group A:						
Laborer, miscellaneous, unskilled; stone handler; joint sawer or filler (pavement); reinforcing steel setter (pavement); guard rail builder; puddler (concrete paving); strike off man; demolition and wrecking laborer; bituminous worker: dumper, ironer, smoother, tamper, shoveler, loader, utility man	5.75	.25	.15		.02	
Group B:						
Formsetter (curb, walk and pavement); tree trimmer	5.80	.25	.15		.02	
Group C:						
Vibrator or tamper operator, mechanical (hand operated); batch truck dumper or cement handler; air tool operator (hand operated)	5.85	.25	.15		.02	
Group D:						
Demolition burning torch laborer; bituminous worker: raker, lutemen; chain saw operators	5.90	.25	.15		.02	
Group E:						
Powderman, blaster	5.95	.25	.15		.02	
Group F:						
Pipelayer crew (sewer, water):						
Pipelayer	6.20	.25	.15		.02	
Bottom man	6.00	.25	.15		.02	
Topman	5.85	.25	.15		.02	
Wisc.—4—PEO-3-K:						
Highway construction:						
Power equipment operators:						
Asphalt plant engineer; asphalt heater and planer, auto slipform concrete placer; auto subgrader (concrete); batch mixer, portable, batch plant engineer (concrete); bituminous paver or plant; boatman; bump cutter and grooving machine; caisson rigs; central mixer concrete, central mix plant concrete; concrete breaker, truck mounted (heavy); concrete pavement spreader, heavy duty (rubber-tired); cranes, derrick, draglines; dredge, dredge engineer; end loader; grader or motor patrol; hydro. back hoe; loading machine (conveyor); material hoist; mechanic or welder, heavy duty, equip.; mixer or paver (21 cu. ft. or over), pile driver, power shovel, roller steel (over 5 tons), shoulder widener; stabilizing mixer (self-propelled); tractor, side boom (heavy), trenching machine; tugger, winch and A-frame operator	7.62	.25	.25		.05	
Mixer, concrete (less than 21 cu. ft.); pump, concrete; roller steel (5 tons or less)	7.36	.25	.25		.05	
Screed (bituminous paver); self-propelled chip spreader; shouldering machine	7.27	.25	.25		.05	
Belting machine; burlap machine; concrete breaker and tamper (light); concrete spreader, finishing machine, mechanical float, curing machine or power subgrader; fork lift; jeep digger; joint sawer (multiple blade); launch; mulcher; roller (pneumatic tired self-propelled); texturing machine; tractor (mounted or towed compactors and light equipment); tractor, end loader (rubber-tired, light)	7.19	.25	.25		.05	
Fireman	7.11	.25	.25		.05	
Air compressor; curb machine; drilling or boring machine (mechanical, heavy); generators; greaser, heavy equipment, lead-man; mudjacks; stump chipper; tankcar heater operator	7.07	.25	.25		.05	
Auto belt conveyor and surge bin; crusher or screen plant; pneumatic tired roller farm tractor towed; pug mill operator	6.98	.25	.25		.05	
Oiler; pump (over 3 inches); surge bin operator	6.86	.25	.25		.05	

State: Wisconsin; County: Waukesha.
Decision No. AM-8586; Date of decision: Feb. 18, 1972.
Supersedes Decision No. AM-434 dated Aug. 18, 1971, in 36 F.R. 16008.
Description of work: Building construction (excluding single-family homes and garden-type apartments up to and including 4 stories), heavy and highway construction.

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Building construction:						
Asbestos workers	$7.68	$0.35	$0.50	$0.50		
Boilermakers	7.80	.30	.85		$0.02	
Boilermakers' helpers	7.625	.30	.85		.02	
Bricklayers	7.59	.50	.50	.55		
Carpenters	7.11	.40	.50	.50		
Millwrights	7.41	.40	.50	.50+a		
Piledrivermen	7.34	.40	.50	.50		
Leaderman	7.74	.40	.50	.50		
Welder-burner	7.34	.40	.50	.50		
Loftman	7.44	.40	.50	.50		
Cement masons	6.85	.40	.50	.50		
Electricians	7.76	.37	1%+.20	7%	0.25%	
Elevator constructors	6.94	.17	$0.185	2%+a&b	$0.005	
Elevator constructors' helpers	70% J R	.17	.185	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50% J R					
Glaziers	$5.10	.35	.40	$0.50		
Ironworkers, structural and ornamental	7.71	.40	.50	.50		
Ironworkers, reinforcing	7.71	.40	.50	.50		
Lathers	6.72	.40	.50	.65	.03	
Leadburners	6.35	.25		c	.01	
Line construction:						
Linemen	6.15	.15	1%+.10	7%	0.5%	
Equipment operators Class A	4.95	.15	1%+.10	7%	.5%	
Equipment operators Class B	4.70	.15	1%+.10	7%	.5%	
Groundman—experienced	4.43	.15	1%+.10	7%	.5%	
Marble setters	6.97	.50	$0.50	$0.55		
Marble setters' helpers	6.07	.30	.50	.50		
Painters:						
Brush	6.66	.40	.25	.50		
Swing stage, up to 80 ft	6.81	.40	.25	.50		
Structural steel	7.01	.40	.25	.50		
Spray and sandblasting	7.01	.40	.25	.50		
Swing stage, 80 ft. and over	6.91	.40	.25	.50		
Plasterers	6.72	.40	.50	.65	$0.01	
Plumbers and gasfitters	7.57	.40	.50	.50	.03	
Roofers:						
Mastic work:						
Spreaders	7.12	.40	.50	.50		
Rubbers and kettlemen	6.92	.40	.50	.50		
Roofers' helpers' spreaders	6.92	.40	.50	.50		
Additional help	6.67	.40	.50	.50		

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Building construction—Continued						
Tower work:						
Without swings	7.07	.40	.50	.50		
With swing seat or bos'n chair	7.37	.40	.50	.50		
Slate, tile and transite work:						
Roofers	7.07	.40	.50	.50		
Steepy and siding work:						
Composition, damp and waterproof roofers	6.92	.40	.50	.50		
Sheet metal workers	6.56	.20	.25	.50		
Soft floor layers—resilient floor layers	6.91	.40	.50	.50+a		
Sprinkler fitters (Milwaukee area)	8.35	.25	.40		.02	
Sprinkler fitters (remainder of county)	8.00	.25	.40		.05	
Steamfitters	7.62	.35	.50	.50	.02	
Stonemasons	7.59	.50	.50	.55		
Terrazzo workers	6.22	.30	.30	.22		
Terrazzo workers' helpers	5.40	.30	.25	d		
Tile setters	6.85	.30	.50	$0.45		
Tile setters' helpers	6.07	.30	.50	.50		
Welders—receive rate prescribed for craft performing operation to which welding is incidental.						
Paid holidays: A—New Year's Day; B—Memorial Day; C—Independence Day; D—Labor Day; E—Thanksgiving Day; F—Christmas Day.						
Footnotes:						
a. Holidays: A through F.						
b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years, and 2% for employee who has worked less than 5 years.						
c. Holidays, A through F plus Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.						
d. Additional payment of 4 hours per month, plus $0.03 per hour weekly for employee who has worked less than 5 years. 6⅔ hours per month for employee who has worked 5 years or more.						
Wisc. 13—Lab. F:						
Laborers (building construction):						
General laborers, form stripper, concrete worker, mason tender	6.18	.35	.50	.50		
Scaffold builder, pitman or dumpman, building wrecker, hod carrier, mortar mixer, vibrator operator, kettlemen, air spade operator	6.29	.35	.50	.50		
Barco tamper, jackhammer operator, sheeting driver, Gunite man, concrete buster	6.40	.35	.50	.50		
Topman on chimney (up to 50')	6.29	.35	.50	.50		
Nozzleman	6.69	.35	.50	.50		
Plasterer laborer	6.39	.35	.50	.50		
Topman (every additional 50 ft.)	6.54	.35	.50	.50		
Caisson work	6.84	.35	.50	.50		
Caisson worker—top man	6.49	.35	.50	.50		
Bridge, road, and railway construction:						
General laborer	6.23	.35	.50	.50		
Vibrator, pitman and dumpman	6.29	.35	.50	.50		
Bullfloat, strikeoff man, puddler, cement dumper	6.34	.35	.50	.50		
Formsetter	6.51	.35	.50	.50		
Wisc. 1 PEO Z:						
Building and heavy construction:						
Power equipment operators:						
Tower crane	8.29	.25	.25		.05	
Cranes, shovels, draglines, backhoes, clamshells, derricks, caisson rigs, pile driver and skid rigs	8.04	.25	.25		.05	
Concrete paver (over 27E), concrete spreader and distributor	7.89	.25	.25		.05	
Material hoists, stack hoists, tractor or truck mounted hydraulic crane (5 tons or under), man hoist, tractor (over 40 hp.), bulldozer (over 40 hp.), forklift (25' and over), motor patrol, scraper operator, sideboom, straddle carrier, mechanic and welder, bituminous plant and power operator, roller (over 5 tons)	7.79	.25	.25		.05	
Concrete and grout pumps, backfiller, concrete auto breaker (large), concrete finishing machines (road type)	7.59	.25	.25		.05	
Roller (rubber tire)	7.54	.25	.25		.05	
Concrete batch hopper, concrete conveyor systems, concrete mixers (14S or over), screw type pumps, and gypsum pumps, tractor, bulldozer, endloader (under 40 hp.), pumps (well points)	7.49	.25	.25		.05	
Roller (under 5 tons)	7.44	.25	.25		.05	
Hoists (automatic), forklift (12' to 25'), tampers-compactors (riding type), "A" frames and winch trucks, concrete auto breaker, hydrohammer (small), brooms and sweepers	7.39	.25	.25		.05	
Shouldering machine operator, screed operator, farm or industrial tractor mounted equipment	7.18	.25	.25		.05	
Fireman—asphalt plants	7.10	.25	.25		.05	
Generators over 150 kw., air compressors over 300 cu. ft., and pumps over 3", augers (vertical and horizontal)	7.06	.25	.25		.05	
Combination small equipment operators:						
Air, electric, hydraulic jacks (slip form); compressors (under 300 c.f.m.); welding machine; heaters (mechanical); prestress machine; bobcats; generators (under 150 kw.); pumps (3" and under); winches (small electric); oiler and greaser	6.94	.25	.25		.05	
Forklift (12' and under)	6.75	.25	.25		.05	
Endloader (over 40 hp.)	7.79	.25	.25		.05	
Wis. 6—TD m:						
Building construction:						
Truck drivers:						
Excavating, paving, batch work, gas, pipe, sewer and tunnel work, asphalt blacktop snow removal, ashes:						
2-axle trucks	5.095	a10.50	a10.00	b		
3-axle trucks and semitrailer	5.145	a10.50	a10.00	b		
Ready mix concrete truck	5.395	a10.50	a10.00	b		
Cinders, sand, gravel, stone, and gravel pit stripping:						
2-axle trucks	5.045	a10.50	a10.00	b		
3-axle trucks and semitrailers	5.095	a10.50	a10.00	b		
Building materials:						
2-axle trucks	5.095	a10.50	a10.00	b		
3-axle trucks	5.145	a10.50	a10.00	b		
Helpers	4.985	a10.50	a10.00	b		
Warehousemen	5.035	a10.50	a10.00	b		
Paid holidays (where applicable): A—New Year's Day; B—Memorial Day; C—Independence Day; D—Labor Day; E—Thanksgiving Day; F—Christmas Day.						
Footnotes:						
a. Per week for each employee.						
b. 6 paid holidays: A through F.						

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Wisc. 1—LAB—2-3 L:						
Heavy and highway construction:						
Laborers:						
Group A:						
Laborer, miscellaneous, unskilled; tree trimmer; stone handler; reinforcing steel setter (pavement); guard rail builder; demolition and wrecking laborer; bituminous worker: Shoveler, loader, utility man	6.23	.35	.25	$0.25	.02	
Group B:						
Puddler (concrete paving); batch truck dumper or cement handler; bituminous worker: Dumper, ironer, smoother, tamper	6.33	.35	.25	.25	.02	
Group C:						
Vibrator or tamper operator, mechanical (hand operated); joint sawer or filler (pavement); demolition burning torch laborer; chain saw operator	6.38	.35	.25	.25	.02	
Group D:						
Air tool operator (hand operated)	6.43	.35	.25	.25	.02	
Group E:						
Strikeoff man; formsetter (curb, walk, and pavement)	6.48	.35	.25	.25	.02	
Group F:						
Bituminous worker; raker, luteman	6.53	.35	.25	.25	.02	
Group G:						
Powderman, blaster	6.88	.35	.25	.25	.02	
Wis—8—Lab (S & T) L:						
Sewer, water, and tunnel construction:						
Laborers:						
Tunnel (free air):						
Blaster	6.77	.35	.50	.50		
Concrete manhole builder, concrete buster, jackhammer operator and rock driller, caisson worker and pipe layer caulker joint man and pipe yarner, bracerman, nozzle man on Gunite, and timber man—Concrete brusher	6.61	.35	.50	.50		
Topman and sawman	6.05	.35	.50	.50		
Muckers, mucking machine and dinkey	6.32	.35	.50	.50		
Form strippers and car pushers	6.22	.35	.50	.50		
Tower man and general labor on surface	6.00	.35	.50	.50		
Miner, mining machine and welder	6.71	.35	.50	.50		
Tunnel (compressed air):						
Miner, mining machine and welder	7.09	.35	.50	.50		
Lock tender in tunnel, concrete buster jackhammer operator and rock driller, caisson worker and pipe layer, caulker joint man and pipe yarner, bracerman, nozzleman on Gunite, timber man, concrete brusher	6.99	.35	.50	.50		
Mucker	6.82	.35	.50	.50		
Form stripper and car pusher	6.72	.35	.50	.50		
Lock tender on surface	6.63	.35	.50	.50		
Open cut:						
Concrete manhole builder, caisson worker and miner, pipe layer, caulker, joint man and pipe yarner, timber man and concrete brusher, bracer in trench behind machine, bracer in tight sheeting, concrete formsetter and shoveler, concrete buster, jackhammer operator and rock driller	6.61	.35	.50	.50		
Blaster	6.77	.35	.50	.50		
Mucker, form stripper, bottom digger and miscellaneous bottom man	6.22	.35	.50	.50		
Gunite man on top and scaffold man, mud mixer	6.05	.35	.50	.50		
Wis. 6 PEO T & S G:						
Sewer, tunnel, water, and utilities:						
Power equipment operators:						
Air compressor	5.52	.20	.15			
Caisson excavators	5.97	.20	.15			
Fireman	5.41	.20	.15			
Helper and oiler	5.52	.20	.15			
Pump	5.47	.20	.15			
Well point pump operator	5.58	.20	.15			
Hoist No. 1 (no swinging)	5.97	.20	.15			
Loading and unloading device	5.69	.20	.15			
Pumps concrete	5.97	.20	.15			
Backfiller (sewer, water, and tunnel)	5.97	.20	.15			
Clamshell and orange peel	5.97	.20	.15			
Crane	5.97	.20	.15			
Derrick	5.97	.20	.15			
Dragline	5.97	.20	.15			
Elevator on tunnel	5.97	.20	.15			
Tractor or bulldozer (40 h.p. or less)	5.64	.20	.15			
Tractor or bulldozer (over 40 h.p.)	5.80	.20	.15			
Hoe	5.97	.20	.15			
Horizontal drill (large not manually handled)	5.97	.20	.15			
Locomotive crane	5.97	.20	.15			
Pile driver	5.97	.20	.15			
Mixer	5.80	.20	.15			
Power shovel	5.97	.20	.15			
Skimmer scoop	5.97	.20	.15			
Trench machine	5.97	.20	.15			
Tractor wagon	5.80	.20	.15			
Turnapull	5.86	.20	.15			
End loader	5.80	.20	.15			
Straddle carrier	5.80	.20	.15			
Scraper	5.80	.20	.15			
Side-boom tractor (large)	5.97	.20	.15			
Side-boom tractor (small)	5.80	.20	.15			
Stump cutting equipment	5.58	.20	.15			
Mechanic helper	5.30	.20	.15			
Mechanic and/or welder	5.58	.20	.15			
Tunnel classification:						
Mucking machine:						
Free air	5.81	.20	.15			
Compressed air	6.19	.20	.15			
Dinkey locomotive:						
Free air	5.81	.20	.15			
Compressed air	6.19	.20	.15			

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Wisc.—4—PEO–3–K:						
Highway construction:						
Power equipment operators:						
Asphalt plant engineer; asphalt heater and planer, auto slipform concrete placer; auto subgrader (concrete); batch mixer portable, batch plant engineer (concrete); bituminous paver or plant; boatman; bump cutter and grooving machine; caisson rigs; central mixer concrete, central mix plant concrete; concrete breaker, truck mounted (heavy); concrete pavement spreader, heavy duty (rubber-tired); cranes, derrick, draglines; dredge, dredge engineer; endloader; grader or motor patrol; hydraulic back hoe; loading machine (conveyor); material hoist; mechanic or welder, heavy duty, equipment; mixer or paver (21 cu. ft. or over), pile driver, power shovel, roller steel (over 5 tons), shoulder widener; stabilizing mixer (self-propelled); tractor, side boom (heavy), trenching machine; tugger, winch and A-frame operator	7.62	.25	.25		.05	
Mixer, concrete (less than 21 cu. ft.); pump, concrete; roller steel (5 tons or less)	7.36	.25	.25		.05	
Screed (bituminous paver); self-propelled chip spreader; shouldering machine	7.27	.25	.25		.05	
Belting machine; burlap machine; concrete breaker and tamper (light); concrete spreader, finishing machine, mechanical float, curing machine or power subgrader; fork lift; jeep digger; joint sawer (multiple blade); launch; mulcher; roller (pneumatic-tired self-propelled); texturing machine; tractor (mounted or towed compactors and light equipment); tractor, endloader (rubber-tired, light)	7.19	.25	.25		.05	
Fireman	7.11	.25	.25		.05	
Air compressor; curb machine; drilling or boring machine (mechanical heavy); generators; greaser, heavy equipment, lead-man; mudjacks; stump chipper; tank car heater operator	7.07	.25	.25		.05	
Auto belt conveyor and surge bin; crusher or screen plant; pneumatic-tired roller farm tractor towed; pug mill operator	6.98	.25	.25		.05	
Oiler; pump (over 3 in.); surge bin operator	6.86	.25	.25		.05	
Wisconsin—1–TD O:						
Heavy and highway construction:						
Truck drivers:						
2-axle truck	5.73	a	b	.35+c		
3 or more axle truck	5.88	a	b	.35+c		
Euclids or dumpster type hauling units	5.88	a	b	.35+c		
Truck mechanic	5.88	a	b	.35+c		
Truck mechanics' helpers	5.73	a	b	.35+c		
Footnotes:						
a. $12.50 per week for employee who has been on payroll 30 days or longer.						
b. $10 per week.						
c. Includes $0.10 contribution to holiday fund.						
Wisc. LC Area II a:						
Line construction:						
Linemen	6.11	$0.15	1%		0.5%	
Cable splicer	6.68	.15	1%		.5%	
Groundman equipment operator (digging machine, tractor operator and "H" frame setting rigs)	5.07	.15	1%		.5%	
Groundman—truck driver (truck with boom or digger or tractor)	4.23	.15	1%		.5%	
Groundman—truck driver	4.03	.15	1%		.5%	
Groundman:						
Experienced	3.82	.15	1%		.5%	
1st 6 mo	3.36	.15	1%		.5%	

State: Wisconsin; County: Winnebago.
Decision No. AM–8587; Date of decision: Feb. 18, 1972.
Supersedes Decision No. AM–435 dated Aug. 18, 1971, in 36 F.R. 16013.
Description of work: Building construction (excluding single-family homes and garden-type apartments up to and including 4 stories), heavy, and highway construction.

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$6.40	$0.30	$0.10	$0.45+e		
Boilermakers	7.80	.30	.85		$0.02	
Boilermakers' helpers	7.625	.30	.85		.02	
Bricklayers and stonemasons	6.07	.15	.15	.15		
Carpenters	6.65	.25	.15		.02	
Cement masons:						
North half of county	5.93	.15	.15	.30		
South half of county	5.50	.15	.15	.15		
Electricians	7.25	.30	1%			
Elevator constructors	6.94	.17	$0.185	2%+b&c	.005	
Elevator constructors' helpers	70% JR	.17	.185	2%+b&c	.005	
Elevator constructors' helpers (prob.)	50% JR					
Glaziers	$4.56	.35	.40	$0.50		
Ironworkers:						
Extreme eastern part of county, including Lake Winnebago, Menasha, and Neenah:						
Structural, ornamental, reinforcing	7.71	.40	.50	.50		
Remainder of county:						
Structural, ornamental, reinforcing	7.42	.25	.25		.03	
Lathers	6.08			.50		
Leadburners	6.35	.25		f	.01	
Marble setters	6.07	.15	.15	$0.15		
Marble setters' helpers	5.67	.30	.50	.50		
Millwrights	6.90	.25	.15		.02	
Painters:						
Brush	5.95	.30	.10			
Paperhanging	5.95	.30	.10			
Spray	6.45	.30	.10			
Sandblasting	6.45	.30	.10			
Piledrivermen	6.90	.25	.15		.02	
Plasterers:						
North half of county	6.50	.15	.15	.30		
South half of county	6.07	.15	.15	.15		
Plumbers and steamfitters:						
Townships of Menasha and Neenah	5.78	.25	.35	.60+g	.04	
Remainder of county	6.53	.30	.55			
Roofers	5.39	.36	.20	i		
Roofers' helpers	4.79	.36	.20	i		
Sheet metal workers:						
Oshkosh, south of county Road G	5.76	.20	.15	$0.42+k		
Remainder of county	6.75	.25	.15	.53+h		
Soft floor layers	6.65	.25	.15		.02	
Sprinkler fitters	8.00	.25	.40		.05	

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Terrazzo workers	6.07	.15	.15	.15		
Terrazzo workers' helpers	5.40	.30	.25	j		
Terrazzo base machine operator	5.60	.30	.25	j		
Tile setters	6.07	.15	.15	$0.15		
Tile setters' helpers	5.67	.30	.50	.50		
Truck drivers:						
Regular	5.27	a	d			
Semi and tandem	5.35	a	d			
Paid holidays: A—New Year's Day; B—Memorial Day; C—Independence Day; D—Labor Day; E—Thanksgiving Day; F—Christmas Day.						
Footnotes:						
a. Employer contributes $27.71 per month.						
b. Holidays: A through F.						
c. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years, and 2% of regular rate for employee who has worked less than 5 years.						
d. $10 per week.						
e. Includes $0.05 holiday pay.						
f. Holidays, A through F plus Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.						
g. Includes $0.30 holiday pay.						
h. Includes $0.18 holiday pay.						
i. One week vacation after 1 year, 2 weeks after 7 years.						
j. Additional payment of 4 hours per month plus $0.03 per hour weekly for employee who has worked less than 5 years. 6¾ hours per month for employee who has worked 5 years or more.						
k. Includes $0.16 holiday pay.						
Wis.—15—Lab M:						
Building construction:						
Laborers:						
Construction laborers, form stripper, form oiler, form cleaner, dumpmen, pitmen, building wrecker, plumbers laborer, motorized buggy operator, concrete laborer, air spade and chipping hammer, drag tender and signal man, concrete pump and nozzle man, bituminous worker	5.35	$0.25	$0.15			
Plasterer tender, hod carrier, dry cement handler, kettlemen, vibrator operator, slacking line, tile setter helper, core drill operator	5.40	.25	.15			
Jackhammer operator, driller, Gunite men, burner on wrecking, air operated concrete breaker, sheeting driver, power tamper, fork lift operator, jamping jack, terrazzo grinder, mortar and plaster mixer, creosote worker, bob cat operator, sand blaster, welder, mud jack operator, precast erector, bituminous raker and luteman	5.55	.25	.15			
Wis. 1 PEO Z:						
Building and heavy construction:						
Power equipment operators:						
Tower crane	8.29	.25	.25		.05	
Cranes, shovels, draglines, backhoes, clamshells, derricks, caisson rigs, pile driver and skid rigs	8.04	.25	.25		.05	
Concrete paver (over 27E), concrete spreader and distributor	7.89	.25	.25		.05	
Material hoists, stack hoists, tractor or truck mounted hydraulic crane (5 tons or under), man hoist, tractor (over 40 hp.), bulldozer (over 40 hp.), forklift (25' and over), motor patrol, scraper operator, sideboom, straddle carrier, mechanic and welder, bituminous plant and power operator, roller (over 5 tons)	7.79	.25	.25		.05	
Concrete and grout pumps, backfiller, concrete auto breaker (large), concrete finishing machines (road type)	7.59	.25	.25		.05	
Roller (rubber tire)	7.54	.25	.25		.05	
Concrete batch hopper, concrete conveyor systems, concrete mixers (14S or over), screw type pumps, and gypsum pumps, tractor, bulldozer, endloader (under 40 hp.), pumps (well points)	7.49	.25	.25		.05	
Roller (under 5 tons)	7.44	.25	.25		.05	
Hoists (automatic), forklift (12' to 25'), tampers-compactors (riding type), A-frames and winch trucks, concrete auto breaker, hydrohammer (small), brooms and sweepers	7.39	.25	.25		.05	
Shouldering machine operator, screed operator, farm or industrial tractor mounted equipment	7.18	.25	.25		.05	
Fireman—asphalt plants	7.10	.25	.25		.05	
Generators over 150 kw., air compressors over 300 cu. ft., and pumps over 3", augers (vertical and horizontal)	7.06	.25	.25		.05	
Combination small equip. operators:						
Air, electric, hydraulic jacks (slip form); compressors (under 300 c.f.m.); welding machine; heaters (mechanical); prestress machine; bobcats; generators (under 150 kw.); pumps (3" and under); winches (small electric); oiler and greaser	6.94	.25	.25		.05	
Forklift (12' and under)	6.75	.25	.25		.05	
Endloader (over 40 hp.)	7.79	.25	.25		.05	
Wisc. 12-Lab-L:						
Sewer and tunnel:						
Laborers:						
Open cut:						
General labor, all surface, kettlemen top men, top men behind machine, pipe layer tender on top, mud mixer, scaffold man, guniteman	5.05	.15				
Bottom men and bracers	5.15	.15				
Air tool, jackhammer, concrete buster and water auger	5.25	.15				
Pipe layer, caulker joint men and pipe yarner, miners, manhole builder and pipelayer plumber	5.53	.15				
Tunnel:						
Miner, pipe layer, caulker jointmen and pipe yarner, nozzle on gunite	5.78	.15				
All air tool and caisson workers	5.68	.15				
Concrete shovelmen, form stripper and mucker	5.58	.15				
Top men, car pusher, general labor on surface	5.13	.15				
Gas and Oil Pipe Line Work:						
Powderman, blasterers and shooters	5.55	.15				
Water auger	5.25	.15				
Jackhammerman, drillers	5.25	.15				
Dopepot firemen and paper latcher	5.15	.15				
General labor, welder helpers, swamper, skidman pipe handler and unloaders	5.05	.15				

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Wisc. 5—LAB—2-3 H:						
Heavy and highway construction:						
Laborers:						
Group A:						
Laborer, miscelleneous, unskilled; stone handler; joint sawer or filler (pavement); reinforcing steel setter (pavement); guard rail builder; puddler (concrete paving); strike off man; demolition and wrecking laborer; bituminous worker: dumper, ironer, smoother, tamper, shoveler, loader, utility man	5.75	.25	.15		.02	
Group B:						
Formsetter (curb, walk, and pavement); tree trimmer	5.80	.25	.15		.02	
Group C:						
Vibrator or tamper operator, mechanical (hand operated); batch truck dumper or cement handler; air tool operator (hand operated)	5.85	.25	.15		.02	
Group D:						
Demolition burning torch laborer; bituminous worker: raker, lutemen; chain saw operators	5.90	.25	.15		.02	
Group E:						
Powderman, blaster	5.95	.25	.15		.02	
Group F:						
Pipelayer crew (sewer, water):						
Pipelayer	6.20	.25	.15		.02	
Bottom man	6.00	.25	.15		.02	
Topman	5.85	.25	.15		.02	
Wisc.—4—PEO-3-K:						
Highway construction:						
Power equipment operators:						
Asphalt plant engineer; asphalt heater and planer; auto slipform concrete placer; auto subgrader (concrete); batch mixer portable; batch plant engineer (concrete); bituminous paver or plant; boatmen; bump cutter and grooving machine; caisson rigs; central mixer concrete; central mix plant concrete; concrete breaker, truck mounted (heavy); concrete pavement spreader, heavy duty (rubber-tired); cranes, derrick, draglines; dredge, dredge engineer; end loader; grader or motor patrol; hydro. back hoe; loading machine (conveyor); material hoist; mechanic or welder, heavy duty, equipment; mixer or paver (21 cu. ft. or over); pile driver, power shovel, roller steel (over 5 tons), shoulder widener; stabilizing mixer (self-propelled); tractor, side boom (heavy); trenching machine; tugger, winch and A-frame operator	7.62	.25	.25		.05	
Mixer, concrete (less than 21 cu. ft.); pump, concrete; roller steel (5 tons or less)	7.36	.25	.25		.05	
Screed (bituminous paver); self-propelled chip spreader; shouldering machine	7.27	.25	.25		.05	
Belting machine; burlap machine; concrete breaker and tamper (light); concrete spreader, finishing machine, mechanical float, curing machine or power subgrader; fork lift; jeep digger; joint sawer (multiple blade); launch; mulcher; roller (pneumatic tired self-propelled); texturing machine; tractor (mounted or towed compactors and light equipment); tractor, end loader (rubber-tired, light)	7.19	.25	.25		.05	
Fireman	7.11	.25	.25		.05	
Air compressor; curb machine; drilling or boring machine (mechanical, heavy); generators; greaser, heavy equipment, lead-man; mudjacks; stump chipper; tankcar heater operator	7.07	.25	.25		.05	
Auto belt conveyor and surge bin; crusher or screen plant; pneumatic tired roller farm tractor towed; pug mill operator	6.98	.25	.25		.05	
Oiler; pump (over 3 in.); surge bin operator	6.86	.25	.25		.05	
Wisc. 5-TD K:						
Heavy and highway construction:						
Truck drivers:						
2-axle trucks	5.65	a	b	.35+c		
3 or more axles	5.80	a	b	.35+c		
Euclids or dumpter type hauling units	5.80	a	b	.35+c		
Mechanic, truck	5.80	a	b	.35+c		
Mechanic's helpers, truck	5.65	a	b	.35+c		

Footnotes:
a. $54.17 per month for employee who has been on payroll 30 days or longer.
b. $10 per week.
c. Includes $0.10 employer contribution to holiday fund.

Wisc. LC Area II a:					
Line construction:					
Linemen	6.11	$0.15	1%	.5%	
Cable splicer	6.68	.15	1%	.5%	
Groundman equipment operator (digging machine, tractor operator and H frame setting rigs)	5.07	.15	1%	.5%	
Groundman—truck driver (truck with boom or digger or tractor)	4.23	.15	1%	.5%	
Groundman—truck driver	4.03	.15	1%	.5%	
Groundman:					
Experienced	3.82	.15	1%	.5%	
1st 6 months	3.36	.15	1%	.5%	

[FR Doc.72-2365 Filed 2-17-72;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report 583]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

FEBRUARY 14, 1972.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

[1] All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

[2] The above alternative cutoff rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

4939-C2-P-72—Mobilfone of Kansas (New), for a new two-way station to be located on U.S. Highway No. 183, 2.9 miles north of Hays, Kans., to operate on 152.15 MHz.

4948-C2-P-(2)-72—RCA Alaska Communications, Inc. (New), for a new two-way station to be located at Kushneahin Creek, Alaska, to operate on 152.54 and 152.63 MHz.

4949-C2-P-(2)-72—RCA Alaska Communications, Inc. (New), same as above, except the station is to be located at Pillar Mountain (WACS), Pillar Mountain Road, Kodiak, Alaska.

4950-C2-P-(10)-72—Mt. Shasta Radiotelephone Co. (New), for a new two-way station to be located on Woodland Park Drive, 1.7 miles northwest of Mount Shasta City, Calif., to operate on 152.03 MHz.

4951-C2-P-(2)-72—Airsignal International, Inc. (KIF651), for additional facilities to operate on 35.58 MHz at location No. 1: 305 South Andrews Avenue, Fort Lauderdale, Fla., and location No. 2: 3471 North Federal Highway, Fort Lauderdale, Fla.

4952-C2-P-72—Mountain States Telephone & Telegraph Co. (KON920), to rearrange the antenna system operating on 152.66 and 152.72 MHz, located at 12.5 miles west of Carlyle, Mont.

4969-C2-MP-72—Edisto Telephone Co., Inc. (KSV901), change the antenna system operating on 152.57 MHz, located at 0.7 mile west-southwest of north South Carolina.

4970-C2-P-72—Lake Area Paging Co. (New), for a new two-way station to be located at 0.25 mile east of U.S. Highway No. 81 and 2 miles south of U.S. Highway No. 212, Watertown, S. Dak., to operate on 15203 MHz.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—continued

4971-C2-P-72—Lake Area Paging Co. (New), for a new one-way station to be located at the above site to operate on 152.70 MHz.

4972-C2-P-72—Telpage, Inc. (New), for a new one-way station to be located near 2715 Skyland Boulevard, approximately 4 miles southeast of Tuscaloosa County Courthouse, Tuscaloosa, Ala., to operate on 152.24 MHz.

4998-C2-P-72—The Chesapeake & Potomac Telephone Co. of Virginia (KIB529), change the antenna system operating on 152.51, 152.63, and 152.81 MHz at location No. 1: 703 East Grace Street, Richmond, VA.

4999-C2-P-72—Southern Bell Telephone & Telegraph Co. (KIG294), change the antenna system operating on 152.51 MHz, located at 937 Green Street, Augusta, GA.

5000-C2-P-72—Delta Communications, Inc. (New), for a new one-way station to be located at 505 Tallahatchie, Greenwood, MS, to operate on 152.24 MHz.

5052-C2-MP-(5)-72—Michigan Bell Telephone Co. (KRS714) (one-way), change transmitter type and output power at location No. 1: 1365 Cass Avenue, Detroit, MI, and location No. 2: 882 Oakman Boulevard, Detroit, MI; change transmitter type, output power and relocate facilities at locations No. 3, No. 4 and No. 5 as follows: location No. 3 to: 7460 East Ten Mile, Centerline, MI, location No. 4 to: 23850 Wick Road, Taylor, MI, and location No. 5 to: 17151 Lahser, Detroit, MI, and delete facilities at locations No. 6, No. 7, No. 8, No. 9, No. 10, No. 11, No. 12 and No. 13 as follows:

Location No. 6: 25189 Lahser Road, Southfield, MI.
Location No. 7: 17045 Mack Avenue, Detroit, MI.
Location No. 8: 13635 Greiner, Detroit, MI.
Location No. 9: 15371 Grand River Avenue, Detroit, MI.
Location No. 10: 25195 Glendale, Redford Township, MI.
Location No. 11: 23460 Michigan Avenue, Dearborn, MI.
Location No. 12: 13905 Ford Road, Dearborn, MI.
Location No. 13: 1580 Southfield Road, Lincoln Park, MI.

The assigned frequency for all locations is 158.100 MHz.

5053-C2-P-72—Electrodyne, Inc. (New), for a new two-way station to be located at 0.5 mile on Old Montgomery Road, west of Conroe, Tex., to operate on 152.180 MHz.

5054-C2-AL-72—Terre Haute Mobile Radio Service, consent to assignment of license from Terre Haute Mobile Radio Service, Assignor, to William F. F. Cockrell, doing business as Tex-Com, Assignee. Station: KSB655, Terre Haute, Ind.

5055-C2-P-72—Colgan-Communications, Inc. (New), for a new one-way station to be located on Oak Street, 0.4 mile north of Route No. 6, Barnstable, Mass., to operate on 43.58 MHz.

5065-C2-AL-(2)-72—Santa Cruz Telephone & Radio Service, consent to assignment of license from William R. Fox, doing business as Santa Cruz Telephone & Radio Service, Assignor, to Verle D. Bogue, doing business as Santa Cruz Telephone Answering & Radio Service, Assignee. Stations: KMD683 (two-way) and KME437 (one-way), Santa Cruz, Calif.

Evans Telephone Answering Service (KIY760) and (KSV889), renewal of license expiring Apr. 1, 1972. Terms: Apr. 1, 1972 to Apr. 1, 1974.

Major Amendment

3063-C2-P-69—Area-Wide Paging System, Inc. (New), amend to read: Location: 2156 Lee Road, Cleveland Heights, OH. See public notice dated Dec. 2, 1968, Report No. 416.

7470-C2-P-71—F & L Telephone Secretarial Service (KCC480), amended to change frequency to 454.025 MHz. See public notice dated July 6, 1971, Report No. 551.

RURAL RADIO SERVICE

4940-C1-P-72—Lafourche Telephone Co. (New), for a new rural subscriber station to be located at approximately 24 miles southeast of Larose Telephone Office, Louisiana, to operate on 157.92 MHz, communicating with Station KKM250, Larose, La.

4953-C1-P-72—RCA Alaska Communications, Inc. (New), for a new rural subscriber station to be located at Ouzinkie, Community Building, approximately 10 miles north-northwest of Kodiak, Alaska, to operate on 157.80 and 157.89 MHz.

4954-C1-P-72—RCA Alaska Communications, Inc. (New), for a new rural subscriber station to be located at Cape Pole, Alaska, to operate on 157.80 and 157.89 MHz.

RURAL RADIO SERVICE—continued

5025–C1–P–72—Continental Telephone Co. of California (New), for a new rural subscriber station to be located at the Flying "M" Cattle Co. Ranch, 32 miles south-southeast of Yerington, Nev., to operate on 157.83 MHz, communicating with Station KOP243, Yerington, Nev.

5065–C1–AL–72—Santa Cruz Telephone & Radio Service, consent to assignment of license from William R. Fox, doing business as Santa Cruz Telephone & Radio Service, Assignor, to Verle D. Bogue, doing business as Santa Cruz Telephone Answering & Radio Service, Assignee. Station: KNE69, Temp-Fixed.

POINT-TO-POINT MICROWAVE RADIO SERVICE

4937–C1–P–72—Southern Bell Telephone & Telegraph Co. (KJA71), 1209 Broad Street, Camden, SC. C.P. to change frequencies from 6011.9H, 6041.6V, and 6160.2V MHz to 6034.2H, 6152.8H, 6093.5H MHz toward Pleasant Hill, S.C., and replace transmitters to Western Electric, TH–3.

4945–C1–P–72—Continental Telephone Co. of Virginia (WAY63), off Highway 58 near Pleasant Shade, 8 miles west-northwest of Emporia, Va. C.P. to change frequencies 5982.3V, and 6100.9V MHz to 6234.3V and 6352.9V MHz toward Emporia, Va., and 6204.7H and 6323.3H MHz to 6212.0H and 6330.7H MHz toward Stony Creek, Va.

4946–C1–ML–72—Continental Telephone Co. of Virginia (WAY61), 107 Valley Street, Emporia, VA. Modification of license to change frequencies 6234.3 and 6352.9 MHz to 5982.3V and 6100.9V MHz toward Pleasant Shade, Va.

4947–C1–ML–72—Continental Telephone Co. of Virginia (WAY62), Lee Avenue, Stony Creek, Va. Modification of license to change frequencies 5952.6H and 6071.2H MHz to 5960.0H and 6078.6H MHz toward Pleasant Shade, Va.

4959–C1–P–72—American Telephone & Telegraph Co. (KYO63), 900 South Walter Reed Drive, Arlington, VA. C.P. to add frequencies 4070V and 4150V MHz toward Waldorf, Md.

4960–C1–P–72—American Telephone & Telegraph Co. (KGH26), 1.1 miles south-southeast of Waldorf, Md. C.P. to add frequencies 4030V and 4110V MHz toward Arlington 2, Va.

4961–C1–P–72—American Telephone & Telegraph Co. (KEB39), New Albany, 1 mile south of Bridgeboro, N.J. C.P. to add frequency 4030H MHz toward Trenton, N.J.

4962–C1–P–72—American Telephone & Telegraph Co. (KRS93), 5 miles east-southeast of Dahlonega, Ga. C.P. to add frequency 3870V MHz toward Nelson, Ga.

4963–C1–P–72—American Telephone & Telegraph Co. (WHT84), 5.5 miles east of Nelson, Ga. C.P. to add frequency 3910V MHz toward Dahlonega and Waleska, Ga.

4964–C1–P–72—American Telephone & Telegraph Co. (KIT26), 4 miles northwest of Waleska, Ga. C.P. to add frequency 3870V MHz toward Nelson, Ga.

4965–C1–P–72—Central Telephone Co. (KPZ46), approximately 21.5 miles southwest of Las Vegas, Mount Potosi, Nev. C.P. to add frequency 2128H MHz toward Jean, Nev.

4966–C1–P–72—Central Telephone Co. (New), 1/10 mile southeast of Jean, Nev. Latitude 35°-46'37" N., longitude 115°19'02" W. Frequency 2178H MHz toward Mount Potosi, Nev.

4967–C1–P–72—American Telephone & Telegraph Co. (KSN65), 4.6 miles east of Odell, Ill. C.P. to add frequency 4110V MHz toward Norway, Ill.

4968–C1–P–72—American Telephone & Telegraph Co. (KSO70), 6.5 miles west of Manteno, Ill. C.P. to add frequency 3930V MHz toward Grant Park, Ill.

4877–C1–P–72—The Mountain States Telephone & Telegraph Co. (KOV59), 285 Second Avenue, Yuma, AZ. C.P. to add frequency 5989.7H MHz toward Telegraph Pass, Ariz.

4978–C1–P–72—The Mountain States Telephone & Telegraph Co. (KPN83), Telegraph Pass, 12 miles west of Wellton, Ariz. C.P. to add frequency 6241.7H MHz toward Mohawk Pass, Ariz., and 6241.7V MHz toward Yuma, Ariz.

4979–C1–P–72—The Mountain States Telephone & Telegraph Co. (New), Mohawk Pass, 11 miles east-northeast of Tacna, Ariz. C.P. to add frequencies 5989.7H MHz toward Oatman Mountain, Ariz., and 5989.7V MHz toward Telegraph Pass, Ariz. Latitude 32°46'41" N., longitude 113°47'52" W.

4980–C1–P–72—The Mountain States Telephone & Telegraph Co. (KPN84), Oatman Mountain, 5 miles east-southeast of Montezuma, Ariz. C.P. to add frequency 6241.7V MHz toward Mohawk Pass, Ariz., and add transmitter.

4981–C1–P–72—Carolina Telephone & Telegraph Co. (New), 544 Roanoke Avenue, Roanoke Rapids, NC. Latitude 36°27'46" N., longitude 77°39'13" W. C.P. to add frequencies 6004.5V and 6123.1V MHz toward Aurelian Springs, N.C.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

4982–C1–P–72—Carolina Telephone & Telegraph Co. (KIY57), 8.8 miles southwest of Roanoke Rapids, Aurelian Springs, N.C. C.P. to add frequencies 6286.2V and 6404.8V MHz toward Roanoke Rapids, N.C., and change frequencies 6249.1 and 6367.7 MHz to 6212.0H and 6330.7H MHz toward Rocky Mount, N.C.

4983–C1–P–72—Carolina Telephone & Telegraph Co. (KIR33), 1.8 miles southeast of Rocky Mount, N.C. C.P. to change frequencies 6086.0 and 5967.4 to 6123.1H and 6004.5H MHz toward Nashville, N.C., and add 6019.3H and 6137.9H MHz toward Aurelian Springs, N.C., and 6063.8V and 5945.2V MHz toward Tarboro, N.C., and change frequency 5975 to 5974.8H MHz toward Tarboro, N.C.

4984–C1–P–72—Carolina Telephone & Telegraph Co. (KIA42), 6.5 miles north-northwest of Nashville, N.C. C.P. to change frequencies 6256.5V, 6308.4H, and 6375.2V MHz to 6286.2H and 6404.8H MHz toward Rocky Mount, N.C., and 6197.2V and 6315.9V MHz toward New Hope, N.C., and 6226.9H and 6345.5H MHz toward New Hope, N.C., and replace transmitter.

4985–C1–P–72—Carolina Telephone & Telegraph Co. (KIA45), 2.1 miles west of New Hope, N.C. C.P. to change frequencies 5967.4H, 6034.2V, and 6152.8V MHz to 6004.5H and 6123.1H MHz toward Raleigh, N.C., and 5974.8V, 6093.5V, 5945.2H, and 6063.8H MHz toward Nashville, N.C., and replace transmitter.

4986–C1–P–72—Carolina Telephone & Telegraph Co. (KJG33), 401 West Fifth Street, Greenville, NC. C.P. to change frequency 6034.2H and 6152.8H MHz to 6004.5V and 6123.1V MHz toward Tarboro, N.C., and replace transmitter.

4987–C1–P–72—Carolina Telephone & Telegraph Co. (KJE48), 7 miles east of Tarboro, N.C. C.P. to change frequencies 6286.2H and 6404.8H MHz to 6226.9V and 6345.5V MHz toward Rocky Mount, N.C., and 6286.2V and 6404.8V MHz on azimuth 174°24' toward Greenville, N.C., and 6315.9H MHz on azimuth 174°24' toward Greenville, N.C., and replace transmitter.

4988–C1–P–72—American Telephone & Telegraph Co. (KKO38), 12 miles southeast of Vega, Tex. C.P. to add frequencies 6034.2V and 6063.8H MHz toward Ady, Tex., and add transmitter.

4989–C1–P–72—American Telephone & Telegraph Co. (KZI66), 8.5 miles south-southeast of Ady, Tex. C.P. to add frequencies 6315.9V and 6404.8H MHz toward Vega, Tex., and 6286.2V and 6315.8V MHz toward Borger, Tex.

4990–C1–P–72—American Telephone & Telegraph Co. (KKU89), 16 miles southwest of Borger, Tex. C.P. to add frequencies 6063.8V and 6152.8H MHz toward Ady, Tex., and 6034.2H and 6063.8V MHz toward Pringle, Tex.

4991–C1–P–72—American Telephone & Telegraph Co. (KKU90), 2 miles north of Pringle, Tex. C.P. to add frequencies 6315.9H and 6404.8V MHz toward Borger, Tex., and 6286.2V and 6315.9H MHz toward Gruver, Tex.

4992–C1–P–72—American Telephone & Telegraph Co. (KKU91), 9 miles northeast of Gruver, Tex. C.P. to add frequencies 6063.8V and 6152.8H MHz toward Pringle, Tex., and 6034.2V and 6063.8H MHz toward Hooker, Okla.

4993–C1–P–72—American Telephone & Telegraph Co. (KKU92), 12 miles southeast of Hooker, Okla. C.P. to add 6315.9V and 6404.8H MHz toward Gruver, Tex., and 6286.2V and 6404.8V MHz toward Liberal, Kans.

4994–C1–P–72—American Telephone & Telegraph Co. (KAM44), 5 miles north of Liberal, Kans. C.P. to add frequencies 6034.2H and 6152.8H MHz toward Hooker, Okla., and 6034.2V and 6152.8V MHz toward Sublette, Kans.

4995–C1–P–72—American Telephone & Telegraph Co. (KAM45), 1 mile southwest of Sublette, Kans. C.P. to add frequencies 6286.2H and 6152.8H MHz toward Sublette, Kans., and 6034.2H and 6152.8H MHz toward Montezuma, Kans.

4996–C1–P–72—American Telephone & Telegraph Co. (KAM46), 2.5 miles northwest of Montezuma, Kans. C.P. to add frequencies 6034.2H and 6152.8H MHz toward Sublette, Kans., and Dodge City Junction, Kans.

4997–C1–P–72—American Telephone & Telegraph Co. (KAM47), 0.5 mile northwest of Dodge City, Kans. C.P. to add frequencies 6286.2V and 6404.8V MHz toward Montezuma, Kans.

5001–C1–ML–72—Illinois Bell Telephone Co. (KSO95), 2.1 miles east-southeast of Lake Fork, Ill. Modification of license to change polarization to 4030H and 4110H MHz toward Delavan, Ill., and 3710H and 3790H MHz toward Springfield, Ill.

5002–C1–P–72—American Telephone & Telegraph Co. (KEE60), 2.5 miles northwest of Colesville, N.J. C.P. to add frequency 3910H MHz toward Campbell Hall, N.Y., and add transmitter.

5003–C1–P–72—American Telephone & Telegraph Co. (KTQ68), 2 miles east of Campbell Hall, N.Y. C.P. to add frequency 3870H MHz toward Colesville, N.J., and Putnam Valley, N.J., and add transmitter.

5004–C1–P–72—American Telephone & Telegraph Co. (KTQ67), Putnam Valley, 3.9 miles east of Cold Spring, N.Y. C.P. to add frequencies 3910H MHz toward Campbell Hall, N.Y., and 4070H and 4150H MHz toward New Fairfield, Conn., and add transmitter.

5005–C1–P–72—American Telephone & Telegraph Co. (KTQ66), 1.9 miles southwest of New Fairfield, Conn. C.P. to add frequencies 4030H and 4110H MHz toward Putnam Valley, N.Y., and 4030V and 4110V MHz toward Bethany, Conn., and add transmitter.

5006–C1–P–72—American Telephone & Telegraph Co. (KTQ65), 1.2 miles south of Bethany, Conn. C.P. to add frequencies 4070V and 4150V MHz toward New Fairfield and Durham, Conn., and add transmitter.

5007–C1–P–72—American Telephone & Telegraph Co. (KCD68), 3.4 miles northeast of Durham, Conn. C.P. to add frequencies 4030V and 4110V MHz toward Bethany, Conn., and add transmitter.

Modification of 11. Modifications of C.P. to construct a pair of plant maintenance channels for hot standby operation utilizing Farinon Electric Co. equipment. These channels will be used in conjunction with a pair of channels previously authorized under (226–236–C1–P–71).

5010–C1–MP–72—American Telephone & Telegraph Co. (KOY67), 2.2 miles north of Tekoa, Wash. Frequency 4190V MHz toward Coeur D'Alene, Idaho.

5011–C1–MP–72—American Telephone & Telegraph Co. (KOY66), Coeur D'Alene, 4 miles northwest of Rosedale, Idaho. Frequency 4198V MHz toward Tekoa, Wash.

5012–C1–MP–72—American Telephone & Telegraph Co. (KAC61), Buckhorn Mountain, 8 miles west of Bellvue, Colo. Frequency 4198V MHz toward Cheyenne Junction, Wyo.

5013–C1–MP–72—American Telephone & Telegraph Co. (KOU87), Cheyenne Junction, 7 miles southwest of Cheyenne, Wyo. Frequency 4190V MHz toward Buckhorn, Mountain, Colo.

5014–C1–MP–72—American Telephone & Telegraph Co. (KAC30), 4.5 miles southeast of Julesburg, Colo. Frequency 4198H MHz toward Peetz, Colo.

5015–C1–MP–72—American Telephone & Telegraph Co. (KAB29), 10 miles east of Peetz, Colo. Frequency 4190H MHz toward Julesburg and Atwood, Colo.

5016–C1–MP–72—American Telephone & Telegraph Co. (KAB28), 5.5 miles southeast of Atwood, Colo. Frequency 4198H MHz toward Peetz and Fort Morgan, Colo.

5017–C1–MP–72—American Telephone & Telegraph Co. (KAB27), Fort Morgan, 6.5 miles northwest of Snyder, Colo. Frequency 4190H MHz toward Atwood and Prospect Valley, Colo.

5018–C1–MP–72—American Telephone & Telegraph Co. (KAB26), 6.5 miles east of Prospect Valley, Colo. Frequency 4198H MHz toward Fort Morgan, Colo.

5019–C1–MP–72—American Telephone & Telegraph Co. (KOB25), Stansbury Island, 7 miles east of Timpie, Utah. Frequency 2179H MHz toward Cedar Mountain, Utah.

5020–C1–MP–72—American Telephone & Telegraph Co. (KOB24), Cedar Mountain, 5 miles northeast of Low, Utah. Frequency 4030H MHz toward Stansbury Island and Barro, Utah.

5026–C1–P–72—Continental Telephone Co. of California (KNG52), 1814 Blossom, Dos Palos, CA. C.P. to change frequency 5945.2H to 2161.0V MHz toward Dos Banos, Calif.

5027–C1–P–72—Continental Telephone Co. of California (KNG53), Panoche Peak, near F.A.A. Vortac site, Calif. C.P. to change frequency 6185.2H MHz to 2111.0V MHz toward KNG52 and correct azimuth to 24°23′ and replace transmitter.

5043–C1–P–72—West Texas Microwave Co. (New), ABC Bank, Odessa, Tex. C.P. to add frequencies 10,995.0H and 11,155.0H MHz toward Goldsmith, Tex., latitude 31°51′00″ N., longitude 102°22′13″ W.

5044–C1–P–72—West Texas Microwave Co. (New), KMOM–TV Transmitting Tower, Goldsmith, Tex., at latitude 31°59′17″ N., longitude 102°51′59″ W. C.P. for a new station. Frequency 11,525V and 11,685V MHz on azimuths 184°21′ and 235°06′. Applicant proposes to provide the television signals of stations KTVT of Fort Worth and KERA–TV of Dallas to Communicable of Texas, Inc., in Kermit and Monahans, Tex.

5045–C1–P–72—Wisconsin Telephone Co. (KSP44), 45 North Stevens Street, Rhinelander, WI. C.P. to add frequency 6123.1H MHz toward Clear Lake, Wis., on azimuth of 331°03′.

The following applicants propose to establish omnidirectional facilities for the provision of common carrier "Subscriber-Programmed" television service.

4973–C1–P–72—Century Cable Communications, Inc. (New), Del Webb Townhouse Building, 2220 Tulare Street, Fresno, CA. Latitude 36°44′07″ N., longitude 119°47′10″ W. Frequencies 2152.325 (visual), 2150.20 (aural) toward various receiving points of system and 2158.50 (visual), 2154.00 (aural) toward various receiving points of system.

4974–C1–P–72—United Video, Inc. (New), 2.3 miles northeast of Berlin, Md. Latitude 38°-20′50″ N., longitude 75°11′18″ W. Frequencies 2152.325 (visual), 2150.2 (aural) toward various receiving points and 2158.5 (visual), 2154.0 (aural) toward various receiving points.

4975–C1–P–72—Tekkom (New), new station at temporary fixed locations Las Vegas, Nev. Frequencies: 2150.200 (aural), 2152.325 (visual) toward various directional receivers associated with this station and 2154.000 (aural), 2158.500 (visual) toward various directional receivers associated with this station.

4976–C1–P–72—Tekkom, Inc. (New), new station at temporary fixed locations in Salt Lake City, Utah. Frequencies: 2150.200 (aural), 2152.325 (visual) toward various directional receivers associated with this station and 2154.000 (aural), 2158.500 (visual) toward various directional receivers associated with this station.

5008–C1–P–72—Century Cable Communications, Inc. (New), Tucson Federal Savings Building, 32 North Stone Avenue, Tucson, AZ. Latitude 32°13′20″ N., longitude 110°58′14″ W. Frequencies: 2152.325 (visual), 21520.20 (aural) toward various receiving points of system and 2158.30 (visual), 2154.00 (aural) toward various receiving points of system.

5047–C1–P–72—Midwest Corp. (New), Baugh Building, 112 South Tryon Street, Charlotte, NC. Latitude 36°13′07″ N., longitude 80°50′39″ W. Frequencies: 2152.325 (visual), 2150.20 (aural) toward various receiving points of the system and 2158.50 (visual), 2154.00 (aural) toward various receiving points of system.

5048–C1–P–72—Midwest Corp. (New), Guilford Building, 300 South Elm Street, Greensboro, NC. Latitude 36°04′11″ N., longitude 79°47′26″ W. Frequencies: 2152.325 (visual), 2150.20 (aural) toward various receiving points of the system and 2158.50 (visual), 2154.00 (aural) toward various receiving points of the system.

5049–C1–P–72—Midwest Corp. (New), Wachovia Building, Main Street, between Third and Fourth, Winston-Salem, NC. Latitude 36°05′53″ N., longitude 80°14′38″ W. Frequencies 2152.325 (visual), 2150.20 (aural) toward various receiving points of the system and 2158.50 (visual), 2154.00 (aural) toward various receiving points of the system.

The following applicants propose to establish omnidirectional facilities for the provision of common carrier "Subscriber-Programed" television service.

5050–C1–P–72—Midwest Corp. (New), Central Carolina Bank Building, Corcoran and Main Streets, Durham, N.C. Latitude 35°59′46″ N., longitude 78°54′08″ W. Frequencies 2152.325 (visual), 2150.20 (aural) toward various receiving points of the system and 2158.50 (visual), 2154.00 (aural) toward various receiving points of the system.
Streets, Durham, N.C. Latitude 35°59′46″ N., longitude 78°54′08″ W. Frequencies 2152.325 Raleigh, NC. Latitude 35°46′32″ N., longitude 78°38′17″ W. Frequencies: 2152.325 (visual), 2150.20 (aural) toward various receiving points of the system and 2158.50 (visual), 2154.00 (aural) toward various receiving points of the system.

5064–C1–P–72—United Video, Inc. (New), 67th East Avenue and 14th Place, Tulsa, OK. Latitude 36°09′27″ N., longitude 95°55′26″ W. Frequencies 2152.325 (visual), 2150.2 (aural) toward various receiving points and 2158.5 (visual) 2154.0 (aural) toward various receiving points.

INFORMATIVE: It appears that the following applications may be mutually exclusive and subject to the Commission's rules regarding ex parte presentations, by reasons of potential electrical interference.

Maryland

Berlin:
United Video, Inc. (New), File No. 4974–C1–P–72.
American Communications & Electronics Corp. (New), 4974–C1–P–72.

Utah

Salt Lake City:
Tekkom, Inc. (New), File No. 4976–C1–P–72.
Electro-Media Multipoint Service, Inc. (New), File No. 4752–C1–P–72.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

North Carolina

Charlotte:
Two-Way Radio of Carolina, Inc. (New), File No. 4639–C1–P–72.
Midwest Corp. (New), File No. 5047–C1–P–72.

Major Amendments

2986–C1–P–70—Data Transmission Co. (New), 2 miles south-southwest of Cedar Hill, Tex. Change frequency toward Bristol, Tex., to 5974.8H MHz on azimuth 109°39′.

2988–C1–P–70—Data Transmission Co. (New), change station location to 2 miles southwest of Bristol, Tex. Latitude 32°26′31″ N., longitude 96°35′03″ W. Change frequency toward Cedar Hill to 6226.9H MHz on azimuth 289°52′. Change frequency toward Stockard to 6404.8V MHz on azimuth 105°01′.

2989–C1–P–70—Data Transmission Co. (New), station location: 2.5 miles northeast of Stockard, Tex. Change frequency toward Bristol to 6152.8V MHz on azimuth 285°23′. Change frequency toward Montalba to 6152.8H MHz on azimuth 155°40′.

2990–C1–P–70—Data Transmission Co. (New), change station location to 1.9 miles northeast of Montalba, Tex. Latitude 31°53′45″ N., longitude 95°42′40″ W. Change frequency toward Stockard to 6404.8H MHz on azimuth 335°47′. Delete point of communication at Russell, Tex., and change frequency to 6404.8V MHz on azimuth 195°01′ toward new point of communication at Centerville, Tex.

2991–C1–P–70—Data Transmission Co. (New), change station location to 6.8 miles northeast of Centerville, Tex. Latitude 31°19′17″ N., longitude 95°53′26″ W. Change frequency toward Montalba, Tex., to 6152.8V MHz on azimuth 14°55′. Change frequency toward Mossy Grove to 6152.8H MHz on azimuth 162°28′.

2992–C1–P–70—Data Transmission Co. (New), 4 miles southeast of Mossy Grove, Tex. Change frequency to 6404.8V MHz on azimuth 178°21′ toward Keenan, Tex. Delete point of communication at Russell, Tex., and change frequency to 6404.8H MHz on azimuth 343°34′ toward new point of communicatioin at Centerville, Tex.

2993–C1–P–70—Data Transmission Co. (New), change station location to 2.7 miles west-northwest of Keenan, Tex. Latitude 30°20′06″ N., longitude 95°41′17″ W. Change frequency toward Mossy Grove, Tex., to 6152.8V MHz on azimuth 358°21′. Change frequency toward Spring, Tex., to 6152.8V MHz on azimuth 146°50′.

2994–C1–P–70—Data Transmission Co. (New), change station location to 6 miles west of Spring, Tex. Latitude 30°05′42″ N., longitude 95°30′28″ W. Change frequency toward Keenan to 6404.8V MHz on azimuth 326°55′. Change frequency toward Houston to 6404.8H MHz on azimuth 160°10′.

2995–C1–P–70—Data Transmission Co. (New), 1200 Travis, Houston, Tex. Change frequency toward Spring, Tex., to 6152.8H MHz on azimuth 340°14′.

7033–C1–P–71—The Pacific Telephone & Telegraph Co. (KME71), change frequencies from 10,835 and 10,915 MHz to 1875H and 11,115H MHz toward San Luis Obispo, Calif.

7034–C1–P–71—The Pacific Telephone & Telegraph Co. (KME72), change frequencies from 11,285H and 11,365H MHz to 11,405V and 11,645V MHz toward Tassajero, Calif.

All other particulars the same as reported in public notice, Report No. 548, dated June 14, 1971.

Corrections

3870–C1–P–71—The Bell Telephone Co. of Pennsylvania (KYJ37), Manad, 2.7 miles northwest of Grantville, Pa. Change type of transmitters to Farinon Electric, SS11000–01 with an output power of 2 watts and delete frequency 10,835H MHz toward Harrisburg. Change type of transmitters to Farinon Electric, SS6000–2Y with an output of 2.5 watts and delete frequency 11,015H MHz toward Bethel.

3871–C1–P–71—The Bell Telephone Co. of Pennsylvania (New), 3.8 miles north-northwest of Bethel, Pa. Change type of transmitters to Farinon Electric, SS6000–2Y with an output of 2.5 watts and delete frequency 11,425 MHz toward Manala. Change type of transmitter of Farinon Electric SS11000–01 with an output of 2 watts and delete frequency 11,645H MHz toward Pottsville via a double passive reflector on Sharp Mountain, Pa.

3872–C1–P–72—The Bell Telephone Co. of Pennsylvania (New), change type of transmitters to Farinon Electric SS11000–01 with an output of 2 watts and delete frequency 10,715H MHz toward Bethel via a double passive reflector on Sharp Mountain, Pa.

All other particulars same as reported on Public Notice No. 578 dated Jan. 10, 1972.

Corrections—Continued

4141–C1–P–72—South Central Bell Telephone Co. (KJK51), 216 South Fourth Street, Danville, KY. Latitude 37°38′38″ N., longitude 84°46′25″ W. C.P. to add frequencies: 10,915H and 11,155V MHz toward Mount Vernon, Ky. All other particulars same as reported on Public Notice No. 579 dated Jan. 17, 1972.

4262–C1–P–72—Bell Telephone Co. of Nevada (KPY31), Murry Summit, 1.4 miles west of Ely, Nev. C.P. to relocate and replace antenna; replace transmitters and change frequencies 6256.5 and 6375.2 MHz to 10,985H and 11,135V MHz toward Ely, Nev. All other particulars same as reported on Public Notice 579.

4752–C1–P–72—Electro Media Multipoint Service, Inc. (New), Kennecott Building, South Temple and Main Streets, Salt Lake City, UT. Latitude 40°46′07″ N., longitude 111°-53′28″ W. All other particulars same as reported on Public Notice No. 582 dated Feb. 7, 1972.

LOCAL TELEVISION TRANSMISSION SERVICE

5009–C1–P/L–72—Midwestern Relay Co. (New), at any temporary fixed location a C.P. and license to operate 10 units within the frequency of 11,700–12,200 MHz within the States of Illinois, Iowa, Michigan, Minnesota, and Wisconsin toward receivers operated by applicant.

[FR Doc.72–2421 Filed 2–17–72;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. G–2629 etc.]

PHILLIPS PETROLEUM CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

FEBRUARY 8, 1972.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before March 3, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G–2629, G–8324 and G–9724 C 12–16–71	Phillips Petroleum Co., Bartlesville, Okla. 74004.	Northern Natural Gas Co., Spraberry, Benedum, and Andrews Plants, Permian Basin Area, Midland, Upton, and Andrews Counties, Tex.	[1] 26.5	14.65
G–4623 D 1–10–72	Amoco Production Co. (Operator) et al., Post Office Box 3092, Houston, TX 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Travis Peak Sand Area, Panola County, Tex.	[2]	
G–7430 12–16–71 [3]	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Jake Hamon (Rhodes) Field, McMullen County, Tex.	[4] 16.6	14.65
CI71–219 C 1–31–72	Humble Oil & Refining Co., Post Office Box 2180, Houston, TX 77001.	Florida Gas Transmission Co., Jay and Little Escambia Creek Fields, Santa Rosa and Escambia Counties, Fla., and Escambia County, Ala.	[5] 32.5	14.65
CI72–364 12–14–71	Petroleum, Inc. (Operator) et al., 300 West Douglas, Wichita, KS 67202.	Arkansas-Louisiana Gas Co., Northeast Carlton Field, Blaine County, Okla.	[6] 17.284335	14.65
CI72–370 A 12–21–71	Union Texas Petroleum, a division of Allied Chemical Corp., Post Office Box 2120, Houston, TX 77001.	Cities Service Gas Co., Hillsdale Northwest Area, Grant County, Okla.	20.3	14.65
CI72–387 12–29–71	Anadarko Production Co., Post Office Box 296, Liberal, KS 67901.	Northern Natural Gas Co., Hainline, Nilson et al., Gas Units, Hugoton Field, Haskell County, Kans.	[7] 11.0	14.65
CI72–407 1–10–72	do	Panhandle Eastern Pipe Line Co., Bergner, Haar et al., Gas Units, Hugoton Field, Morton and Stevens Counties, Kans.	[8] 12.0	14.65
CI72–422 1–13–7	do	Northern Natural Gas Co., Taylor, Bass et al., Gas Units, Southwest Camp Creek Field, Beaver County, Okla.	[9] 17.0	14.65
CI72–457 1–24–72	Sun Oil Co., Post Office Box 2880, Dallas, TX 75221.	Lone Star Gas Co., Doyle Field, Stephens County, Okla.	Depleted	
CI72–458 B 1–19–72	Shell Oil Co., 1 Shell Plaza, Post Office Box 2463, Houston, TX 77001.	Atlantic Richfield Co., East Texas Field, Gregg County, Tex.	[10]	
CI72–459 B 1–21–72	Big Injun Oil & Gas Co., Inc., 4000 Cathedral Ave. NW., Washington, DC 20016.	Equitable Gas Co., West Union District, Doddridge County, W. Va.	[11]	
CI72–460 B 1–21–72	do	do	[11]	
CI72–461 (G–6352) F 1–24–72	Duer Wagner & Co. (successor to Continental Oil Co. et al.), 909 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.	United Gas Pipe Line Co., South Cabeza Creek Field, Goliad County, Tex.	19.0	14.65
CI72–462 A 1–6–72	TransOcean Oil, Inc., 2100 First City National Bank Bldg., Houston, Tex. 77002.	Michigan Wisconsin Pipe Line Co., Block 171, West Cameron Area, Offshore Louisiana.	[12] 26.0	15.025
CI72–463 B 1–26–72	Clinton Oil Co., 217 North Water, Wichita, KS 67202.	H. L. Hutton, Tonkawa Chat Field, Kay County, Okla.	Depleted	

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 and location	Price per Mcf	Pressure base
CI72–465 1–26–72 [13]	Champlin Petroleum Co., Post Office Box 9365, Fort Worth, TX 76107.	Texas Eastern Transmission Corp., Greenwood-Waskom Field, Caddo Parish, La.	[14] 15.0256	15.025
CI72–466 A 1–27–72	Sun Oil Co., Post Office Box 2880, Dallas, TX 75221.	Arkansas Louisiana Gas Co., Calhoun Field, Quachita, Lincoln and Jackson Parishes, La.	[15] 25.0	15.025
CI72–469 A 1–27–72	Edwin L. Cox, 3800 First National Bank Bldg., Dallas, Tex. 75202.	Texas Gas Transmission Corp., Ramos Field, St. Mary Parish, La.	[16] 23.75	15.025
CI72–470 1–27–72 [17]	Mobil Oil Corp., Post Office Box 1774, Houston, TX 77001.	Phillips Petroleum Co., McElroy and Dune Fields, Crane and Upton Counties, Tex.	20.98	14.65
CI72–471 B 1–31–72	Clark Fuel Producing Co., 727 Houston Club Bldg., Houston, Tex. 77002.	South Texas Natural Gas Gathering Co., Sam Fordyce Field, Hidalgo County, Tex.	Uneconomical	
CI72–472 A 1–31–72	Carl E. Smith, Inc., Post Office Box 4, Sandyville, WV 25275.	Columbia Gas Transmission Corp., Belpre Township, Washington County, Ohio.	27.33	15.025
CI72–473 B 2–1–72	Humble Oil & Refining Co., Post Office Box 2180, Houston, TX 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., West Rock Island Field, Colorado County, Tex.	[18]	
CI72–474 B 2–1–72	do	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Rock Island Field, Colorado County, Tex.	[18]	
CI72–475 A 2–1–72	Excelsior Oil Corp., Hastings, Nebr. 68901.	Kansas-Nebraska Natural Gas Co., Inc., North Buffalo Wallow—Lower Morrow Field and East Hobart Ranch Areas, Hemphill County, Tex.	[19] 20.50 [20] 20.5	14.65

[1] Includes 1.9875 cents per Mcf upward B.t.u. adjustment for Spraberry Plant, 1.3250 cents per Mcf upward B.t.u. adjustment for Benedum Plant and 3.1270 cents per Mcf upward B.t.u. adjustment for Andrews Plant.
[2] Acreage is nonproductive.
[3] Applicant proposes to continue the sale of natural gas to cover its interests formerly covered by Jake L. Hamon (Operator) et al., FPC Gas Rate Schedule No. 3.
[4] Plus 0.06143 cent per Mcf tax reimbursement.
[5] Includes 11.05 cents per Mcf upward B.t.u. adjustment.
[6] Application previously noticed Jan. 20, 1972 in G–5236 et al., at a rate of 15.2 cents per Mcf which includes 0.2 cent per Mcf tax reimbursement and subject to upward and downward B.t.u. adjustment. By letter filed Jan. 10, 1972, applicant amended its application to reflect a rate of 17.284335 cents per Mcf which includes 2.028900 cents per Mcf upward B.t.u. adjustment and 0.255435 cent per Mcf tax reimbursement.
[7] Application previously noticed Jan. 20, 1972 in G–5236 et al., at a rate of 12.5 cents per Mcf. By letter filed Jan. 14, 1972, applicant amended its application to reflect a rate of 11 cents per Mcf.
[8] Application previously noticed Jan. 27, 1972 in G–3711 et al., at a rate of 12.5 cents per Mcf. By letter filed Jan. 21, 1972, applicant amended its application to reflect a rate of 12 cents per Mcf.
[9] Application previously noticed Jan. 27, 1972 in G–3711 et al., at a rate of 16 cents per Mcf, adjusted for B.t.u. By letter filed Jan. 25, 1972, applicant amended its application to reflect a rate of 17 cents per Mcf, adjusted for B.t.u., plus 0.01 cent per Mcf for 1967 Oklahoma tax reimbursement; however, the contract price is 18 cents per Mcf.
[10] Expiration of casinghead contract.
[11] Low production.
[12] Applicant is willing to accept a certificate at a rate of 26 cents per Mcf; however, the contract price is 32 cents per Mcf, subject to upward and downward B.t.u. adjustment.
[13] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. G–11005 to be made pursuant to W. C. Feazel Estate (Operator) et al., FPC Gas Rate Schedule No. 3.
[14] Plus 1.75 cents per Mcf tax reimbursement.
[15] Applicant is willing to accept a certificate at a rate of 25 cents per Mcf pursuant to Opinion No. 598; however, the contract price is 28 cents per Mcf.
[16] Includes 1.75 cents per Mcf tax reimbursement.
[17] Applicant proposes to continue deliveries made under percentage sales contracts all of which have been terminated effective Aug. 1, 1971.
[18] Expiration of leases.
[19] Minus 2.85 cents per Mcf downward B.t.u. adjustment—North Buffalo Wallow Field.
[20] Plus 1.19 cents per Mcf upward B.t.u. adjustment—Hobart Ranch Area.

[FR Doc.72–2417 Filed 2–17–72;8:45 am]

[Docket No. G–10670 etc.]

TENNECO OIL CO. ET AL.

Findings and Order After Statutory Hearing

FEBRUARY 11, 1972.

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, making successor co-respondent, canceling FPC gas rate schedules, redesignating proceedings, accepting rate schedules for filing, dismissing application in part, and canceling docket number.

Each applicant 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 for resale 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 to amend.

Applicants have filed FPC gas rate schedules or supplements to rate schedules on file with the Commission and propose to initiate, abandon, add, or discontinue in part natural gas service in interstate commerce as indicated in the tabulation herein.

Walker Oil & Gas Co., applicant in Docket No. CI61–852, proposes to continue in toto the sale of natural gas heretofore authorized in said docket to be made pursuant to Sunset International Petroleum Corp. et al., FPC Gas Rate Schedule No. 41. The effective rate under Sunset's rate schedule at the time of the transfer of the producing properties was in effect subject to refund in Dockets Nos. RI68–683 and RI70–993. Therefore, applicant will be made a co-respondent in said proceedings and the proceedings will be redesignated accordingly.

The Commission's staff has reviewed the applications and recommends each action ordered as consistent with all substantive Comission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER, no petition to intervene, notice of intervention, or protest to the granting of the applications has been filed.

At a hearing held on February 2, 1972, 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 therefore, 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 order issuing certificates of public convenience and necessity in various dockets involved herein should be amended as hereinafter ordered.

(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.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Walker Oil & Gas Co., should be made a co-respondent in the proceedings pending in Dockets Nos. RI68–683 and RI70–993 and that said proceedings should be redesignated accordingly.

(10) 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.

(11) The certificate action pending in Docket No. CI64–465 insofar as it pertains to the acreage being deleted herein is moot.

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 7 of the Natural Gas Act or 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 or prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. The grant of the certificates aforesaid for service to the particular customers involved does not 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 orders issuing certificates of public convenience and necessity in Dockets Nos. G–10670, G–13308, G–16368, G–18394, G–19036, CI63–150, CI63–1300, CI64–465, and CI70–342 are amended by adding thereto or deleting therefrom authorization to sell natural gas as more fully described in the applications and in the tabulation herein. In all other respects said orders shall remain in full force and effect.

(E) The orders issuing certificates of public convenience and necessity in Dockets Nos. CI61–852, CI67–78, and CI69–614 are amended by substituting successors in interest as certificate holders as more fully described in the applications and in the tabulation herein. In all other respects said orders shall remain in full force and effect.

(F) Applicant in Docket No. CI70–342 shall charge and collect 17.62 cents per Mcf at 14.65 p.s.i.a., subject to upward and downward B.t.u. adjustment, as provided by Opinion No. 468, as modified, for the acreage added herein.

(G) Within 90 days from the date of initial delivery, applicant in Docket No. CI70–342 shall file three copies of a rate schedule-quality statement in the form prescribed in Opinion No. 468.

(H) In the event that applicant in Docket No. CI70–342 decides to exercise its option to process the natural gas under Article II, section 2, of the subject contract, it shall submit to the Commission for acceptance not less than 30 days prior to the commencement of such processing, a rate schedule supplement setting forth the conditions and details of the contemplated action.

(I) The certificate authorization granted in Docket No. CI70–342 is subject to any determination which may be made by the Commission in Docket No. R–338 with respect to the transportation of liquids and liquefiable hydrocarbons.

(J) Applicant in Docket No. CI71–824 shall charge and collect 20.3 cents per Mcf at 14.65 p.s.i.a. subject to upward and downward B.t.u. adjustment.

(K) Walker Oil & Gas Co. is made a co-respondent in the proceedings pending in Dockets Nos. RI68–683 and RI70–993 and said proceedings are redesignated accordingly. Walker shall comply with the refunding procedure required by the Natural Gas Act and section 154.102 of the regulations thereunder.

(L) The certificate application pending in Docket No. CI64–465 is dismissed insofar as it pertains to the acreage being deleted herein and the temporary certificate issued in said docket is terminated insofar as it pertains to the acreage being deleted herein.

(M) Docket No. CI71–10 is canceled.

(N) The certificates granted in Dockets Nos. CI61–852 and CI71–824 are subject to the Commission's findings and order accompanying Opinion No. 586. If the quality of the gas deviates at any time from the quality standards set forth in section 154.106(d) of the regulations under the Natural Gas Act so as to require a downward adjustment of the existing rates, notices of changes in rate shall be filed pursuant to section 4 of the Natural Gas Act: *Provided, however,* That changes reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and changed without the filing of notices of changes in rate.

(O) Within 90 days from the date of this order, applicant in Docket No. CI 61–852 shall file three copies of a rate schedule-quality statement in the form prescribed in Opinion No. 586.

(P) The certificates issued in Dockets Nos. CI71–696 and CI71–697 are terminated and the related rate schedules are canceled since the service authorized therein will be continued by Nomoc Oil Co., a small producer certificate holder in Docket No. CS71–235.

(Q) Permission for and approval of the abandonment of service by applicants, as hereinbefore described and as more fully described in the applications and the tabulation herein, are granted.

(R) The rate schedules and rate schedule supplements related to the authorizations granted herein are accepted for filing or are redesignated, all as set forth in the tabulation herein.

(S) The certificates of public convenience and necessity issued in Dockets Nos. CI60–81, CI64–1021, and CI65–735 are terminated and the related rate schedules are canceled.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	FPC Gas Rate Schedule [1]		
			Description and date of document	No.	Supp.
G–10670 [2] D 7–1–71 [9]	Tenneco Oil Co. (Operator) et al.	Cities Service Gas Co., Eureka Field, Grant and Alfalfa Counties, Okla.	Notice of partial cancellation undated.[3] (Effective date: Date of this order).	181	6
G–13308 [4] D 6–3–71	Shell Oil Co. (Operator) et al.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	Notice of partial cancellation 6–1–71.[3] (Effective date: Date of this order).	181	18
G–16368 [5] D 3–10–71 D 6–14–71 [7]	Mobile Oil Corp. (Operator) et al.	Transwestern Pipeline Co., West Shattuck Field, Ellis County, Okla.	Notice of partial cancellation 3–8–71.[6]	240	15
			Notice of Partial cancellation 6–9–71.[3] (Effective date: Date of this order).	240	16
G–18494 [8] D 5–24–71	Hunt Oil Co. (Operator) et al.	Northern Natural Gas Co., East Camerick Area, Beaver County, Okla.	Notice of partial cancellation 5–21–71.[3] (Effective date: Date of this order).	49	9
G–19036 [9a] D 7–9–71	Atlantic Richfield Co	Northern Natural Gas Co., East Camerick Field, Beaver County, Okla.	Notice of partial cancellation 6–30–71.[3] (Effective date: Date of this order).	424	9
CI61–852 [10] E 4–12–71	Walker Oil & Gas Co	Michigan Wisconsin Pipe Line Co., acreage in Beaver County, Okla.	Sunset International Petroleum Corp. et al., FPC Gas Rate Schedule No. 41 and.	1	
			Supplements Nos. 1–13 thereto.	1	1–13
			Notice of succession undated.		
			Assignment [11] 5–1–70	1	14
			Assignment [11] [12] 9–22–70	1	15
			Assignment [13] 9–22–70 (Effective date: 9–22–70)	1	16
CI63–150 [14] D	Sun Oil Co	Northern Natural Gas Co., Various Fields, Beaver and Harper Counties, Okla.	Assignment [15] 10–9–70 (Effective date: Date of this order).	404	9
CI63–1300 [7] D 3–26–71	Mobil Oil Corp. (Operator) et al.	Natural Gas Pipeline Co. of America, West Crane and Putnam Fields, Dewey and Custer Counties, Okla.	Notice of partial cancellation 3–25–71.[3] (Effective date: Date of this order).	339	21
CI64–456 [7] D 4–23–71	General American Oil Co. of Texas (Operator) et al.	Texas Gas Transmission Corp., North Hayes Field, Jefferson Davis and Calcasieu Parishes, La.	Notice of partial cancellation 4–16–71.[3] (Effective date: Date of this order).	75	3
CI67–78 [16] E 6–4–71	Miles Kimball Co	Arkansas Louisiana Gas Co., Hodge Field, Jackson Parish, La.	Machin Oil, Ltd., FPC Gas Rate Schedule No. 1 and Supplement No. 1 thereto.	6 6	 1
			Notice of sucession 5–31–71.		
			Assignment 11–9–70 [17] (Effective date: 11–1–70)	6	2

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 and location	FPC Gas Rate Schedule [1] Description and date of document	No.	Supp.
CI69-614 [18] E 6-4-71	do	Arkansas Louisiana Gas Co., North Lansing Field, Harrison County, Tex.	Art Machin & Associates Inc., FPC Gas Rate Schedule No. 2 and Supplement No. 1 thereto.	7 7	1
			Notice of sucession 5-31-71.		
			Assignment 11-9-70 [17] [19] (Effective date: 11-1-70)	7	2
CI70-342 C 5-10-71	Gulf Oil Corp.	Transwestern Pipeline Co., Carlsbad South Field, Eddy County, N. Mex.	Letter agreement 3-18-71.[20] (Effective date: Date of initial delivery).	412	3
CI71-696 [21] D 3-25-71	Mobil Oil Corp. (Operator) et al.	Arkansas Louisiana Gas Co., South Cement Field, Caddo County, Okla.	Notice of Cancellation [22] 3-23-71. (Effective date: Date of this order).	397	10
CI71-697 [23] D 3-25-71	do	do	Notice of cancellation [22] 3-23-71. (Effective date: Date of this order).	393	9
CI71-824 A 5-13-71	Helmerich & Payne, Inc.	Michigan-Wisconsin Pipe Line Co., North Woodward Pool, Woodward County, Okla.	Compliance [24] 6-21-71 (Effective date: Date of initial delivery).	39	1
CI71-874 [25] B 6-14-71	Mobil Oil Corp.	Cities Service Gas Co., Northeast Woodward Field, Woodward County, Okla.	Notice of cancellation [3] [26] 6-9-71. (Effective date: Date of ioshtrder).	219	8
CI72-3 [27] B 7-1-71	Tenneco Oil Co. (Operator), et al.	Cities Service Gas Co., Eureka Field, Grant County, Okla.	Notice of cancellation [3] Undated. (Effective date: Date of this order)	64	4
CI72-7 [28] B-7-6-71	William V. Montin	El Paso Natural Gas Co., Dakota Formation, San Juan County, N. Mex.	Notice of Cancellation [26] 7-2-21. (Effective date: Date of this order).	1	1
CI72-29 [29] B 6-22-71	Ralph E. Fair	Tennessee Gas Pipeline Co., Gaffney Field Victoria County, Tex.	Notice of cancellation [3] [26] 6-14-71. (Effective date: Date of this order).	3	9

[1] Where no effective date is shown, the rate schedule filing has heretofore been accepted.
[2] Application for permission to abandon, in part, the sale heretofore authorized in Docket No. G-10670.
[3] Includes buyer's concurrence.
[4] Applicant proposes to abandon, in part, the sale heretofore authorized in Docket No. G-13038.
[5] Application to amend certificate in Docket No. G-16368, to delete acreage assigned to C. W. Inc., holder of a small producer certificate in Docket No. CS71-271.
[6] Includes Assignment dated Feb. 10, 1971, conveying interest to C. W. Inc.
[7] Application to amend certificate to delete released, expired or leases.
[8] Application for permission to abandon, in part, the sale heretofore authorized in Docket No. G-18494.
[9] Docket No. CI72-10 was erroneously assigned to this application.
[9a] Applicant proposes to abandon, in part, the sale heretofore authorized in Docket No. G-19036.
[10] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI61-852 pursuant to Sunset International Petroleum Corp. et al., FPC Gas Rate Schedule No. 41.
[11] From Sunset et al., to Clayton E. Lee.
[12] Previous assignment executed May 1, 1970, not delivered prior to Sunset's entering reorganization proceedings. Assignment delivered by Trustees.
[13] From Clayton E. Lee to applicant.
[14] No abandonment application filed or necessary. 18 CFR 2.64.
[15] Conveys interest to Burk Gas Corp. which was issued a small producer certificate in Docket No. CS71-7.
[16] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI67-78 pursuant to Machin Oil, Ltd., FPC Gas Rate Schedule No. 1.
[17] From Machin Oil, Ltd., to applicant.
[18] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. CI69-614 pursuant to Art Machin & Associates, Inc., FPC Gas Rate Schedule No. 2.
[19] Art Machin & Associates, Inc., was operator of properties and general partner of Machin Oil, Ltd.
[20] By letter dated July 9, 1971, applicant agreed to accept a permanent certificate conditioned to the outcome of the proceeding in Docket No. R-338.
[21] Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. CI67-1216 applicant assigned its interest to Nomoc Oil Co., Inc., holder of a small producer certificate in Docket No. CS71-235.
[22] Includes assignment conveying applicant's interest to Nomoc Oil Co., Inc.
[23] Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. CI67-937. On Feb. 2, 1971, applicant assigned its interest to Nomoc Oil Co., Inc.
[24] Accepts temporary certificate and expresses willingness to accept permanent certificate so conditioned.
[25] Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. CI60-81.
[26] Source of gas depleted.
[27] Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. CI64-1021.
[28] Applicant proposes to abandon the sale of natural gas heretofore authorized in Docket No. CI65-735.
[29] Sale being abandoned is covered under small producer authorization.

[FR Doc.72-2446 Filed 2-17-72;8:45 am]

FEDERAL RESERVE SYSTEM

AMERICAN GENERAL INSURANCE CO.

Acquisition of Banks

American General Insurance Co., Houston, Tex., has applied, in two separate applications as set forth below, for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)):

(1) To acquire indirectly 100 percent of the voting shares (less directors' qualifying shares) of Reagan State Bank of Houston, Houston, Tex.; and

(2) To acquire indirectly 100 percent of the voting shares (less directors' qualifying shares) of Airline Bank, Houston, Tex. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than March 14, 1972.

Board of Governors of the Federal Reserve System, February 14, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-2494 Filed 2-17-72;8:48 am]

BANCOHIO CORP.

Order Approving Acquisition of Bank

BancOhio Corp., Columbus, Ohio, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of The Ohio Savings & Trust Co., New Philadelphia, Ohio (Bank).

Notice of receipt of the application has been given in accordance with Section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and finds that:

Applicant, the largest bank holding company and second largest banking organization in Ohio, has 30 subsidiary banks controlling deposits of approximately $1.6 billion, representing 7.3 percent of the total commercial bank deposits in the State. (All banking data are as of June 30, 1971, and reflect holding company formations and acquisitions approved by the Board through January 31, 1972.) Consummation of the proposal herein would increase the percentage of total State deposits controlled by applicant slightly to 7.4 percent and applicant would remain the State's second largest banking organization.

Bank with deposits of $21 million controls 13 percent of deposits within Tuscarawas County which approximates the

relevant market within which the competitive aspects of the proposal are to be considered. Bank is the third largest of eight banks in the market. The two larger banks, one of which is affiliated with the State's fifth largest holding company, hold 43 and 25 percent, respectively, of market deposits and are the only banks providing significant competition to Bank in its primary service area. Approval of the application should stimulate competition in the New Philadelphia-Dover area and may eventually diminish the percentage of deposits held by the two larger banks.

Applicant's closest subsidiary to Bank is located 30 miles away. There is, therefore, no meaningful existing competition between Bank and any of Applicant's subsidiaries. Due to size, distance, and the presence of intervening banks, it is considered unlikely that future competition will develop between them. Consummation of this proposal would thus foreclose neither existing nor potential competition between Bank and any bank subsidiary of applicant. Affiliation with applicant is likely to enable Bank to compete more effectively in the market while not having a detrimental effect on smaller banks within the market. Accordingly, the Board concludes that competitive considerations are consistent with approval.

The financial and mangerial resources and future prospects of applicant and its subsidiaries are regarded as satisfactory. Bank's present management is faced with resolving loan and capital problems. Applicant proposes to utilize its personnel to strengthen loan administration; and applicant has committed itself to raise Bank's capital to a level acceptable to its supervisory authorities within 18 months through dividend restrictions and the injection of new capital if necessary. Accordingly, considerations related to financial and managerial resources favor approval of the proposed acquisition.

Applicant proposes to provide Bank with expertise which would permit Bank to offer directly FHA and VA insured loans and to expand other banking services. Thus, considerations related to convenience and needs of the communities involved are consistent with approval. It is the Board's judgment that the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

By order of the Board of Governors,[1] February 14, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-2495 Filed 2-17-72;8:48 am]

CHARTER BANKSHARES CORP.

Acquisition of Bank

Charter Bankshares Corp., Jacksonville, Fla., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of The First State Bank in St. Petersburg, St. Petersburg, Fla. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than March 14, 1972.

Board of Governors of the Federal Reserve System, February 14, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-2496 Filed 2-17-72;8:48 am]

TEXAS COMMERCE BANCSHARES, INC.

Acquisition of Banks

Texas Commerce Bancshares, Inc., Houston, Tex., has applied, in two separate applications as set forth below, for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)):

(1) To acquire 100 percent of the voting shares (less directors' qualifying shares) of Reagan State Bank of Houston, Houston, Tex.; and

(2) To acquire 100 percent of the voting shares (less directors' qualifying shares) of Airline Bank, Houston, Tex.

The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than March 14, 1972.

Board of Governors of the Federal Reserve System, February 14, 1972.

TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-2497 Filed 2-17-72;8:48 am]

[1] Voting for this action: Vice Chairman Robertson and Governors Mitchell, Daane, Maisel, Brimmer, and Sheehan. Absent and not voting: Chairman Burns.

FIRST TULSA BANCORPORATION, INC.

Order Approving Acquisition of Bank Stock

First Tulsa Bancorporation, Inc., Tulsa, Okla., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 14.5 percent of the voting shares of Southeastern State Bank, Tulsa, Okla. (Bank).

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and finds that:

Applicant, the largest bank holding company and the third largest banking organization in Oklahoma, controls one bank, The First National Bank and Trust Company of Tulsa, with deposits of $407.7 million, representing 7 percent of the total commercial bank deposits in the State and maintains close relationships with two suburban Tulsa banks, Admiral State Bank and Community State Bank. Both suburban banks are controlled by majority shareholders of applicant and together hold 3.2 percent of the commerical bank deposits in the Tulsa banking market (approximated by Tulsa County and portions of Creek and Rogers Counties). (All banking data are as of June 30, 1971.) Upon consummation of the proposal herein, applicant's share of deposits in the State would increase only slightly, and its position relative to the State's other banking organizations would remain unchanged.

Bank ($8.2 million deposits), one of the smaller banks in the Tulsa banking market, is the smallest of 9 banks in its primary service area, which is approximated by a 30 square mile area in southeast Tulsa. Neither Admiral State Bank, nor Community State Bank compete in the service area of Bank. Applicant's lead bank, the largest bank in Tulsa, is located downtown, 8 miles from Bank, and its service area fully encompasses that of Bank. However, there is no meaningful competition between Bank and applicant's subsidiary bank because shareholders owning 55 percent of applicant's stock control approximately 71.3 percent of Bank's stock. This close relationship has existed since Bank's organization in 1968, and it appears that the relationship would continue to exist regardless of the Board's action on the present application. On the basis of the foregoing, the Board concludes that consummation of the proposed acquisition would not adversely affect competition in any relevant area.

Considerations relating to financial and managerial resources and prospects as they relate to applicant, its subsidiaries, and Bank are satisfactory and consistent with approval of the application although the major banking needs

of Bank's service area are presently being met. Applicant will continue to assist Bank in its credit analysis, investment policies, data processing services, and loan participations. Thus, considerations relating to the convenience and needs are consistent with approval. It is the Board's judgment that the proposed transaction would be in the public interest, and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above.[1] The transaction shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,[2] February 11, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-2465 Filed 2-17-72;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Files Nos. 2-31965 (22-5428)]

SYBRON CORP.

Notice of Application and Opportunity for Hearing

FEBRUARY 14, 1972.

Notice is hereby given that Sybron Corp. (the Company) 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 Morgan Guaranty Trust Company of New York (the Bank) under an indenture dated as of April 15, 1969, and heretofore qualified under the Act, and a new 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 both indentures.

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 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 the qualified indenture and such other 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.

The Company alleges that:

1. It has outstanding $25 million principal amount of 7½ percent Sinking Fund Debentures due April 15, 1994 which were issued under an indenture dated as of April 15, 1969 entered into between the Company and the Bank, as trustee, which has been qualified under the Act.

2. Sybron Overseas Capital N. V., (Overseas), a Netherland Antilles Corp., and a wholly owned subsidiary of the Company, proposes to issue and sell outside the United States in a transaction which will be exempt from registration under the Securities Act of 1933 (1933 Act) $15,000,000 principal amount of ------ percent Guaranteed Sinking Fund Debentures due 1987 (new debentures) to be issued under an indenture between Overseas, the Company and the Bank (new indenture).

3. The new debentures are to be guaranteed as to payment of principal, interest, premium, if any, and sinking fund, by the Company. The new indenture will not be qualified under the Act.

4. The indenture dated as of April 15, 1969 is, and the new indenture will be, wholly unsecured. The Company is not in default under the indenture dated as of April 15, 1969.

5. The obligations of the Company under the indenture dated as of April 15, 1969, and the guarantees of the new debentures by the Company will rank on a parity with each other, all being unsecured senior obligations of the Company.

6. The differences in the provisions of the two indentures are not so likely to involve the Bank in 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 both indentures.

The Company waives notice of hearing and waives hearing and waives any and all rights to specify procedures under the rules and practices of the Commission with respect to the application.

For a more detailed account 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 2, 1972, 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] RONALD F. HUNT,
Secretary.

[FR Doc.72-2470 Filed 2-17-72;8:46 am]

[811-1807]

VALUE LINE LEVERAGED GROWTH FUND, INC.

Notice of Filing of Application for Order Declaring That Company Has Ceased To Be an Investment Company

FEBRUARY 14, 1972.

Notice is hereby given that The Value Line Leveraged Growth Fund, Inc. (Applicant), 5 East 44th Street, New York, NY 10017, registered as a management open-end diversified investment company under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant, a Delaware corporation, registered under the Act on February 5, 1969 by filing a notification of registration on Form N-8A. Applicant represents that it has no assets, that it has not issued or made any public offering or sale of its securities, and that a proposed public offering will be made by Applicant's successor, Value Line Leveraged Growth Investors, Inc., a Maryland corporation.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than March 8, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hear-

[1] Dissenting Statement of Governors Robertson and Brimmer filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Kansas City.

[2] Voting for this action: Chairman Burns, and Governors Daane, Maisel, and Sheehan. Voting against this action: Governors Robertson and Brimmer. Absent and not voting: Governor Mitchell.

ing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request 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 the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-2471 Filed 2-17-72;8:46 am]

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT OF HEARINGS

FEBRUARY 15, 1972.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 56679 Sub 41, Brown Transport Corp., assigned for hearing March 20, 1972, in Room 305, 1252 West Peachtree Street NW., Atlanta, GA.

MC 56679 Sub 50, Brown Transport Corp., assigned for hearing March 20, 1972, in Room 305, 1252 West Peachtree Street NW., Atlanta, GA.

MC 115495 Sub 20, United Parcel Service, Inc., now being assigned April 17, 1972, at Hotel Utah, South Temple and Main Streets, Salt Lake City, UT.

MC-C-7405, William E. Hesselgrave, doing business as Puget Sound Tours, and George V. Hesselgrave, doing business as Bellingham-Ferndale Stages—Investigation of Operations, now being assigned April 25, 1972, at Seattle, Wash., in a hearing room to be later designated.

MC 135987 Sub 1, Carbol Trailways, Ltd., now being assigned April 24, 1972, at Seattle, Wash., in a hearing room to be later designated.

MC-F-11250, Piedmont Movers, Inc.—Purchase—Carpenter Van Lines, now being assigned hearing April 5, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

MC-F-11310, Tower Lines—Purchase—Draper Trucking Co., now being assigned hearing April 3, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

Finance Docket No. 26737, Katy Industries—Control—Cenac Towing, now being assigned hearing April 17, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

MC 51146 Sub 210, Schneider Transport & Storage, now being assigned hearing April 17, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

MC 61592 Sub 231, Jenkins Truck Line, now being assigned hearing April 18, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

MC-F-11141, Brown Transport Corp.—Control and Merger—Pool Freight Lines, Inc., and MC 56679 Sub 52, Brown Transport Corp., assigned for hearing March 20, 1972, in Room 305, 1252 West Peachtree Street NW., Atlanta, GA.

MC 115322 Sub 79, Redwing Refrigerated, Inc., MC 116763 Sub 208, Carl Subler Trucking, Inc., MC 126276 Sub 58, Fast Motor Service, Inc., MC 133095 Sub 13, Texas Continental Express, Inc., now being assigned April 19, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 129600 Sub 5, Polar Transport, Inc., MC 133095 Sub 8, Texas Continental Express, Inc., now being assigned April 20, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

I & S No. M-25459, General Increase—Rocky Mountain Territories, now being assigned hearing March 27, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

MC-F-11345, Brown Transport Corp.—Investigation of Control—Pool Freight Lines, Inc., assigned for hearing March 20, 1972, in Room 305, 1252 West Peachtree Street NW., Atlanta, GA.

I & S No. M-25435, Joint Motor Water Rates, Jacksonville, Fla., to Puerto Rico, now being assigned hearing February 23, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

I & S No. M-25475, General Increase—Central States Territory, now being assigned hearing April 17, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

I & S No. M-254771, I & S No. M-25477 Sub 1, General Increase East, South Territory, now being assigned hearing April 24, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

I & S No. 8698, Wine, Pacific Coast to the East, now being assigned hearing March 28, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

No. 35474, Pacific Paper Products, Inc., v. Garrett Freightlines, Inc., et al., now being assigned hearing April 26, 1972, at Seattle, Wash., in a hearing room to be designated later.

MC 64808 Sub 11, W. S. Thomas Transfer, Inc., assigned for hearing May 10, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 107515 Sub 771, Refrigerated Transport Co., Inc., assigned for hearing May 10, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 109397 Sub 261, Tri-State Motor Transit Co., assigned for hearing May 8, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 117940 Sub 61, Nationwide Carriers, Inc., assigned for hearing May 8, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 117940 Sub 62, Nationwide Carriers, Inc., assigned for hearing May 9, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. MC 1515 (Sub-No. 171 TA) (Amendment), filed January 11, 1972, published FEDERAL REGISTER issue January 28, 1972, amended and republished in part as amended this issue. Applicant: GREYHOUND LINES, INC., 1400 West Third Street, Cleveland, OH 44113, Greyhound Tower, Phoenix, Ariz. 85077. Applicant's representative: J. E. Adkins (same address as above). NOTE: The purpose of this partial republication is to show correct name and address of where to send protests to: Transportation Specialist A. V. Baylor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, 230 North First Avenue, Phoenix, AZ 85025, in lieu of District Supervisor G. J. Baccei, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199. The rest of the notice remains the same.

No. MC 127372 (Sub-No. 5 TA) (Amendment), filed November 29, 1971, published FEDERAL REGISTER issue December 10, 1971, amended and republished in part as amended this issue. Applicant: SIDNEY A. AHL, 1921 Bexley Street, North Charleston, SC 29406. Applicant's representative: Frank D. Hall, 3384 Peachtree Road NE., Suite 713, Atlanta, GA 30326. NOTE: The purpose of this partial republication is to add to the destination points Jasper, Hampton, Dorchester, Colleton, Charleston, Berkeley, Beaufort, Horry, Bamberg, Williamsburg, and Georgetown Counties, S.C., which were inadvertently omitted in previous publication. The rest of the application remains the same.

[Notice 22]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 10, 1972.

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 pro-

tests 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

MC 51146 Sub 217, Schneider Transport & Storage, heard February 8, 1972, at Chicago, Ill., and continued to March 14, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 128879 Sub 16 and 18, C–B Truck Lines, Inc., heard January 31, 1972, through February 3, 1972, at Amarillo, Tex., is continued to March 27, at Albuquerque, N. Mex., in a hearing room to be later designated.

MC–C–7276, Manhattan Transit Company v. National Ski Tours, Inc., et al., assigned for continued hearing May 8, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

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

[FR Doc.72–2536 Filed 2–17–72;8:51 am]

No. MC 136137 (Sub-No. 1 TA) (Amendment), filed December 9, 1971, published FEDERAL REGISTER issue December 22, 1971, amended and republished as amended this issue. Applicant: JAMES D. JOHNSON, doing business as JOHNSON MOVING & STORAGE, No. 2 Maysville Avenue, Mount Sterling, KY 40353. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Used household goods,* between points in Montgomery County, Ky., on the one hand, and, on the other, points in Bath, Bracken, Breathitt, Clay, Fleming, Floyd, Grant, Jackson, Johnson, Knott, Laurel, Lee, Leslie, Lincoln, Magoffin, Mason, Menifee, Morgan, Nicholas, Owen, Owsley, Pendleton, Perry, Pulaski, Robertson, Rockcastle, Rowan, and Wolfe Counties, Ky. Restriction: The operations authorized herein are subject to the following conditions: Said operations are restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized. Said operations are restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and recontainerization of such traffic, for 180 days. Supporting shipper: Curtis L. Wagner, Jr., Chief, Regulatory Law Office, Department of the Army, Office of the Judge Advocate General, Washington, D.C. 20310. Send protests to: R. W. Schneiter, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 222 Bakhaus Building, 1500 West Main Street, Lexington, KY 40505. NOTE: The purpose of this republication is to redescribe the authority sought.

No. MC 136342 (Sub-No. 1 TA), filed January 26, 1972. Applicant: JACKSON AND JOHNSON, INC., West Church, Box 7, Savannah, NY 13146. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, NY 14580. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Materials, supplies, and equipment* distributed by the Statler Tissue Corp., Sugarman Bros. Division, from Hartford, Conn., and Medford, Mass., to Syracuse, N.Y., for 180 days. Supporting shipper: Jerome L. Goodman, Vice President, Statler Industries Corp., Sugarman Bros. Division, 330 Middlesex Avenue, Medford, MA 02155. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 104, O'Donnell Building, 301 Erie Boulevard West, Syracuse, NY 13202.

MOTOR CARRIERS OF PASSENGERS

No. MC 136281 (Sub-No. 1 TA), filed January 27, 1972. Applicant: RONNIE JACK FREEMAN, doing business as ROAN MTN. BUS LINE, Route 2, Box 312, Roan Mountain, TN 37686. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *Passengers,* between Roan Mountain, Tenn., and points on U.S. Highway 19E between Roan Mountain, Tenn., and the Tennessee-North Carolina State line and points on Tennessee Highway 143 between Roan Mountain, Tenn., and Burbank, Tenn., including Burbank, Tenn., on the one hand, and, on the other, the plantsite of Hanes Corp. located on North Carolina Highway 181 at or near Pineola, N.C., and return, for 180 days. Supported by: There are approximately 24 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 803—1808 West End Building, Nashville, Tenn. 37203.

By the Commission.

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

[FR Doc.72–2534 Filed 2–17–72;8:51 am]

[Notice 23]

AUTHORITY APPLICATIONS MOTOR CARRIER TEMPORARY

FEBRUARY 14, 1972.

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 2765 (Sub-No. 30 TA), filed February 1, 1972. Applicant: SQUARE DEAL CARTAGE COMPANY, 13401 Eldon Avenue, Detroit, MI 48234. Applicant's representative: Eugene C. Ewald, Suite 1700, 1 Woodward Avenue, Detroit, MI 48226. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Automobiles and trucks,* from Detroit and Warren, Mich., to Milwaukee, Wis., truckaway service, in initial movements, for 180 days. Supporting shipper: Chrysler Corp., Post Office Box 1976, Detroit, MI 48231. Send protests to: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, MI 48226.

No. MC 103993 (Sub-No. 688 TA), filed February 1, 1972. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representative: Ralph H. Miller (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 points in Columbia County, N.Y., to points in the United States east of the Mississippi River, Minnesota and Louisiana, for 180 days. Supporting shipper: Skyline Corp., 2520 Bypass Road, Elkhart IN 46514 (Richard D. Jenks, Transportation Manager). Send protests to: Acting District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, Room 204, Fort Wayne, IN 46802.

No. MC 107403 (Sub-No. 830 TA), filed January 31, 1972. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, PA 19050. Applicant's representative: John Nelson (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Adiponitrile,* in bulk, in tank vehicles, from La Place, La., to Orange, Tex., for 150 days. Supporting shipper: E. I. du Pont de Nemours & Co., Inc., 1007 Market Street, Wilmington, DE 19898. Send protests to: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of

Operations, 1518 Walnut Street, Room 1600, Philadelphia, PA 19102.

No. MC 107515 (Sub-No. 790 TA), filed January 26, 1972. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, 3901 Jonesboro Road, SE., Forest Park, GA 30050. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nondairy vegetable oil compound*, from the plantsite of Royal Food Products Co., Indianapolis, Ind., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, Louisiana, and Tennessee, for 150 days. Supporting shipper: Royal Food Products Co., 2243 Bethel Avenue, Indianapolis, IN 46203. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 309, 1252 West Peachtree Street NW., Atlanta, GA 30309.

No. MC 107544 (Sub-No. 105 TA) (Correction), filed January 25, 1972, published in the FEDERAL REGISTER issue of February 10, 1972, and republished in part as corrected this issue. Applicant: LEMMON TRANSPORT COMPANY, INCORPORATED, Post Office Box 580, Marion, VA 24354. NOTE: The purpose of this partial republication is to show the origin territory as being "from points in Richmond County, Ga.," which was inadvertently shown as Richmond County, Va., in the previous publication. The rest of the application remains as previously published.

No. MC 109435 (Sub-No. 68 TA), filed February 1, 1972. Applicant: CHEMICAL EXPRESS CARRIERS OF OKLAHOMA, INC., 1200 Simmons Building, Dallas, Tex. 75201. Applicant's representative: William D. White, Jr., 2505 Republic National Bank Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials*, in bulk, and in bags, from the Tulsa of Catoosa in Oklahoma to points in Arkansas, Kansas, Missouri, Oklahoma, and Texas, for 180 days. Supporting shipper: Willchemco, Inc., National Bank of Tulsa Building, Tulsa, Okla. 74103; Olin Corp., Agricultural Division, Post Office Box 991, Little Rock, AR 72203. Send protests to: District Supervisor E. K. Willis, Jr., Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, TX 75202.

No. MC 110525 (Sub-No. 1025 TA), filed February 1, 1972. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, PA 19335. Applicant's representative: Thomas J. O'Brien (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrazine solution*, in bulk, in tank vehicles, from Lake Charles, La., to Marinette, Wis., for 180 days. Supporting shipper: Olin Chemicals, 120 Long Ridge Road, Stamford, CT 06904. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1518 Walnut Street, Room 1600, Philadelphia, PA 19102.

No. MC 111467 (Sub-No. 30 TA), filed January 31, 1972. Applicant: ARTHUR J. PAPE, doing business as ART PAPE TRANSFER, 1080 East 12th Street, Dubuque, IA 52001. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets*, from Dubuque, Iowa, to points in Illinois and Milwaukee, Wis., for 150 days. Supporting shipper: Sitzman Crating & Box Co., Post Office Box 1176, Dubuque, Iowa 52001. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 114848 (Sub-No. 51 TA), filed January 28, 1972. Applicant: WHARTON TRANSPORT CORPORATION, 1498 Channel Avenue, Post Office Box 13068, Riverside Station, Memphis, TN 38113. Applicant's representative: Terry T. Wharton (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Granulated aluminum*, in bulk, from points in Badin, Stanly County, N.C., to New Johnsonville, Tenn., for 180 days. Supporting shipper: Aluminum Co. of America, 1501 Alcoa Building, Pittsburgh, Pa. 15219. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 933 Federal Office Building, 167 North Main Street, Memphis, TN 38103.

No. MC 114965 (Sub-No. 47 TA), filed February 1, 1972. Applicant: CYRUS TRUCK LINE, INC., Post Office Box 327, R.F.D. No. 1, Iola, KS 66749. Applicant's representative: Charles H. Apt, 104 South Washington Avenue, Iola, KS 66749. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Dry fertilizer and dry fertilizer materials*, in bulk, from the Midwest Terminal Warehouse, Kansas City, Mo., to points in Iowa, Kansas, Nebraska, and Oklahoma, for 180 days. Supporting shippers: Willchemco, Inc., National Bank of Tulsa Building, Tulsa, Okla. 74103; Olin, Post Office Box 991, Little Rock, AR 72203. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 115311 (Sub-No. 131 TA), filed January 24, 1972. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, GA 31061. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building and roofing slabs*, from the plantsite of Concrete Products, Inc., at Brunswick, Ga., to points in Florida, for 150 days. Supporting shipper: Concrete Products, Inc., Post Office Box 130, Brunswick, GA 31502. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, GA 30309.

No. MC 117799 (Sub-No. 27 TA), filed January 31, 1972. Applicant: BEST WAY FROZEN EXPRESS, INC., Room 205, 3033 Excelsior Boulevard, Minneapolis, MN 55416. Applicant's representative: K. O. Petrick (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Styropar* (in drums) from Kobuta (Beaver County), Pa., to Nixa, Mo., for 180 days. Supporting shipper: Diversified Plastics Corp., Nixa, Mo. 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 118851 (Sub-No. 6 TA), filed January 31, 1972. Applicant: KEY EXPRESS, INC., Post Office Box 401, Niagara Falls, ON, Canada. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, NY 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Albany, N.Y., to points in New York State, on and west of Route 11, for 180 days. Supporting shipper: Chiquita Brands, Inc., 1250 Broadway, New York, NY 10001. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 612 Federal Building, 111 West Huron Street, Buffalo, NY 14202.

No. MC 124154 (Sub-No. 49 TA), filed January 31, 1972. Applicant: WINGATE TRUCKING COMPANY, INC., Post Office Box 645, 1004 21st Avenue, Albany, GA 31702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in tank vehicles, from Pelham, Ga., to points in Alabama, Florida, and South Carolina, for 180 days. Supporting shipper: Stoller Chemical Co., Inc., 2211 South Whittier Avenue, Springfield, IL 62704. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

No. MC 125770 (Sub-No. 7 TA), filed January 31, 1972. Applicant: SPIEGEL TRUCKING, INC., 504 Essex Street, Harrison, NJ 07029. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel office furniture and equipment*, for the account of Hillside Metal Products, Inc., from Newark, N.J.,

to Fort Lee and Fort Eustis, Va.; Fort Knox, Ky.; Fort Leonard Wood and Kansas City, Mo.; Fort Riley, Kans.; Fort Hood and Fort Worth, Tex.; Fort Polk, La.; Fort Sill, Okla.; Fort Carson, Colo.; and Auburn, Wash.; and Stockton, Bell, and Fort Ord, Calif., for 180 days. Supporting shipper: Hillside Metal Products, Inc., 300 Passaic Street, Newark, NJ 07104. Send protests to: District Supervisor, R. E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 128383 (Sub-No. 12 TA), filed January 28, 1972. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Road, Sharon Hill, PA 19079. Applicant's representative: James W. Patterson, 123 South Broad Street, Philadelphia, PA 19109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except commodities in bulk, between J. F. Kennedy International Airport and LaGuardia Airport, New York, N.Y.; Newark Airport, Newark, N.J.; Philadelphia International Airport, Philadelphia, Pa.; Friendship International Airport, Anne Arundel County, Md.; Dulles International Airport, Fairfax and Loudoun Counties, Va.; Washington National Airport, Gravelly Point, Va.; Greater Buffalo International Airport, Erie County, N.Y.; Rochester-Monroe County Airport, Monroe County, N.Y.; Oneida County Airport, Oneida County, N.Y.; Clarence E. Hancock Airport, Onondaga County, N.Y.; Albany County Airport, Albany County, N.Y.; Broome County Airport, Broome County, N.Y.; Chemung County Airport, Chemung County, N.Y.; Jamestown Municipal Airport, Chautauqua County, N.Y.; Schenectady County Airport, Schenectady County, N.Y.; Logan International Airport, Boston, Mass.; Bowles Agawam Airport, Hampden County, Mass.; Tweed New Haven Airport, New Haven County, Conn.; Bradley International Airport, Hartford County, Conn.; Youngstown Municipal Airport, Trumbull County, Ohio; Akron-Canton Airport, Summit County, Ohio; Cleveland-Hopkins Airport, Cuyahoga County, Ohio, for 180 days. Supporting shippers: There are approximately 11 statements of support attached to the application which may be examined here at the Interstate Commerce Commission, Washington, D.C., or copies thereof which may be examined at the Field Office named below. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1518 Walnut Street, Room 1600, Philadelphia, PA 19102.

No. MC 133014 (Sub-No. 4 TA), filed January 31, 1972. Applicant: WOODCREST L & S CO., 1301 West 22d Street, Oak Brook, Suite 509, Oakbrook, IL 60521. Applicant's representative: Arnold L. Burke, Suite 1133, 127 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are sold by retail mail-order houses, between Chicago, Ill., on the one hand, and, on the other, points in Tennessee, Kentucky, and North Carolina, under a continuing contract or contracts with Spiegel, Inc., for 180 days. Supporting shipper: Arthur Comeau, Director of Transportation, Spiegel, Inc., 2511 West 23d Street, Chicago, IL. Send protests to: William J. Gray, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, Room 1086, 219 South Dearborn Street, Chicago, IL 60604.

No. MC 133977 (Sub-No. 8 TA), filed January 26, 1972. Applicant: GENE'S INC., 302 Maple Lane, Arcanum, OH 45304. Applicant's representative: Gene Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and pesticides*, in bags, from Wadsworth, Ohio, to points in Indiana, Kentucky, and Michigan, for 180 days. Supporting shipper: Swift Agricultral Chemical Co., 2 North Riverside Plaza, Chicago, IL 60606. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514–B Federal Building, 550 Main Street, Cincinnati, OH 45202.

No. MC 134337 (Sub-No. 4 TA), filed January 19, 1972. Applicant: TRANSPORT AMEDEE CAYER, INC., Post Office Box 470, C. P. (Kamouraska) County, La Pocatiere, PQ Canada. Applicant's representative: Frank J. Weiner, 6 Beacon Street, Boston, MA 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Motor bicycles and motor bicycle parts*, from ports of entry on the United States-Canada boundary line to Yarmouth, Maine; Suffield, Conn.; Belvidere, N.J.; Syracuse and Rochester, N.Y.; Erie, Pa.; Detroit, Mich.; Forest Lake, Minn.; Davenport, Iowa; Walhalla, N. Dak.; Denver, Colo.; Great Falls, Mont.; Newport, Wash.; and Anchorage, Alaska; and (2) *snowmobiles and snowmobile parts*, from ports of entry on the United States-Canada boundary line to Suffield, Conn.; Syracuse and Rochester, N.Y.; Davenport, Iowa; Walhalla, N. Dak.; Great Falls, Mont.; Newport, Wash.; and Anchorage, Alaska. Restriction: The authority granted herein is restricted to traffic originating to points in Kamouraska County, Province of Quebec, Canada, for 180 days. Supporting shipper: Moto-Ski Ltd., Suite 424, 1440 Ouest rue Ste-Catherine Street, West Montreal 107, PQ Canada. Send protests to: District Supervisor Ross J. Seymour, Interstate Commerce Commission, Bureau of Operations, 424 Federal Building, Concord, NH 03301.

No. MC 134405 (Sub-No. 5 TA), filed February 1, 1972. Applicant: BACON TRANSPORT COMPANY, Post Office Box 1134, Ardmore, OK 73401. Applicant's representative: O. G. Bacon III (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, from the Tulsa Port of Catoosa, Okla., to points in Arkansas, Kansas, Missouri, Texas, and Oklahoma, for 180 days. Supporting shipper: Willchemco, Inc., J. J. Stefanec, National Bank of Tulsa Building, Tulsa, Okla. 74103. 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 134599 (Sub-No. 35 TA), filed February 2, 1972. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, Post Office Box 748, Office: 265 West 27th South, 84115, Salt Lake City, UT 84110. Applicant's representative: Richard A. Peterson, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rubber, rubber products, plastics and chemicals, and equipment, materials, and supplies* used in the manufacturing and production thereof (except in bulk, in tank vehicles); (1) from Naugatuck, Conn., to Detroit, Mich., Indianapolis, Ind., Opelika, Ala., Los Angeles, Calif., Eau Claire, Wis., and Chicopee Falls, Mass.; (2) from Detroit, Mich., to Opelika, Ala., Los Angeles, Calif., and Chicopee Falls, Mass.; (3) from Scottsville, Va., to Detroit, Mich., Shelbyville, Tenn., Opelika, Ala., and Chicopee Falls, Mass.; (4) from Shelbyville, Tenn., to Detroit, Mich., Scottsville, Va., Winnsboro, S.C., Opelika, Ala., and Chicopee Falls, Mass.; (5) from Winnsboro, S.C., to Detroit, Mich., Scottsville, Va., Shelbyville, Tenn., Opelika, Ala., and Chicopee Falls, Mass.; (6) from Opelika, Ala., to Detroit, Mich., Los Angeles, Calif., Eau Claire, Wis., and Chicopee Falls, Mass.; (7) from Los Angeles, Calif., to Detroit, Mich., Opelika, Ala., Eau Claire, Wis., and Chicopee Falls, Mass.; (8) from Eau Claire, Wis., to Opelika, Ala., Los Angeles, Calif., and Chicopee Falls, Mass.; and (9) from Chicopee Falls, Mass., to Detroit, Mich., Opelika, Ala., Los Angeles, Calif., and Eau Claire, Wis., under continuous contract with Uniroyal, Inc., for 180 days. Supporting shipper: Uniroyal Inc., Oxford Management & Research Center, Middlebury, Conn. 06749 (John C. Taylor, Traffic Manager, Operations). Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5239 Federal Building, Salt Lake City, Utah 84111.

No. MC 134610 (Sub-No. 4 TA), filed December 27, 1971. Applicant: JACK R. CLARK, doing business as CLARK TRUCKING SERVICE, Post Office Box 118, Niota, TN 37826. Applicant's representative: Robert E. Tate, Post Office Box 517, Evergreen, AL 36401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Newsprint and groundwood paper*, from the site of Bowaters Southern Paper Corp. at Calhoun, Tenn., to points in Alabama south of U.S. Highway 80; Florida on and north of Florida Highway 50; Georgia south of a line extending along U.S. Highway 280 from

the Georgia-Alabama State line to junction U.S. Highway 80 at or near Blitchton, Ga., along U.S. Highway 80 to Savannah Beach, Ga., North Carolina east of U.S. Highway 1; South Carolina east of U.S. Highway 1; points in the District of Columbia, Mississippi, and Virginia; (2) *used newsprint and groundwood cores*, from Alabama south of U.S. Highway 80; Florida on and north of Florida Highway 50; North Carolina east of U.S. Highway 1; Georgia south of a line extending along U.S. Highway 280 from the Georgia-Alabama State line to junction U.S. Highway 80 at or near Blitchton, Ga., and along U.S. Highway 80 to Savannah Beach, Ga., South Carolina east of U.S. Highway 1; the District of Columbia, Mississippi, and Virginia to the plantsite of Bowater Southern Paper Corp. at Calhoun, Tenn.; and (3) *pulpboard*, from West Point, Va., to the plantsite of Bowater Southern Paper Corp. at Calhoun, Tenn., for 180 days. Supporting shipper: Bowater Southern Paper Corp., Calhoun, Tenn. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 803–1808 West End Building, Nashville, Tenn. 37203.

By the Commission.

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

[FR Doc.72-2535 Filed 2-17-72;8:51 am]

CUMULATIVE LIST OF PARTS AFFECTED—FEBRUARY

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during February.

3 CFR

	Page
PROCLAMATIONS:	
2032 (see PLO 5158)	3058
2372 (see PLO 5158)	3058
2761A (see Proc. 4102)	2417
2929 (see Proc. 4102)	2417
3140 (see Proc. 4102)	2417
3967 (see Proc. 4102)	2417
4102	2417
4103	2489
4104	2643
4105	2831
4106	2921
4107	3165
4108	3613
4109	3615
4110	3617
4111	3619
4112	3621
EXECUTIVE ORDERS:	
January 27, 1913 (partially revoked by PLO 5159)	3184
5237 (partially revoked by PLO 5155)	2840
5327 (see PLO 5157)	3057
7295 (see PLO 5162)	3185
8592 (see PLO 5162)	3185
11183 (amended by EO 11648)	3623
11248 (amended by EO 11641)	2421
11345 (amended by EO 11646)	2925
11410 (see EO 11648)	3623
11568 (see EO 11642)	2565
11641	2421
11642	2565
11643	2875
11644	2877
11645	2923
11646	2925
11647	3167
11648	3623
11649	3625
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:	
Memorandum of January 27, 1972	2567
Memorandum of February 9, 1972	3627

5 CFR

	Page
213	2423, 2491, 2841, 2842, 2879, 3049
532	3409
550	3355
PROPOSED RULES:	
900	2589

6 CFR

	Page
101	2491, 2678
102	2478
200	2479
201	3357
300	2842, 3410
311	2480

7 CFR

	Page
7	3349
51	2745
53	2745
501	2423
502	2424
701	2833
706	2491
722	3171, 3420
724	2745, 3422, 3507
726	2496
729	2645, 2765, 3629
795	3049
811	2659, 3629
905	2660
906	2765, 3049
907	2569, 2927, 3507
910	2426, 2766, 2834, 3171
928	2927
982	3630
993	3349
1001	2928
1002	2929
1004	2929
1006	2930
1007	2930
1011	2930
1012	2930
1013	2931
1015	2931
1030	2931
1032	2932
1033	2932
1036	2932
1040	2932
1043	2933
1044	2933
1046	2933
1049	2933
1050	2934
1060	2934
1061	2934
1062	3631
1063	2934
1064	2935
1065	2497, 2935
1068	2935
1069	2935
1070	2936
1071	2936

7 CFR—Continued

	Page
1073	2936
1075	2936
1076	2937
1078	2937
1079	2937
1090	2937
1094	2938, 2944
1096	2938
1097	2938
1098	2938
1099	2939
1101	2939
1102	2939
1103	2939
1104	2940
1106	2940
1108	2940
1120	2940
1124	2940
1125	2941
1126	2941
1127	2941
1128	2941
1129	2942
1130	2942
1131	2942
1132	2942
1133	2943
1134	2943
1136	2943
1137	2943
1138	2944
1806	2879
1823	2879, 3172
1871	2569
1890	3174
1890i	3172
PROPOSED RULES:	
29	3362
51	3363, 3642
59	2775, 3187
81	2778
225	3440
271	3545
724	3438
726	2773
729	2774
906	3643
909	3366
945	2844
966	2845
982	2515
987	2890, 3439
991	3440
993	2515, 3644
1001	3187
1002	3187

7 CFR—Continued

PROPOSED RULES—Continued

1046 2969
1061 3536
1068 3536
1137 3545
1421 2844
1434 2775
1446 2844
1464 3439
1481 2890
1701 2846, 3546

8 CFR

214 2766
238 2766
332 2767
332d 2767
334 2767
334a 2767
339 2767
341 2767
342 2767

9 CFR

11 2426
51 3507
73 2945
76 3600
82 2429, 2498, 3050
97 2430, 3410
113 2430
204 3631
301 2661
311 2661
315 2661

PROPOSED RULES:

316 2779
317 2779

10 CFR

140 3423

PROPOSED RULES:

50 3646

12 CFR

563 3508
701 2946, 3174, 3508

PROPOSED RULES:

529 2447
545 3549
750 2594

13 CFR

120 2569
123 2947

14 CFR

39 2498, 2570, 2662, 2835, 2880, 3409, 3508, 3631
71 2570–2572, 2835–2837, 2952, 2953, 3050, 3349, 3409, 3509, 3631, 3632
73 2499, 2837
75 2499, 2500, 2572, 2767, 3510
93 2953
95 2573
97 2662, 3174, 3510
121 2500
221 2664
241 2501

14 CFR—Continued

PROPOSED RULES:

61 2523
67 2523
71 2524, 2587, 2682, 2683, 3059, 3367, 3341–3443, 3548, 3645
73 2847
103 2587, 2588
121 2523, 2684
127 2523
159 3059
183 2523

15 CFR

377 2430
386 3175
390 3511

PROPOSED RULES:

7 2846
500 3726
610 3644

16 CFR

13 2575, 2576, 2578–2581, 2953

PROPOSED RULES:

302 3443
425 2848
429 3551
432 2454, 2849

17 CFR

241 3050

PROPOSED RULES:

230 2596, 2598
239 2596, 2598
240 3059, 3446

18 CFR

2 2502, 2954

PROPOSED RULES:

101 2451
104 2451
105 2451
141 2451
260 2451, 3193

19 CFR

12 2430, 2665
21 3423
24 3425

PROPOSED RULES:

1 2443
11 2509
134 2509

20 CFR

404 3425
614 2434
617 2434

PROPOSED RULES:

405 3492
620 2684

21 CFR

1 3175
3 2503, 3175
8 3177
121 2437, 2958–2960, 3177

21 CFR—Continued

135 2961, 3053, 3426
135b 3053
135c 3178, 3426
135e 2960, 2961, 3633
141c 2665
141d 3178
144 2960
146a 2665, 3178, 3426
146c 2665
146d 3178
146e 2665, 3179, 3426
148i 3179
148n 2665
149a 2438
295 3427

PROPOSED RULES:

15 3189
17 3189
31 3644
121 3060, 3366
130 2969
135 2444
191 3645

22 CFR

41 2439, 3053

24 CFR

43 3633
110 3429
275 3185
600 2665
1710 2768
1911 3350
1914 2505, 2881
1915 2505, 2882

PROPOSED RULES:

235 3548
420 3546

25 CFR

221 2506

PROPOSED RULES:

43h 2679
221 3060

26 CFR

1 2506
12 3511
301 2481, 2506

PROPOSED RULES:

1 2773, 3526, 3530
12 3526
301 3530

28 CFR

0 3180
9 2768
45 2769

29 CFR

511 3430
727 3180
1904 2439
1910 3053, 3431, 3512
1926 3431, 3512

PROPOSED RULES:

460 2443
1926 2443

30 CFR — Page

PROPOSED RULES:
80 — 2968

31 CFR
316 — 2554
500 — 3520
505 — 3520

32 CFR
215 — 3637
1452 — 3181
1801 — 2672
1808 — 2673, 3640

PROPOSED RULES:
1499 — 2849

32A CFR
Ch. X:
OI Reg. 1 — 2439

33 CFR
3 — 3350
117 — 2838
199 — 3433

PROPOSED RULES:
110 — 2446, 2447, 2587, 2890
117 — 2521, 2522

36 CFR
6 — 3350

PROPOSED RULES:
7 — 3438

37 CFR
2 — 2880
202 — 3055

PROPOSED RULES:
1 — 2520

38 CFR
0 — 3435
1 — 2676
8 — 3352

PROPOSED RULES:
1 — 3552

39 CFR
Ch. I — 2423
135 — 3521
273 — 3352
619 — 3056

40 CFR
52 — 2581
85 — 2432
106 — 2433
180 — 2676, 2839, 2883, 3181, 3352

40 CFR—Continued — Page

PROPOSED RULES:
6 — 3367
164 — 3060

41 CFR
1-2 — 2769
1-7 — 2769
1-12 — 2769
1-16 — 2771
3-1 — 3353
3-2 — 3353
5A-1 — 3182
5A-2 — 3182
5A-8 — 2507
5A-72 — 3183
5A-73 — 2441, 3183
6-1 — 3640
7-1 — 3521
7-16 — 3521
8-14 — 2508
8-74 — 2508
9-1 — 3435
9-5 — 3435
9-7 — 3435
9-59 — 3436
101-11 — 2962
101-25 — 3524
101-27 — 2771

PROPOSED RULES:
14-10 — 2680
60-7 — 2847

42 CFR

PROPOSED RULES:
51b — 2970
54 — 2970

43 CFR
2 — 2677
25 — 3183

PUBLIC LAND ORDERS:
1272 (modified by PLO 5161) — 3185
2732 (amended by PLO 5160) — 3184
4522 (amended by PLO 5157) — 3057
5154 — 2677
5155 — 2840
5156 — 3056
5157 — 3057
5158 — 3058
5159 — 3184
5160 — 3184
5161 — 3185
5162 — 3185

45 CFR
102 — 2882
170 — 2882
1015 — 2840

45 CFR—Continued — Page

PROPOSED RULES:
118 — 2779
143 — 2779
220 — 2445
222 — 2445
415 — 2986

46 CFR
308 — 3436
381 — 3641

PROPOSED RULES:
12 — 3190
66 — 2681
193 — 2682

47 CFR
1 — 3277
2 — 2771, 3437
15 — 3277
21 — 2583, 3277, 3354
74 — 3278
76 — 3278
78 — 3292
83 — 2884
91 — 3297
211 — 2771

PROPOSED RULES:
73 — 2524, 2790, 2891, 3548
76 — 3190, 3192
81 — 2524

49 CFR
173 — 2885, 3524
174 — 2886, 3524
177 — 2886, 3524
178 — 2886, 3524
179 — 3058
553 — 3632
571 — 3185
1033 — 2677, 3354
1211 — 2841
1311 — 3354

PROPOSED RULES:
173 — 2588
178 — 2588
1056 — 3446
1322 — 3446

50 CFR
28 — 2964, 3436
32 — 3524
33 — 2441, 2502, 2841, 2964, 2967, 3437
280 — 2516

PROPOSED RULES:
17 — 2589
280 — 2890

LIST OF FEDERAL REGISTER PAGES AND DATES—FEBRUARY

Pages	Date	Pages	Date	Pages	Date
2411–2482	Feb. 1	2739–2823	Feb. 5	3159–3341	Feb. 12
2483–2557	2	2825–2867	8	3343–3401	15
2559–2636	3	2869–2913	9	3403–3500	16
2637–2737	4	2915–3041	10	3501–3606	17
		3043–3157	11	3607–3732	18

federal register

FRIDAY, FEBRUARY 18, 1972
WASHINGTON, D.C.
Volume 37 ■ Number 34

PART II

DEPARTMENT OF COMMERCE

Office of Trade Adjustment Assistance

■

Adjustment Assistance

Notice of Proposed Rule Making

DEPARTMENT OF COMMERCE

Office of Trade Adjustment Assistance

[15 CFR Part 500]

ADJUSTMENT ASSISTANCE

Notice of Proposed Rule Making

Notice is hereby given that the U.S. Department of Commerce proposes to revoke in its entirety, present part 610, Chapter VI, of Title 15, Code of Federal Regulations, and to substitute in lieu thereof, a new Chapter V of Title 15, Code of Federal Regulations, set forth below.

Both the present Part 610 of Chapter VI, and the proposed new Chapter V, Title 15, Code of Federal Regulations, relate to adjustment assistance to firms, implementing Chapters 1 and 2, of Title III, Trade Expansion Act of 1962, and section 7 of Executive Order 11075, as amended by Executive Order 11106. In substance these provisions of law provide that a firm may qualify for adjustment assistance following a finding by the Tariff Commission that such firm, or the industry of which it is a part, is seriously injured, or threatened with serious injury by increased imports of a like or directly competitive article that has been the subject of a trade agreement concession.

The changes embodied in the proposed new regulations reflect clarification and amplification of substantive and procedural requirements regarding adjustment assistance to firms, as well as establishment of an Office of Trade Adjustment Assistance within the Bureau of Domestic Commerce, Department of Commerce, to facilitate administration of the responsibilities vested by law in the Secretary of Commerce with respect to such assistance.

The principal additions are as follows:

Provision of accelerated procedure for certification of eligibility to apply for adjustment assistance following a Tariff Commission finding of serious injury or threat thereof to an individual firm.

Requirement for disclosure of material changes in economic conditions affecting the firm both prior to and after certification of eligibility to apply for assistance and after certification of an adjustment proposal.

Provision for revocation in certain circumstances of a firm's certification of eligibility to apply for adjustment assistance or certification of the adjustment proposal.

Explanation of the standards to be applied in meeting the three criteria for acceptable adjustment proposals under section 311(b) of the Act.

Explanation of the limitations on financial assistance and the purposes for which such assistance will not be granted.

Provision for reconsideration and appeal of administrative actions.

Interested persons may, within 30 days after publication hereof in the FEDERAL REGISTER, file with the Deputy General Counsel, U.S. Department of Commerce, Washington, D.C. 20230, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

All written submissions made pursuant to this notice will be available for public inspection at the Central Reference and Records Inspection Facility, Room 7043, Commerce Building, 14th Street between Constitution Avenue and E Street NW., Washington, D.C. 20230 (cf. 15 CFR 4.5 (a)(6) and (d)).

Dated: February 14, 1972.

MAURICE H. STANS,
Secretary of Commerce.

PART 500—ADJUSTMENT ASSISTANCE REGULATIONS

Subpart A—General

Sec.
500.10 Scope and purpose.
500.11 Definitions.

Subpart B—Eligibility of Firms To Apply for Adjustment Assistance

500.20 General.
500.21 Statutory criteria.
500.22 Certification of eligibility to apply under section 302(b)(1) of the Act.
500.23 Certification of eligibility to apply under section 302(c) of the Act.
500.24 Material change in conditions; denial or revocation of eligibility certification.

Subpart C—Adjustment Proposal

500.30 Application for adjustment assistance.
500.31 Adjustment proposal.
500.32 Certification of adjustment proposal.
500.33 Material change in conditions.
500.34 Modification of a certified adjustment proposal; revocation of certification.

Subpart D—Adjustment Assistance

500.40 Referral of certified adjustment proposals; providing adjustment assistance.
500.41 Technical assistance.
500.42 Financial assistance.
500.43 Tax assistance.

Subpart E—Records and Reports

500.50 Records.
500.51 Reports.

Subpart F—Procedures

500.60 Forms.
500.61 Submissions.
500.62 Reconsideration and appeals.
500.63 Public access to information.

Subpart G—Investigation and Audit; Penalties

500.70 Investigation and audit.
500.71 Penalties.
500.72 Effect on lenders.

AUTHORITY: The provisions of this Part 500 issued under sec. 401, 76 Stat. 902, 19 U.S.C. 1802; E.O. 11075, 28 F.R. 473; and E.O. 11106, 28 F.R. 3911.

Subpart A—General

§ 500.10 Scope and purpose.

This part, which replaces in its entirety Part 610 of Chapter VI, Title 15, Code of Federal Regulations, sets forth regulations implementing responsibilities of the Secretary of Commerce under chapters 1 and 2 of title III, Trade Expansion Act of 1962, and section 7 of Executive Order 11075, as amended by Executive Order 11106, with respect to adjustment assistance for firms.

§ 500.11 Definitions.

(a) "Act" means the Trade Expansion Act of 1962, 76 Stat. 872, 19 U.S.C. 1801 et seq.

(b) "Secretary" means the Secretary of Commerce or his delegate.

(c) "Department" means the Department of Commerce.

(d) "OTAA" means the Office of Trade Adjustment Assistance, Bureau of Domestic Commerce, Department of Commerce.

(e) "Director" means the Director of OTAA.

(f) "Agency" includes any agency, department, board, wholly or partly owned corporation, instrumentality, commission or establishment of the United States.

(g) "Firm" includes an individual proprietorship, partnership, joint venture, association, corporation (including a development corporation), business trust, cooperative, trustees in bankruptcy, and receivers under decree of any court. Where determined necessary by the Secretary to prevent unjustifiable benefits, a firm, together with any predecessor, successor or affiliated firm controlled or substantially beneficially owned by substantially the same person or persons may be considered a single firm.

(h) "Person" means an individual, firm, trust or estate.

(i) "Adjustment proposal" means a proposal for economic adjustment of a firm filed under Subpart C of this part.

Subpart B—Eligibility of Firms To Apply for Adjustment Assistance

§ 500.20 General.

No firm may apply for adjustment assistance unless first certified by the Director as eligible to apply pursuant to the requirements of section 302(b)(1) or 302(c) of the Act and of this subpart.

§ 500.21 Statutory criteria.

A firm may seek certification of eligibility to apply for adjustment assistance only if:

(a)(1) The Tariff Commission has made an affirmative finding pursuant to section 301(b)(1) of the Act that, as a result in major part of concessions granted under trade agreements, an article is being imported into the United States in such increased quantities as to cause or threaten to cause serious injury to the domestic industry producing an article that is like or directly competitive with the imported article, (2)

the President has provided, pursuant to section 302(a) (2) or (4) of the Act, that firms in such industry may request the Secretary for such certification of eligibility, and (3) the applicant firm (as defined in § 500.11(g)) is a part of such industry;

(b) The Tariff Commission has made an affirmative finding pursuant to section 301(c)(1) of the Act that, as a result in major part of concessions granted under trade agreements, an article like or directly competitive with an article produced by the firm is being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to such firm; or

(c)(1) One half of the Tariff Commissioners voting in a case under section 301(b)(1) or 301(c)(1) of the Act have made an affirmative finding and (2) the President has decided to accept the finding of those Commissioners voting in the affirmative as the finding of the Commission: *Provided*, That in a case arising under section 301(b)(1) of the Act the President shall also have provided, pursuant to section 302(a) (2) or (4) of the Act, that firms in the industry may request the Secretary for certification of eligibility, and the applicant firm (as defined in § 500.11(g)) is a part of such industry.

§ 500.22 Certification of eligibility to apply under section 302(b)(1) of the Act.

(a) Following an affirmative finding with respect to an industry by the Tariff Commission pursuant to section 301(b)(1) of the Act (or by the President in cases involving an affirmative finding by one half of the Commissioners voting) and provision by the President pursuant to section 302(a) (2) or (4) of the Act that firms in such industry may request the Secretary for certification of eligibility to apply for adjustment assistance, any firm in such industry may apply for such assistance by completing and filing an application as specified in paragraph (b) of this section. Such application must be filed within 1 year of the date of the President's action under section 302(a) (2) or (4) of the Act, or such other period of time as the President may specify at the time of such action: *Provided*, That the Director may grant an extension of time for filing an application under this section upon a showing to his satisfaction that timely submission of an application could not reasonably have been made: *And provided further*, That any request for extension of time hereunder must be made prior to expiration of the time within which such application would otherwise be required to be filed.

(b) An application for certification of eligibility to apply for adjustment assistance under this section must be made in accordance with the provisions of the Act, this part and instructions on the appropriate OTAA form (see § 500.60), and must be accurate and complete. In making such applications, a firm should accurately set forth all facts and conditions that are material to its claim for such assistance, including the extent to which the affirmative finding of the Tariff Commission (with respect to the industry of which the firm is a part) applies to the firm and the extent of the firm's injury (or threatened injury) resulting from increased imports of the product that was the subject of the Tariff Commission's investigation. If insufficient or inconsistent information is submitted in support of such application, the firm will be required to provide additional information or otherwise correct its submission. However, every effort will be made by OTAA to proceed with processing of the application to the extent feasible in the interim.

(c) The Director will certify a firm that has made a timely application under this section as eligible to apply for adjustment assistance upon a finding that:

(1) The article like or directly competitive with the imported article that was the subject of the Tariff Commission's investigation is or was a significant part of the applicant firm's line of production; and

(2) The serious injury or threat thereof found by the Tariff Commission to exist with respect to the industry in question is likewise applicable to the applicant firm.

(d) In making the finding called for in paragraph (c) of this section the Director will, among other pertinent considerations, give due regard to the following factors which applicants should document in detail

(1) *Economic factors.* In determining whether increased imports of the article in question have caused serious injury or threat thereof to such firm, economic factors that are considered relevant include: (i) Idling of the firm's productive facilities capable of producing the like or directly competitive article, (ii) inability of the firm to operate at a level of reasonable profit, (iii) unemployment or underemployment in the firm, and (iv) competitive position of such firm in relation to other firms in the industry.

(2) *Injury or threat thereof.* For the purpose of this section, (i) "serious injury" to a firm means a major adverse impact on its economic condition from which it cannot reasonably be expected to recover without adjustment assistance provided under this part, and (ii) "threat of serious injury" means that an economic trend has been established that can reasonably be expected to continue and to result in serious injury to the firm in the foreseeable future. A long-range possibility of serious injury is not sufficient to demonstrate a threat thereof.

(3) *Causation.* Increased imports of the article in question shall be considered to have caused serious injury, or threat thereof, to the applicant firm if the Director finds that such imports have been the major factor in causing such injury or threat thereof.

(e) While OTAA will provide all practicable counsel and assistance in the preparation of applications under this section for certification of eligibility to apply for adjustment assistance, the burden is on each firm to establish its own case.

§ 500.23 Certification of eligibility to apply under section 302(c) of the Act.

(a) Following an affirmative finding with respect to a firm by the Tariff Commission pursuant to section 301(c)(1) of the Act (or by the President in cases involving an affirmative finding by one half of the Commissioners voting), such firm may apply for certification of eligibility to apply for adjustment assistance by filing with the Director a sworn statement, subscribed by the owners, partners or officers of such firm that no material facts were omitted from, and there has occurred no significant change in economic circumstances affecting the firm since, presentation of the firm's case to the Tariff Commission. Following receipt of such statement, the Director ordinarily will certify promptly that such firm is eligible to apply for adjustment assistance.

§ 500.24 Material change in conditions; denial or revocation of eligibility certification.

(a) A firm that has applied for certification of eligibility to apply for adjustment assistance under § 500.22 or § 500.23 must promptly inform the Director in writing of any material change in economic conditions affecting such firm, including any change in the principal ownership of such firm and any change that has occurred in the facts contained in or underlying the representations set forth in the petition that was filed with the Tariff Commission under section 301(b)(1) or (c)(1) of the Act or in its application to the Director under § 500.22 or § 500.23 for certification of eligibility (and any amendments thereto).

(b)(1) At any time, prior to certification of an adjustment proposal, the Director may deny or revoke certification of a firm as eligible to apply for adjustment assistance under § 500.22 or § 500.23 upon a finding that: (i) As a result of a material change in economic conditions affecting such firm following the date of the Tariff Commission's finding, adjustment assistance under this part is not required by such firm to achieve economic recovery from the serious injury or threat thereof found by the Tariff Commission to exist with respect to the firm or the industry of which it is a part; (ii) such firm has willfully or negligently failed promptly to inform the Director in writing of a material change in economic conditions affecting such firm, as required under paragraph (a) of this section or (iii) such firm or its agent has made false or misleading representations or statements or has falsified or concealed any material fact in connection with the application for such certification.

Subpart C—Adjustment Proposal

§ 500.30 Application for adjustment assistance.

Application for adjustment assistance by any firm certified under § 500.22 or § 500.60). An application for tax assistance under this section will also satisfy after the date of such certification, by

completing and filing with the Secretary the appropriate OTAA form (see § 500.60). An application for tax assistance under this section will also satisfy the requirements of § 500.43(a): *Provided*, That for purposes of determining the taxable years for which net operating losses may be carried back pursuant to certification by the Secretary of the firm's eligibility for tax assistance under § 500.43(c), the filing date of such application for purposes of sections 317(a) of the Act and § 500.43(a) shall be the date of the Secretary's certification of the firm's adjustment proposal pursuant to § 500.32.

§ 500.31 Adjustment proposal.

(a) *Filing.* Within a reasonable time after filing an application for adjustment assistance under § 500.30, a firm shall file with OTAA an adjustment proposal, including a detailed description of the firm's plan for its economic recovery, the type and extent of adjustment assistance requested to carry out such plan and all available information bearing on what impact, if any, implementation of such plan would have on the quality of the human environment.[1]

(b) *Preliminary proposal.* A firm that has applied for adjustment assistance under § 500.30 is encouraged to consult informally with OTAA regarding the preparation of its adjustment proposal. The firm may submit a preliminary proposal to OTAA in order to determine whether the adjustment assistance being sought may be provided under the Act and whether the firm's plan for its economic recovery is likely to satisfy criteria for certification of a proposal.

(c) *Technical assistance.* During informal consultation with OTAA or after submitting a preliminary proposal, a firm may request, and the Secretary may at his discretion authorize, technical assistance in the preparation of a sound adjustment proposal. To the maximum extent practicable, technical assistance under this section shall be provided through existing agencies, and otherwise through private individuals or institutions. A firm receiving technical assistance under this section may be required by the Secretary to bear a portion of the cost thereof as determined to be appropriate.

(d) *Environmental impact.* Upon submission of a preliminary adjustment proposal (or, if none is submitted, upon filing an adjustment proposal) pursuant to this section, and at all stages of proposal development thereafter, OTAA will undertake to establish what impact, if any, the firm's plan for economic recovery may have on the quality of the human environment. Should the Director consider that an adjustment proposal could, if implemented as initially submitted, significantly affect the quality of the human environment, OTAA will cooperate with the applicant in exploring reasonable alternatives to achieve economic recovery of the firm in a manner that will minimize adverse impact on the environment. In the event data required by OTAA to evaluate such impact are not readily available to the applicant firm, technical assistance may be provided by the Secretary to facilitate collection and evaluation of such data.

(e) *Content of proposal.* An adjustment proposal should be as complete and detailed as possible and should reflect the full extent of adjustment assistance required. OTAA should be consulted regarding preparation and scope of a particular proposal, since only one proposal of a firm will ordinarily be certified.

(f) *Withdrawal of adjustment proposal prior to certification.* At the discretion of the Secretary, a firm may be permitted to withdraw its adjustment proposal at any time prior to certification without prejudice: *Provided*, That any new or revised proposal by such firm must be filed within 2 years of the date that the firm was originally certified under § 500.22 or § 500.23 as eligible to apply for adjustment assistance.

§ 500.32 Certification of adjustment proposal.

Adjustment assistance (other than technical assistance furnished under § 500.31 (c) or (d)) will not be provided to a firm under this part until the Secretary has certified that its adjustment proposal: Is reasonably calculated materially to contribute to the economic adjustment of such firm; gives adequate consideration to the interests of the workers of such firm adversely affected by actions taken in carrying out trade agreements, and demonstrates that such firm will make all reasonable efforts to use its own resources for economic development. Except in unusual circumstances, financial assistance will not be furnished if the purpose or use of such assistance would be: To pay the major creditors of a firm who would not otherwise be paid in the absence of such financial assistance, to provide funds for distribution or payment to the owners, partners or shareholders of the firm, to replenish funds used for such purposes, or to effect a change in ownership of the firm, unless such change is necessary to preserve the existence of the firm and facilitate its economic adjustment.

(a) *Material contribution to economic adjustment.* An adjustment proposal must demonstrate that the assistance sought therein will be a constructive aid to the firm in establishing a competitive position in the same or a new industry where there is sufficient demand to employ the efficient capacity of existing competitive enterprises.

(b) *Consideration to the interests of workers.* An adjustment proposal must give adequate consideration to the interests of the workers of such firm adversely affected as the result of the serious injury or threat thereof to such firm. Among reasonable alternatives, adjustment proposals that provide for the rehiring of such workers who have been laid off due to the increased imports, are preferred. Efforts by the firm to find new employment for such laid-off workers or assistance rendered to such workers under other Government programs will also be taken into account in evaluating a proposal.

(c) *Reasonable efforts by the firm to use its own resources.* An adjustment proposal must demonstrate that the firm will make maximum use of its own resources and that any funds requested are not otherwise available to the firm, from sources other than the United States, on reasonable terms. In determining whether such funds are not otherwise available to the firm, the Secretary may require satisfactory evidence that the firm has been refused the required credit from banks or other sources, or that the funds do not appear to be obtainable on reasonable terms through a public offering or private placement of securities of the firm or through the sale at a fair price of assets of the firm that are not reasonably required in connection with its economic adjustment.

(d) *Terms and conditions.* Certification of an adjustment proposal may be made subject to any terms and conditions that the Secretary, in his discretion, deems necessary or appropriate to ensure compliance with the requirements for adjustment assistance prescribed under the Act or this part. Such terms and conditions may include, but are not limited to, a requirement that owners, partners, or principal shareholders of a firm (or other creditors) shall subordinate, consolidate, or reduce their claims against the firm or shall reduce their ownership interest in the firm as part of a reorganization of its capital and debt structure; or a requirement that owners, partners, or principal shareholders of a firm shall make equity contributions or loans to the firm or shall guarantee loans to the firm.

(e) *Action on adjustment proposal.* A firm will be informed in writing when its adjustment proposal has been certified or denied by the Secretary. Promptly thereafter, a firm seeking tax assistance under § 500.43 shall notify the Director in writing of the closing date of the taxable year or years for which a net operating loss carryback is sought pursuant to section 317 of the Act.

§ 500.33 Material change in conditions.

After an adjustment proposal of a firm has been certified by the Secretary, such firm must promptly inform the Director in writing of any material change in economic conditions affecting such firm, including any change in the principal ownership of such firm and any material change that has occurred in the facts contained in or underlying the representations set forth in the petition that was filed with the Tariff Commission under section 301 (b)(1) or (c)(1) of the Act, in its application to the Director under § 500.22 or § 500.23 for certification of eligibility to apply for adjustment assistance, in its application under this Subpart C for adjustment assistance or in the certified adjustment proposal.

[1] See, National Environmental Policy Act of 1969, 42 U.S.C. section 4321 et seq.; Council on Environmental Quality Guidelines, 36 F.R. 7724, Apr. 23, 1971.

§ 500.34 Modification of a certified adjustment proposal; revocation of certification.

(a) (1) *Modification.* Requests for modification of an adjustment proposal that has been certified under § 500.32 will not be considered if such modifications would require a major increase in the amount of adjustment assistance to be provided pursuant to this part. Other requests for modification of a certified adjustment proposal that would have the effect of increasing the amount of adjustment assistance required, or would significantly alter either the adjustment proposal or the terms and conditions of its certification, may be granted in the discretion of the Secretary if such request (i) is based upon a material change in the firm's economic condition, not reasonably foreseeable at the time the adjustment proposal was certified, and (ii) clearly demonstrates that such modification would contribute materially to the firm's economic adjustment. Upon receipt of written notification that the Secretary has granted a request for modification of a certified adjustment proposal pursuant to this section, the firm shall promptly sumit to the Director a modified adjustment proposal, which shall be filed and processed in accordance with the provisions of this Supart C and, if filed within a reasonable time, shall be deemed to have been timely filed for purposes of § 500.31(a).

(b) (1) *Revocation.* The Secretary may revoke the certification of a firm's adjustment proposal if, within a reasonable period of time following such certification, agreement is not reached concerning appropriate terms and conditions for adjustment assistance pursuant to § 500.40(b)(1), or upon a finding that (i) as a result of a material change in economic conditions affecting such firm, adjustment assistance is no longer reasonably required by the firm to achieve economic recovery, (ii) the firm has experienced a material change in economic conditions that adversely affects the economic viability of the certified adjustment proposal, (iii) such firm has willfully or negligently failed promptly to inform the Director in writing of a material change in economic conditions affecting such firm, as required under § 500.33, or (iv) such firm or its agent has made false or misleading representations or statements or has falsified or concealed any material fact.

Subpart D—Adjustment Assistance

§ 500.40 Referral of certified adjustment proposals; providing adjustment assistance.

(a) *Referral of proposals.* The Secretary will refer each adjustment proposal certified under § 500.32 to such agency or agencies (including any agency of the Department of Commerce) as he determines to be appropriate to furnish the technical and financial assistance necessary to carry out such proposal.

(b) *Providing adjustment assistance.* The Secretary may, if he determines that such assistance is necessary to carry out the adjustment proposal of the firm and that it will materially contribute to its economic adjustment, furnish adjustment assistance under §§ 500.41 and 500.42 to such firm. If the Secretary determines that there are no appropriate government agencies to which a certified adjustment proposal may be referred or whenever, and to the extent that, any agency to which an adjustment proposal of a firm has been referred under paragraph (a) of this section has notified the Secretary of its determination not to furnish technical or financial assistance.

(1) *Authorization.* If the Secretary determines to furnish adjustment assistance to a firm, a written authorization will be issued setting forth appropriate terms and conditions for such assistance, including any conditions that must be satisfied by the firm before assistance will be provided. Assistance that is furnished by the Secretary shall also be subject to the terms and conditions of the firm's certified adjustment proposal.

(2) *Failure to satisfy conditions.* The Secretary may withhold disbursement of funds in connection with any adjustment assistance under this part, if he determines that the firm has not satisfied the terms and conditions of the certified adjustment proposal or of the authorization issued pursuant to § 500.40(b)(1).

(3) *Certification of representative of the firm.* Adjustment assistance will not be provided to a firm unless the owners, partners or officers of such firm shall certify to the Secretary (i) the names of any attorneys, agents and other persons engaged by or on behalf of such firm in connection with any application, proposal or other submission or representation under this part, and (ii) the fees or other consideration paid or to be paid to any such persons for such services.

(4) *Compliance with the Civil Rights Act of 1964.* Adjustment assistance will not be provided to any firm unless the owners, partners, or officers of such firm provide satisfactory evidence that the requirements of title VI of the Civil Rights Act of 1964 will be complied with, and an undertaking to such effect is incorporated into the adjustment proposal.

§ 500.41 Technical assistance.

(a) *Purpose of assistance.* After a determination under § 500.40(b) that technical assistance is necessary to carry out the adjustment proposal of a firm, the Secretary may provide such technical assistance to the firm as in his judgment will materially contribute to the economic adjustment of the firm. Technical assistance includes market and other economic research, feasibility studies, managerial advice and counseling, operation, and engineering assistance, training, and assistance in research and development.

(b) (1) *Forms of assistance.* To the maximum extent practicable, technical assistance will be furnished through existing agencies, and otherwise through private individuals, firms, or institutions working under contracts with the Department. Under special circumstances, a technical assistance grant may be made directly to the firm, subject to the condition that the Director must approve (i) all plans of the firm for spending grant funds and (ii) the qualifications of technical assistance personnel, consultants, and contractors.

(c) *Cost sharing.* A firm receiving technical assistance under this section shall be required to bear an appropriate portion of the cost thereof. In determining the firm's share of such cost, consideration will be given to all contributions by the firm, including space, equipment and services, and to the firm's need to conserve funds for working capital purposes.

§ 500.42 Financial assistance.

(a) *Forms of assistance.* After a determination under § 500.40(b) that financial assistance is necessary to carry out the adjustment proposal of a firm, the Secretary may provide such financial assistance to the firm as in his judgment will materially contribute to the economic adjustment of the firm. Financial assistance includes direct loans, guarantees of loans made by financial institutions, and agreements for deferred participation in or purchase upon demand of loans made by financial institutions. Guarantees and agreements for deferred participation are preferred over direct loans, and the Department may subordinate its lien position in order to encourage financial institutions to make loans to a firm. To the maximum extent practicable, financial assistance will be provided through agencies empowered under other law to furnish such assistance.

(b) *Purpose of financial assistance.* Financial assistance provided under this section shall be for the purpose of making funds available to a firm for acquisition, construction, installation, modernization, development, conversion, or expansion of land, plant, buildings, equipment, facilities or machinery, or in exceptional cases only, for working capital.

(1) *Working capital loans.* For purposes of this section, a working capital loan is defined as a loan for the purpose of providing liquidity needed by the firm for minimum cash flow requirements in connection with the conduct of current business operations.

(2) *Exceptional cases.* A finding by the Secretary that a case is exceptional will be made only if: (i) A working capital loan is essential to the adjustment of a firm, and (ii) such funds are not otherwise reasonably available.

(c) *Conditions for financial assistance*—(1) *Limitation on guarantees or participations.* A loan guarantee or agreement for deferred participation will not be made in an amount greater than 90 percent of that portion of the loan made for the purposes specified in this section.

(2) *Minimum interest rate.* Any loan or deferred participation provided by the Secretary under this section shall bear interest at a rate not less than the greater of (i) 4 percent per annum or (ii) the rate determined by the Secretary of the Treasury under section 315(b)(2) of the Act for the year in which the loan is made

or the agreement for such deferred participation is entered into.

(3) *Maximum interest rate.* A guarantee or agreement for deferred participation will be made only with respect to a loan bearing interest at a rate determined to be reasonable in comparison with normal terms for equivalent loans from private sources. In no event will the guaranteed or deferred participation portion of any loan bear interest at a rate more than one percent per annum in excess of the rate determined by the Secretary of the Treasury under section 315(b)(2) of the Act for the year in which the guarantee is made or the agreement for deferred participation is entered into, unless the Secretary finds that special circumstances justify a higher rate not more than 2 percent per annum in excess of the rate determined by the Secretary of the Treasury under section 315 (b)(2) of the Act.

(4) *Maturity.* Except for working capital loans, which shall have an original maturity not in excess of 6 years, the maturity of loans made or guaranteed, or with respect to which a deferred participation agreement will be entered into, under this section shall not exceed 25 years, including renewals and extensions: *Provided,* That such limitation on maturities shall not apply in the case of (i) securities or obligations received by the Secretary as claimant in bankruptcy or equitable reorganization, or as creditor in other proceedings attendant upon insolvency of the obligor, or (ii) loans with respect to which the Secretary has determined that an extension or renewal for an additional period not exceeding 10 years is reasonably necessary for orderly liquidation.

(5) *Service fee.* The Secretary may impose on a private lender a guarantee or deferred participation service fee of one-half of 1 percent per annum on the unpaid balance of the guaranteed or deferred portion of the loan.

(6) *Reasonable assurance of repayment.* Financial assistance will not be provided under this section unless there is reasonable assurance that a loan will be repaid pursuant to its terms. The test of reasonable assurance of repayment will be met only if the loan is sufficiently secured or if the future earnings prospects of the firm indicate ability to repay the loan out of income from the business. In determining the ability of the firm to repay the loan from income, the Secretary will consider all factors that he deems relevant, including the firm's total fixed obligations, the adequacy of its working capital, including its cash flow projection, and the ratio between its debts and net worth.

(7) *Agreement not to employ certain persons.* Financial assistance will not be provided to any firm unless the owners, partners or officers shall execute an agreement binding them and the firm, for a period of 2 years after financial assistance is provided, to refrain from employing, tendering any office or employment to, or retaining for professional services any person who, on the date such assistance or any part thereof was provided, or within 1 year prior thereto, shall have served as an officer, attorney, agent, or employee occupying a position or engaging in activities which the Secretary shall have determined involve discretion with respect to the provision of such financial assistance.

(8) *Security provisions.* In providing financial assistance, the Secretary may require such security and other protective devices as he deems appropriate, including (i) mortgages, (ii) security interests, (iii) pledge or hypothecation of inventories and receivables, (iv) personal guarantees of principal shareholders, (v) subordination, reduction, and consolidation of claims of existing creditors, (vi) provision for expediting repayments based on favorable earnings, and (vii) restrictions on disbursements and dividends.

(9) *Default provisions.* In providing financial assistance, the Secretary may require in any loans or evidences of indebtedness such provisions regarding default and acceleration upon default as he deems appropriate.

(10) *Termination of assistance and recovery of funds in the event of revocation.* Financial assistance provided by the Secretary to implement a certified adjustment proposal shall be subject to his right to terminate such assistance and to recover any funds disbursed thereunder, in the event of revocation of the certification pursuant to § 500.34(b): *Provided,* That recovery of funds disbursed will only be sought in cases where such recovery is deemed appropriate by the Secretary and where revocation was made pursuant to subdivision (iii) or (iv) of said § 500.34(b).

(d) *Administration of financial assistance.* (1) The Secretary will exercise all such powers and take all such action as may be necessary or incidental to the administration of financial assistance under this part, including, but not limited to the following:

(i) Assignment or sale at public or private sale, or other disposition of, any evidence of debt, contract, claim, personal property or security assigned to or held by him in connection with such financial assistance, upon such terms and conditions and for such consideration as he shall determine to be reasonable;

(ii) Collection, compromise and deficiency judgments with respect to all obligations assigned to or held by him in connection with such financial assistance until such time as such obligations may be referred to the Attorney General for suit or collection;

(iii) Renovation, improvement, modernization, completion, protection by insurance, rental, sale or other dealing with any real or personal property conveyed to or otherwise acquired by him in connection with such financial assistance, upon such terms and conditions and for such consideration as he shall determine to be reasonable; and

(iv) Acquisition, holding, transfer, release or conveyance of any real or personal property or any interest therein whenever deemed necessary or appropriate, and execution of all legal documents for such purposes.

(2) Any mortgage acquired as security under paragraph (c)(8) of this section shall be recorded under applicable State law.

(3) A financial institution that has made a loan in connection with which there has been a guarantee, or with respect to which there is a deferred participation agreement, under this section shall hold the note and all security and other agreements obtained by it in connection with such loan, and shall receive all payments of principal and interest on such loan until such time as the Secretary may purchase the guaranteed or deferred participation share thereof: *Provided,* That except as authorized in writing by the Secretary, such financial institution shall not (i) make or consent to any alteration in the terms of the note or related agreements, (ii) make or consent to any release, substitution or exchange of collateral, (iii) accelerate the maturity of the note, (iv) sell, assign or transfer the note or related agreements, (v) sue upon the note or related agreements, (vi) waive or agree to waive any claim against the borrower or any guarantor, standby creditor or other obligor in connection with the loan, (vii) charge or receive any bonus, fee, commission or expense in any form, directly or indirectly, in connection with the loan, except charges or expenses incurred or earned for services rendered, or (viii) increase the amount due on a prior lien. Such financial institution shall assign and deliver to the Secretary the note and related agreements with respect to such portion of the loan as may be purchased pursuant to the guarantee or deferred participation agreement.

§ 500.43 Tax assistance.

(a) *General.* Upon certification of a proposal for adjustment assistance under § 500.32, a firm may apply for tax assistance with respect to a net operating loss alleged to have been sustained by such firm in a taxable year that closed not more than 24 months prior to the date of such application. Such assistance will permit the firm to carry back a net operating loss to each of the 5 taxable years preceding the year of the loss, rather than the normal 3-year carryback provided in the Internal Revenue Code of 1954, as amended. Tax refunds received by a firm pursuant to a tax assistance certification must be used by such firm in accord with the terms of its certified adjustment proposal.

(b) *Application.* An application for tax assistance filed pursuant to § 500.30 shall satisfy the application requirement of paragraph (a) of this section, but the effective date of filing for purposes of section 317(a) of the Act and of this section shall be the date on which the firm's adjstment proposal is certified by the Secretary pursuant to section 500.32 of this part.

(c) *Certification.* Following receipt from the firm of the written notice required by § 500.32(e), eligibility for tax

assistance will be certified by the Secretary if he determines that (1) the net operating loss alleged to have been sustained by the firm in a taxable year that closed not more than 24 months prior to the date of its application under this section arose predominantly out of the carrying on of a trade or business which was seriously injured during such year by the increased imports found by the Tariff Commission to have resulted from concessions granted under trade agreements, and (2) tax assistance under this section will materially contribute to the economic adjustment of the firm. A certification under this section shall not constitute a determination of the existence or amount of any net operating loss for purposes of section 172 of the Internal Revenue Code of 1954, as amended.

(d) *Notice to Internal Revenue Service.* At such time and in such manner as may be prescribed pursuant to section 172(b)(3)(A)(1) of the Internal Revenue Code of 1954, as amended, and regulations issued thereunder, the firm or other taxpayers involved must file with the Secretary of the Treasury or his delegate a notice that it has applied for tax assistance and, if such assistance is approved, a copy of the certification of eligibility therefor, issued pursuant to paragraph (c) of this section.

(e) *Revocation.* A tax assistance certification may be revoked by the Secretary at any time upon a finding that the tax refunds made to the firm pursuant to such certification are not being used in accord with the terms of the firm's certified adjustment proposal.

Subpart E—Records and Reports

§ 500.50 Records.

(a) Each firm receiving adjustment assistance under this part shall make or cause to be made by any person under the control or direction of such firm, original or facsimile records, receipts or documents with respect to all transactions relating to the receipt, disbursement and utilization of proceeds or other forms of such assistance as are received that will fully disclose their amount and disposition. Such records, receipts or documents shall be in such form and detail as will facilitate effective audit.

(b) In any undertaking to provide adjustment assistance, the Secretary may require the firm to keep, or cause to be kept, such additional records, receipts or documents as he may deem appropriate.

(c) Any records, receipts or documents required to be kept pursuant to this section shall be retained for a period of at least 3 years following completion of the adjustment assistance proposal certified by the Secretary pursuant to Subpart C or until any loans called for therein have been repaid, whichever date is later.

(d) The records, receipts and documents referred to in this section shall include, but not by way of limitation, source materials, journals or other books of original entry, ledgers, financial statements, work papers regardless of by whom prepared, and minute books.

§ 500.51 Reports.

(a) Each firm receiving adjustment assistance under this part, and any person under the control or direction of such firm, shall furnish under oath, in the form of reports or otherwise as required by the Secretary, complete information relative to any matter involving or pertinent to the adjustment assistance proposal certified pursuant to Subpart C of this part, and information otherwise reasonably related to such proposal or the purposes of the Act or of this part. The Secretary may require that such reports include the production of any books of account, contracts, letters, or other papers relevant to adjustment assistance received by the firm or transactions related thereto in the custody or control of the firm or person required to make such reports.

Subpart F—Procedures

§ 500.60 Forms.

(a) For the convenience and guidance of interested persons, the following printed forms are available for use in connection with submissions under this part in connection with adjustment assistance to firms:

(1) OTA–1, Application for Certification of Eligibility To Apply for Adjustment Assistance (under section 302(b)(1) of the Act).

(2) OTA–2, Certificate of Eligibility To Apply for Adjustment Assistance.

(3) OTA–3, Application for Adjustment Assistance.

(4) OTA–4, Adjustment Proposal.

(5) OTA–5, Certification of Adjustment Proposal.

(6) OTA–6, Certification of Eligibility for Tax Assistance.

(b) Copies of all necessary forms, and instructions for their preparation and filing, may be obtained upon request from the Office of Trade Adjustment Assistance, Department of Commerce, Washington, D.C. 20230, or from any Field Office of the Department.

§ 500.61 Submissions.

(a) *Applications.* Forms and related material, including communications, with respect thereto, in connection with (1) applications for certification of eligibility to apply for adjustment assistance, (2) applications for adjustment assistance and (3) adjustment proposals under this part, should be submitted, in triplicate, to the Director, Office of Trade Adjustment Assistance, Department of Commerce, Washington, D.C. 20230.

(b) *Petitions for reconsideration and appeals.* See § 500.62(b)(2) and (c)(4), respectively.

(c) *Other communications.* In order to expedite attention to inquiries or other correspondence concerning matters relevant to or arising in connection with the provisions of this part, persons initiating such communications are urged to direct them in the first instance to OTAA.

(d) *Due date.* (1) Applications for certification of eligibility to apply for adjustment assistance under section 302(b)(1) of the Act, and applications for adjustment assistance under section 311 of the Act are subject to statutory filing deadlines. The Secretary may, in appropriate circumstances, condition acceptance of other submissions upon timely filing on or before a specified date. (2) Except as provided in §§ 500.43(b) and 500.62(a)(3), submissions received by mail are deemed filed on the date postmarked on the envelope in which they are mailed. Submissions delivered directly are deemed filed when received.

(e) *Extensions of time.* With respect to any submission, other than a petition for reconsideration or an appeal under § 500.62, concerning which a date has been established for receipt by the Secretary or his delegate and submission on or before such date is a condition precedent to its acceptance as timely filed, application for extension of time may be made to OTAA. Such application must be received by OTAA prior to the time such submission is due, and must contain a statement of reason for inability to comply with the required filing date. An extension of time will be given for good cause shown.

§ 500.62 Reconsideration and appeals.

This section sets forth the procedures applicable to: Petitions for reconsideration of administrative actions and appeals to the Secretary from certain delegated administrative actions and from decisions on petitions for reconsideration.

(a) *General provisions.* (1) The term "administrative action" means with respect to any person, (i) a decision with respect to certification of eligibility to apply for adjustment assistance, or (ii) a decision upon an application for adjustment assistance, or (iii) any action taken specifically with respect to such person pursuant to the exercise of a discretionary power by the Secretary or his delegate in accordance with any provision of this part. The term "administrative action" does not include an opinion or ruling interpreting these regulations, or a decision upon a petition for reconsideration or upon an appeal.

(2) Notice of an administrative action or of a decision upon a petition for reconsideration or upon an appeal shall be deemed to have been given on the date when mailed or delivered to the petitioner or appellant: *Provided*, That notice of an administrative action taken prior to the effective date of this section shall be deemed to have been given on such effective date.

(3) A petition for reconsideration or an appeal shall be deemed filed on the date received by the addressee.

(4) Any person may withdraw a petition for reconsideration or an appeal at any time prior to the date a decision is rendered thereon.

(b) *Petition for reconsideration.* Any person may petition the official who has taken an administrative action under this part with respect to such person for reconsideration of such action unless such person has previously appealed the same or a related administrative action to the Secretary and such appeal is then pending or a decision has been rendered

thereon. The filing of a petition for reconsideration shall not suspend or stay the effect of the administrative action of which reconsideration is sought unless the Secretary, in his discretion, so orders.

(1) *Form of petitions.* An original and five copies of the petition for reconsideration and all supporting documents shall be submitted. The petition shall enclose a copy of the administrative action of which reconsideration is asked, and shall state the grounds upon which the petition is based and the relief requested. All facts and argument in support of the petition shall be separately identified and set forth in detail.

(2) *Filing.* A petition for reconsideration of an administrative action shall be filed not later than 20 days after notice of the administrative action is given to the petitioner. It shall be addressed to the official who took the action of which reconsideration is sought, in care of the U.S. Department of Commerce, Washington, D.C. 20230. If a petition is withdrawn, the time which has elapsed since notice of the administrative action was given to the petitioner shall not be counted as part of the time allowed for appeal. Requests for extension of time within which to file petitions for reconsideration may be granted in the discretion of the official who took the action of which reconsideration is to be sought.

(3) *Decisions.* The official who took the action of which reconsideration is sought may dismiss the petition or may grant or deny the petition in whole or in part, or may modify all or part of the administrative action under reconsideration. Written notice of the decision shall be given to the petitioner.

(c) *Appeals.* (1) Any person may appeal in writing to the Secretary with respect to a decision by another official of the Department on the ground that the administrative action (including a decision on a petition for reconsideration) with respect to such person was based on legal or factual error or was arbitrary. An appeal may not be filed if such person has previously filed a petition for reconsideration respecting the same or a related administrative action and no decision has been rendered thereon or the petition has not been withdrawn. The filing of an appeal shall not suspend or stay the effect of the administrative action or decision on the petition for reconsideration under appeal unless the Secretary, in his discretion, so orders.

(2) Form of appeals: An original and three copies of the appeal and all supporting documents shall be submitted. If the submission of three copies of all accompanying documents or exhibits would place an undue burden on the petitioner, waiver of this rule may be requested at the time the appeal is filed. The appeal shall enclose a copy of the administrative action or decision on the petition for reconsideration from which appeal is made, and shall state the particulars upon which the appeal is based and the relief requested. All facts and arguments in support of the appeal shall be separately identified and set forth in detail. The appellant may request the Director, in writing, to transmit to the Secretary the documentation originally submitted to OTAA.

(3) Oral presentations: The Secretary may, in his discretion, request an appellant to make an oral presentation at a time and place designated.

(4) Filing: Appeals shall be filed with the Secretary not later than 30 days after notice of the administrative action or decision on the petition for reconsideration has been given to the appellant. Requests for extensions of time within which to file appeals may be granted in the discretion of the Secretary. Appeals shall be addressed to the Secretary, U.S. Department of Commerce, Washington, D.C. 20230.

(5) Decisions: The Secretary may dismiss, grant or deny the appeal in whole or in part or modify all or part of the administrative action or decision on the petition for reconsideration under appeal. Written notice of the Secretary's decision shall be furnished to the appellant and shall constitute final Departmental action.

§ 500.63 Public access to information.

Completed Forms OTA–1, OTA–3, OTA–4, or any other completed forms filed with OTAA, applications and requests from applicants, petitions for reconsideration, appeals, materials submitted therewith, and decisions thereon are considered to be matters covered by 5 U.S.C. 552(b). Other information, records, and material in the possession of OTAA, if required by 5 U.S.C. 552 to be made available to the public, shall be available in accordance with the provisions of Part 4 of this title.

Subpart G—Investigation and Audit; Penalties

§ 500.70 Investigation and Audit.

(a) The Secretary may, through any person or agency, investigate any matter relevant to or any violation of the provisions of this part, regardless of whether any report has been required or filed in connection therewith.

(b) The Secretary, through any person or agency, shall have access for the purpose of audit and examination to any records, receipts and documents (as defined in § 500.50(d)) in the possession of a firm that is receiving or has received adjustment assistance under this part, or in the possession of any person under such firm's control or direction, pertaining to or relevant to such adjustment assistance.

§ 500.71 Penalties.

(a) Attention is directed to 19 U.S.C. section 1919, which provides in connection with adjustment assistance to firms that:

> Whoever makes a false statement of a material fact knowing it to be false, or knowingly fails to disclose a material fact, or whoever willfully overvalues any security, for the purpose of influencing in any way the action of the Secretary of Commerce * * *, or for the purpose of obtaining money, property, or anything of value * * *, shall be fined not more than $5,000 or imprisoned for not more than 2 years, or both.

(b) Attention is also directed to 18 U.S.C. section 1001, which provides that:

> Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme or device a material fact, or makes any false, fictitious, or fraudulent statements, or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than 5 years or both.

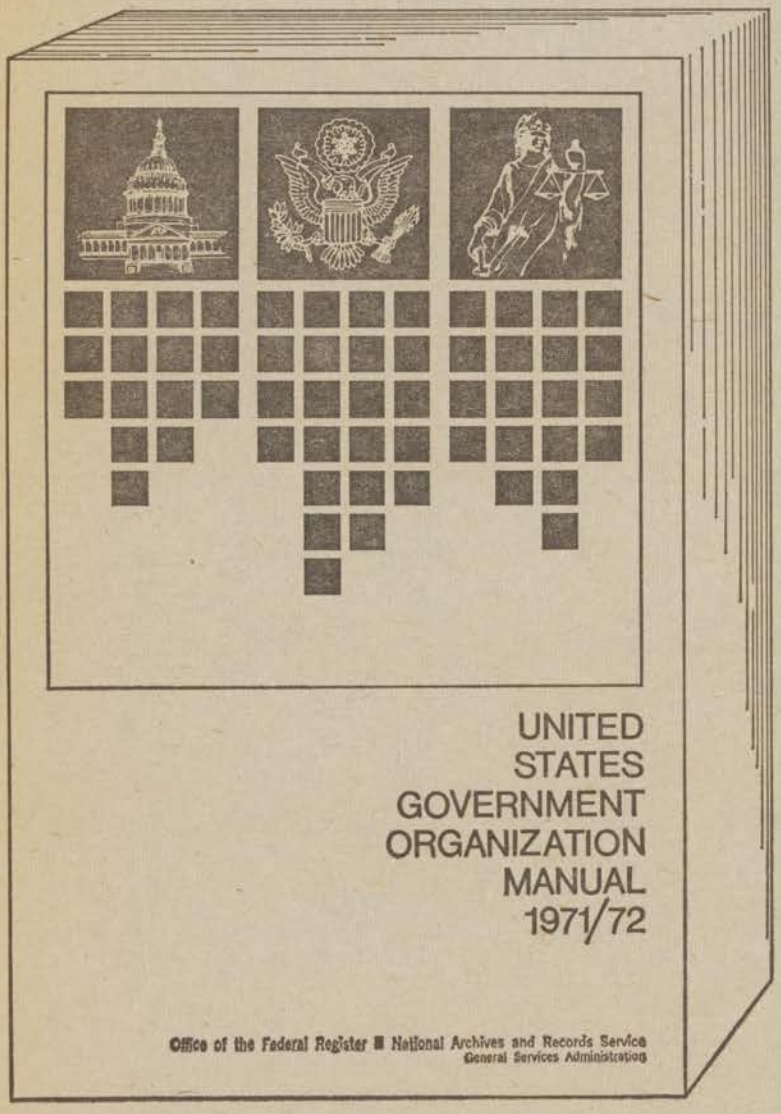
(c) Failure by a firm to maintain or cause to be maintained records or make reports required under Subpart E of this Part shall be grounds for suspension or termination of adjustment assistance. This provision shall constitute an integral part of any certification by the Secretary of an adjustment proposal, whether or not expressly incorporated therein.

§ 500.72 Effect on Lenders.

Any person who in good faith lends money or extends credit to a firm that is receiving or has received adjustment assistance under this part and who does not have actual knowledge, when such loan is made or credit extended (or when a commitment is given to make the loan or extend the credit), that the use of the proceeds thereof, the repayment thereof or any other transaction in connection therewith will involve or constitute a violation by the firm of any provision of this part or of any license, ruling, regulation, order, direction, or instruction issued by or pursuant to the authorization or direction of the Secretary pursuant to this part or otherwise under § 500.71, may receive payment thereof (together with all interest and other fees and charges) and may otherwise participate in any other transaction in connection therewith, and such person's rights against the firm in connection with such loan or extension of credit shall not in any way be affected or impaired by reasons of the provisions of this part.

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