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PART I

(Part II begins on page 4601)

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.

FAIR PACKAGING AND LABELING—FTC exempts solder and brazing alloys, from avoirdupois weight statement requirement 4429

NEW ANIMAL DRUGS—FDA approves an anthelmintic for cattle and additional uses of buquinolate in poultry feeds (2 documents); effective 3–3–72 ..... 4429, 4430

ANTIBIOTICS—FDA certifies a clindamycin compound; effective 3–3–72 4431

FLOOD INSURANCE—HUD additions to hazard areas and insurance eligibility lists (2 documents) 4434, 4435

EMERGENCY EMPLOYMENT IN THE PUBLIC SERVICES—Labor Dept. revision of regulations governing grant allocations 4436

STUDY GROUP AIR CHARTERS—CAB proposes to allow a period of independent travel in charter itinerary; comments by 4–3–72 4452

TELECOMMUNICATIONS—FCC proposes extension of certain frequency allocations to non-Government fixed and land mobile telemetering operations; comments by 5–9–72 4454

SECURITIES—SEC proposes notification by broker-dealers regarding changes in certifying accountants on annual reports; comments by 3–17–72 4454

(Continued inside)

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FOOD STAMP PROGRAM—USDA changes eligibility standards and reduces purchase requirements for Alaska and Hawaii 4456, 4457

PRODUCT STANDARDS—Commerce Dept. notice of intent to withdraw certain standards considered obsolete or technically inadequate; comments within 45 days 4459

YELLOWFIN TUNA—Marine Fisheries Service announces close of season on 3–5–72 4460

POLISH AIRLINES—CAB 3–15–72 prehearing conference on application for carrier service at New York and Chicago 4462

WEST VIRGINIA FLOOD RELIEF—Logan and Mingo Counties slated for assistance following 2–27–72 Presidential declaration 4477

MINIMUM WAGES—Labor Dept. notice for Federal and federally assisted construction in specified areas 4465

INTERSTATE MOTOR TRANSPORT—ICC notice of American Trucking Associations, Inc., petition concerning carrier-shipper credit arrangements; comments within 30 days 4481

IMPORTED APPAREL—Customs Bur. restricts entry of certain women's fabric garments 4456

Contents

AGRICULTURE DEPARTMENT

See Animal and Plant Health Service; Consumer and Marketing Service; Food and Nutrition Service.

ANIMAL AND PLANT HEALTH SERVICE

Proposed Rule Making

Unshu oranges from Japan; importation and interstate movement 4443

CIVIL AERONAUTICS BOARD

Proposed Rule Making

Study group charters by direct air carriers and charterers; authorization of period of independent travel 4452

Notices

Hearings, etc.:

Air West 4461
Modern Air Transport, Inc., and GAC Corp 4461
Polskie Linie Lotnicze "Lot" (Polish Airlines) 4462

COAST GUARD

Rules and Regulations

Drawbridge operations:

Chickahominy River, Va 4432
Inner Harbor Navigation Canal, New Orleans, La 4433
Mokelumne River, Calif 4433
North Branch, Chicago River, Ill 4433

Proposed Rule Making

Drawbridge operations:

Johnson River, Conn 4452
Sheepscot River, Maine 4451

Notices

Equipment, construction, and materials; termination of approval notice 4460

COMMERCE DEPARTMENT

See Maritime Administration; National Bureau of Standards; National Oceanic and Atmospheric Administration.

CONSUMER AND MARKETING SERVICE

Proposed Rule Making

Cranberries grown in certain States; handling limitation 4443
Irish potatoes grown in State of Washington; recommended decision and opportunity to file written exceptions 4444

CUSTOMS BUREAU

Notices

Pantyhose; restriction on importation 4456

EMERGENCY PREPAREDNESS OFFICE

Notices

Arkansas; amendment to notice of major disaster 4477
West Virginia; major disaster and related determinations 4477

EMPLOYMENT STANDARDS ADMINISTRATION

Notices

Minimum wages for Federal and federally assisted construction; modification and/or supersedeas decisions to area wage determinations decisions for certain specified localities 4465

FEDERAL COMMUNICATIONS COMMISSION

Rules and Regulations

Maritime services and public fixed stations in Alaska; report and order; correction 4441

Proposed Rule Making

Non-Government fixed and land mobile telemetering in certain band on secondary basis 4454

Notices

Common carrier services information; domestic public radio services applications accepted for filing 4462

FEDERAL INSURANCE ADMINISTRATION

Rules and Regulations

Flood insurance program:

Areas eligible for sale of insurance 4434
Identification of special hazard areas 4435

FEDERAL POWER COMMISSION

Notices

National Gas Survey Executive Advisory Committee; order designating member 4475
New England Power Pool (NE POOL) Agreement; extension of time 4475

Hearings, etc.:

Amoco Production Co 4475
Phillips Petroleum Co. et al 4476

FEDERAL REGISTER ADMINISTRATIVE COMMITTEE

Guide to record retention requirements 4601

FEDERAL RESERVE SYSTEM

Notices

First Tennessee National Corp.; order approving acquisition of bank 4477

(Continued on next page)

FEDERAL TRADE COMMISSION

Rules and Regulations

Fair packaging and labeling; solder ---- 4429

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Antibiotic drugs; clindamycin palmitate hydrochloride ---- 4431

New animal drugs:
- Buquinolate ---- 4429
- Thiabendazole ---- 4430

FOOD AND NUTRITION SERVICE

Notices

Food stamp program; maximum monthly allowable income standards:
- Alaska ---- 4456
- Hawaii ---- 4457

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See Federal Insurance Administration.

INDIAN AFFAIRS BUREAU

Notices

Director of Administrative Services et al.; delegations of authority ---- 4456

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

Notices

Peerless Eagle Co.; applications for renewal permits; opportunity for public hearing ---- 4477

INTERIOR DEPARTMENT

See Indian Affairs Bureau; Land Management Bureau.

INTERSTATE COMMERCE COMMISSION

Rules and Regulations

Car service; Union Pacific Railroad Co. authorized to operate over certain trackage of Burlington Northern Inc ---- 4429

Notices

Assignment of hearings (2 documents) ---- 4480

Fourth section applications for relief ---- 4480

Motor carrier transfer proceedings (3 documents) ---- 4481

Payment of rates and charges of motor carriers; extension of credit to shippers ---- 4481

LABOR DEPARTMENT

See also Employment Standards Administration.

Rules and Regulations

Grants under the Emergency Employment Act ---- 4436

LAND MANAGEMENT BUREAU

Notices

Chiefs, Lands Section and Minerals Section, Branch of Lands and Minerals Operations, New Mexico State Office; redelegation of authority ---- 4456

MARITIME ADMINISTRATION

Notices

Construction of combination RO/RO containerships; computation of foreign cost ---- 4458

Pacific Far East Line, Inc.; application for approval of certain cruises ---- 4459

NATIONAL BUREAU OF STANDARDS

Notices

Commercial standards and simplified practice recommendations; notice of intent to withdraw certain standards ---- 4459

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Notices

Yellowfin tuna; closure of season ---- 4460

SECURITIES AND EXCHANGE COMMISSION

Proposed Rule Making

Annual reports of brokers and dealers; disclosure of changes in certifying accountants ---- 4454

Notices

Hearings, etc.:
- Eastern Utilities Associates ---- 4478
- Ivy Fund, Inc., and Robert D. Patterson ---- 4478
- State Street Investment Corp ---- 4479
- Topper Corp ---- 4479

TARIFF COMMISSION

Notices

Pittsfield Shoe Co.; workers' petition for determination of eligibility to apply for adjustment assistance; investigation ---- 4480

TRANSPORTATION DEPARTMENT

See Coast Guard.

TREASURY DEPARTMENT

See Customs Bureau.

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.

7 CFR

PROPOSED RULES:

301 ---- 4443
319 ---- 4443
929 ---- 4443
946 ---- 4444

14 CFR

PROPOSED RULES:

373 ---- 4452

16 CFR

501 ---- 4429

17 CFR

PROPOSED RULES:

240 ---- 4454

21 CFR

135 ---- 4429
135c ---- 4430
135e ---- 4429
141 ---- 4431
145 ---- 4431
149u ---- 4431

24 CFR

1914 ---- 4434
1915 ---- 4435

29 CFR

55 ---- 4436

33 CFR

117 (4 documents) ---- 4432, 4433

PROPOSED RULES:

117 (2 documents) ---- 4451, 4452

47 CFR

81 ---- 4441
83 ---- 4441

PROPOSED RULES:

2 ---- 4454

49 CFR

1033 ---- 4429

Rules and Regulations

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

SUBCHAPTER E—RULES, REGULATIONS, STATEMENTS OF GENERAL POLICY OR INTERPRETATION AND EXEMPTIONS UNDER THE FAIR PACKAGING AND LABELING ACT

PART 501—EXEMPTIONS FROM REQUIREMENTS AND PROHIBITIONS UNDER PART 500

Solder

The Federal Trade Commission, on November 24, 1971 (36 F.R. 22311) proposed § 501.8 of the Fair Packaging and Labeling Act's regulations which would exempt solder and brazing alloys containing precious metals from certain of the mandatory requirements of Part 500 of the regulations. As proposed, the exemption would permit the omission of a net weight statement in avoirdupois pound or ounce provided a net weight statement in troy weight was used.

In response to an invitation for interested parties to comment, two comments were received from State regulatory officials. One response favored the proposal while the other commented adversely suggesting that the proposal would tend to proliferate measurement systems in the retail market.

Having considered all the comments, the Commission has concluded that the proposed exemption should be adopted.

Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (sections 5, 6, 80 Stat. 1298, 1299, 1300; 15 U.S.C. 1454, 1455), Part 501 of Subchapter E is amended by adding the following new section:

§ 501.8 Solder.

Solder and brazing alloys containing precious metals when packaged and labeled for retail sale are exempt from the net quantity statement requirements of Part 500 of this chapter which specify that all statements of weight shall be in terms of avoirdupois pound and ounce provided the net quantity declaration is stated in terms of the troy pound and ounce and the term "troy" is used in each declaration.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Secretary, Federal Trade Commission, Washington, D.C. 20580, written objections thereto, specifying with particularity the provisions of the order deemed objectionable, stating the grounds therefor, and requesting a public hearing upon such objections. Objections will be deemed sufficient to warrant the holding of a public hearing only: (1) If they establish that the objector will be adversely affected by the order; (2) if they specify with particularity the provisions of the order to which objection is taken; and (3) if they are supported by reasonable grounds which if valid and factually supported may be adequate to justify the relief sought. Anyone who files objections which are not deemed by the Commission sufficient to warrant the holding of a public hearing will be promptly notified of that determination.

As soon as practicable after the time for filing objections has expired, the Commission will publish a notice in the FEDERAL REGISTER specifying those parts of the order which have been stayed by the filing of objections or, if no objections sufficient to warrant the holding of a public hearing have been filed, stating the fact. This order shall become effective 30 days following the date of its publication in the FEDERAL REGISTER, except as to any provision that may be stayed by the filing of valid objections.

By direction of the Commission dated February 25, 1972.

[SEAL] CHARLES A. TOBIN, *Secretary.*

[FR Doc.72-3226 Filed 3-2-72;8:47 am]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1074, Amdt. 3]

PART 1033—CAR SERVICE

Union Pacific Railroad Co. Authorized To Operate Over Certain Trackage of Burlington Northern Inc.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 24th day of February 1972.

Upon further consideration of Service Order No. 1074 (36 F.R. 12225, 25424; 37 F.R. 1046), and good cause appearing therefor:

It is ordered, That § 1033.1074 *Service Order No. 1074* (Union Pacific Railroad Co. authorized to operate over certain trackage of Burlington Northern Inc.) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., March 31, 1972, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., February 29, 1972.

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

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

By the Commission, Railroad Service Board.

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

[FR Doc.72-3248 Filed 3-2-72;8:49 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 135—NEW ANIMAL DRUGS

Subpart C—Sponsors of Approved Applications

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

Buquinolate

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (34-716V) filed by Norwich Agricultural Products, Inc., Division of Morton-Norwich Products, Inc., Norwich, N.Y. 13815, proposing an amendment to the regulations to provide for additional safe and effective uses of buquinolate in the feed of fryer, broiler and layer chickens and to reflect new revised labeling for buquinolate premix. The supplemental application is approved. The regulations are also amended to delete the original listing of the name and address of the sponsor and to reserve that sponsor code number for future use.

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), Parts 135 and 135e are amended as follows:

§ 135.501 [Amended]

1. In § 135.501(c) in the "Firm name and address" column under Code No. 027

by deleting the listing for Norwich Pharmacal Co. and substituting therefore the word "Reserved."

2. In § 135e.34 by revising paragraphs (b), (d), and (f) to read as follows:

§ 135e.34 Buquinolate.

* * * * *

(b) *Approvals.* Premix levels of 16.5 and 22 percent have been granted; for sponsor see code No. 067 in § 135.501(c) of this chapter.

* * * * *

(d) *Special considerations.* Maximum level permitted in medicated feed: 0.011 percent (100 grams per ton). Do not use in feeds containing bentonite.

* * * * *

(f) *Conditions of use.* It is used as follows:

BUQUINOLATE IN ANIMAL FEED

	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1. Buquinolate	75 (0.00825%)			For broiler or fryer chickens; feed continuously as the sole ration.	An aid in the prevention of coccidiosis caused by *E. tenellal, E. maxima, E. necatrix, E. brunetti,* and *E. acervulina.*
2. Buquinolate	75 (0.00825%)	Arsanilic acid	90 (0.01%)	For broiler or fryer chickens; feed continuously as the sole ration; withdraw 5 days before slaughter; as sole source of organic arsenic.	An aid in the prevention of coccidiosis caused by *E. tenella, E. maxima, E. necatrix, E. brunetti,* and *E. acervulina;* growth promotion and feed efficiency; improving pigmentation.
3. Buquinolate	75 (0.00825%)	Roxarsone	22.7-45.4 (0.0025%-0.005%)	do	Do.
4. Buquinolate	75-100 (0.00825%-0.011%)			For broiler, fryer, roaster or replacement chickens; feed continuously as the sole ration; do not administer over 75 grams per ton (0.00825%) to replacement chickens over 20 weeks of age.	An aid in the prevention of coccidiosis caused by *E. tenellal E. maxima, E. necatrix, E. brunetti,* and *E. acervulina.*
5. Buquinolate	75 (0.00825%)			For laying or breeding chickens; feed to caged layers for 2 weeks following caging; feed continuously to layers and breeders kept on floors while in production or until marketed.	Do.
a.1		Penicillin	2.4-50	For broiler or fryer chickens; feed continuously as the sole ration; as procaine penicillin.	An aid in the prevention of coccidiosis caused by *E. tenella, E. maxima, E. necatrix, E. brunetti,* and *E. acervulina:* growth promotion and feed efficiency.
b.1		Bacitracin	4-50	For broiler or fryer chickens; feed continuously as the sole ration; as zinc bacitracin or bacitracin methylene disalicylate.	Do.
c.1		Penicillin + bacitracin.	3.6-50	For broiler or fryer chickens; feed continuously as the sole ration; not less than 0.6 gram of penicillin nor less than 3 grams of bacitracin; as procaine penicillin plus zinc bacitracin or bacitracin methylene disalicylate.	Do.
d.1		Chlortetracycline.	200	For broiler or fryer chickens in low calcium feed containing 0.8 percent dietary calcium and 1 percent to 1.5 percent sodium sulfate; to be fed continuously for not more than the first 21 days of life.	An aid in the prevention of coccidiosis caused by *E. tenella, E. maxima, E. necatrix, E. brunetti,* and *E. acervulina;* treatment of chronic respiratory disease (air-sac infection), blue comb (nonspecific enteritis) prevention of synovitis.
e.1		Lincomycin	2-4	To be fed as the sole ration for floor raised broiler and fryer chickens; feed continuously as the sole ration.	For increase in rate of weight gain and improved feed efficiency; as an aid in the prevention of coccidiosis caused by *E. tenella, E. maxima, E. necatrix, E. brunetti, E. acervulina.*

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (3-3-72).

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

Dated: February 22, 1972.

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

[FR Doc.72-3186 Filed 3-2-72;8:45 am]

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Thiabendazole

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (15-123V) filed by Merck Sharp & Dohme Research Laboratories, Division of Merck and Co., Rahway, N.J. 07065, proposing revised labeling for the safe and effective use of the drug as an anthelmintic in cattle. The supplemental application is 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), Part 135c is amended in the table in § 135c.7(e)(2)(ii) by revising items 1 and 2 in the "Indications for use" column, as follows:

§ 135c.7 Thiabendazole.

* * * * *

(e) * * *

(2) * * *

(ii) It is also used as follows:

IN A BOLUS OR IN LIQUID FORM

	Amount	Limitations	Indications for use
1. Thiabendazole	* * *	* * *	Control of infections of gastrointestinal roundworms (genera *Trichostrongylus spp., Haemonchus spp., Ostertagia spp.*) when used as a bolus; control of infections of gastrointestinal roundworms (genera *Trichostrongylus spp., Haemonchus spp., Ostertagia spp., O. radiatum,* and *Nematodirus spp.*) when used as a drench.
2. Thiabendazole	* * *	* *	Control of severe infections of gastrointestinal roundworms (*genera Trichostrongylus spp., Haemonchus spp., Ostertagia spp.*) control of infections with *Cooperia spp.*, when used as a bolus; control of severe infections of gastrointestinal roundworms (genera *Trichostrongylus spp., Haemonchus spp., Ostertagia spp., O. radiatum* and *Nematodirus spp.*), control of infections with *Cooperia spp.* when used as a drench.
* * *	* * *	* * *	* * *

(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 (3–3–72).

Dated: February 23, 1972.

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

[FR Doc.72–3185 Filed 3–2–72;8:45 am]

CLINDAMYCIN PALMITATE HYDROCHLORIDE

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), Parts 141, 145, and 149u are amended as follows to provide for certification of the antibiotic clindamycin palmitate hydrochloride:

PART 141—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

1. Part 141 is amended:

a. In § 141.5(b) by alphabetically inserting a new item in the table, as follows:

§ 141.5 Safety test.

* * * * *

(b) * * *

Antibiotic drug	Diluent (diluent number as listed in § 141.3)	Test dose		Route of administration as described in paragraph (c) of this section
		Concentration in units or milligrams of activity per milliliter	Volume in milliliters to be administered to each mouse	
* * *	* * *	* * *	* * *	* * *
Clindamycin palmitate hydrochloride.	3	50 mg.	1.0	Oral.
* * *	* * *	* * *	* * *	* * *

b. By adding a new section, as follows:

§ 141.573 Clindamycin content of clindamycin palmitate hydrochloride by vapor phase chromatography.

(a) *Equipment.* Gas chromatograph equipped with a flame ionization detector: Hewlett-Packard 7,606 or equivalent.

(b) *Reagents.* (1) Acetic anhydride, reagent grade.

(2) Pyridine, reagent grade.

(3) Chloroform, reagent grade.

(4) Internal standard: Prepare a solution containing 5 milligrams of cholesteryl benzoate per milliliter in chloroform.

(c) *Typical conditions.* (1) Column: 6 feet x 2 millimeters ID, glass, with 1 percent UC–W98 on Chromosorb WHP (80/100 mesh) or equivalent.

(2) Temperatures: Column 275° C.; detector 290° C.; injection port 280° C.

(3) Carrier gas: Helium approximately 60 milliliters per minute.

(4) Detector: Hydrogen flame ionization—hydrogen at 12 pounds per square inch, air at 32 pounds per square inch.

(5) Sensitivity: 1,000; attenuation, 16; 1×10^{-9} amperes.

(d) *Preparation of clindamycin palmitate hydrochloride sample and working standard solutions.* Accurately weigh approximately 15 milligrams of both the sample and the working standard into separate glass-stoppered, conical 15-milliliter centrifuge tubes. Add 1.0 milliliter of internal standard solution, 1.0 milliliter of pyridine, and 0.5 milliliter of acetic anhydride to each tube. Agitate the tubes to insure dissolution and complete mixing of the liquids. Proceed as directed in paragraph (e) of this section.

(e) *Procedure.* Cover the top of each centrifuge tube with a plastic cap. Punch a small hole in the top of each cap to allow vapor to escape. Place the tubes in a 100° C. drying oven for 2.5 hours. Remove the tubes from the oven and allow to cool. Take the plastic cap from each tube and replace with the glass stopper. Centrifuge 10–15 minutes at 2,000–2,500 r.p.m. to separate the white solid from the liquid in the tube. Inject 1 microliter of the clear liquid into the gas chromatograph. Use the conditions and materials listed in paragraphs (a), (b), and (c) of this section. The conditions should be adequate to maintain a stable baseline and provide at least 40 percent deflection of the recorder scale by the clindamycin palmitate peak. The resolution of the peaks should be complete. The internal standard will be eluted before the clindamycin palmitate. Calculate the clindamycin content as directed in paragraph (f) of this section.

(f) *Calculations.* Calculate the clindamycin content of the sample as follows:

$$\text{Micrograms of clindamycin per milligram} = \frac{R_u \times W_s \times f}{R_s \times W_u},$$

where:

R_u = (Area of the sample peak (at a retention time equal to that observed for the clindamycin palmitate hydrochloride standard)) / (Area of internal standard peak);

R_s = (Area of the clindamycin palmitate hydrochloride standard peak) / (Area of internal standard peak);

W_s = Weight of the clindamycin palmitate hydrochloride working standard in milligrams;

W_u = Weight of the sample in milligrams;

f = Micrograms of clindamycin activity per milligram of clindamycin palmitate hydrochloride working standard.

PART 145—ANTIBIOTIC DRUGS: DEFINITIONS AND INTERPRETATIVE REGULATIONS

2. Part 145 is amended:

a. In § 145.3 by adding a new subparagraph to paragraph (a) and another to paragraph (b), as follows:

§ 145.3 Definitions of master and working standards.

(a) * * *

(48) *Clindamycin palmitate hydrochloride.* The term "clindamycin palmitate hydrochloride master standard" means a specific lot of clindamycin palmitate hydrochloride designated by the Commissioner as the standard of comparison in determining the potency of the clindamycin palmitate hydrochloride working standard.

(b) * * *

(48) *Clindamycin palmitate hydrochloride.* The term "clindamycin palmitate hydrochloride working standard" means a specific lot of a homogeneous preparation of clindamycin palmitate hydrochloride.

b. In § 145.4(b) by adding a new subparagraph, as follows:

§ 145.4 Definitions of the terms "unit" and "microgram" as applied to antibiotic substances.

* * * * *

(b) * * *

(51) *Clindamycin palmitate hydrochloride.* The term "microgram" applied to clindamycin palmitate hydrochloride means the clindamycin activity (potency) contained in 1.661 micrograms of the clindamycin palmitate hydrochloride master standard.

PART 149u—CLINDAMYCIN

3. Part 149u is amended by adding the following new sections:

§ 149u.3 Clindamycin palmitate hydrochloride.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Clindamycin palmitate hydrochloride is the white to off-white amorphous powder of the hydrochloride salt of the palmitic acid ester of clindamycin. It is freely soluble in water, ethanol, chloroform, and ether. It is so purified and dried that:

(i) It contains not less than 540 micrograms of clindamycin per milligram.

(ii) It passes the safety test.

(iii) Its moisture content is not more than 3.0 percent.

(iv) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 2.8 and not more than 3.8.

(v) It passes the identity test for clindamycin palmitate hydrochloride.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the

requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for clindamycin content, safety, moisture, pH, and identity.

(ii) Samples required: 10 packages, nine containing not less than 300 milligrams and one package containing not less than 2 grams.

(b) *Tests and methods of assay*—(1) *Clindamycin content.* Proceed as directed in § 141.573 of this chapter.

(2) *Safety.* Proceed as directed in § 141.5 of this chapter.

(3) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous solution containing 10 milligrams per milliliter.

(5) *Identity.* Proceed as directed in § 141.521 of this chapter, using the sample preparation method described in paragraph (b)(2) of that section.

§ 149u.12 Clindamycin palmitate hydrochloride for oral suspension.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Clindamycin palmitate hydrochloride for oral suspension is composed of clindamycin palmitate hydrochloride with one or more suitable and harmless diluents, buffer substances, colorings, and flavorings. When reconstituted as directed in the labeling, using the accompanying diluent when provided, each milliliter contains clindamycin palmitate hydrochloride equivalent to 15 milligrams of clindamycin. Its clindamycin content is satisfactory if it is not less than 90 percent and not more than 120 percent of the amount of clindamycin that it is represented to contain. The moisture content is not more than 3.0 percent. When reconstituted as directed in the labeling, its pH is not less than 3.0 and not more than 5.0. The clindamycin palmitate hydrochloride used conforms to the standards prescribed by § 149u.3(a)(1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(*a*) The clindamycin palmitate hydrochloride used in making the batch for clindamycin content, safety, moisture, pH, and identity.

(*b*) The batch for clindamycin content, moisture, and pH.

(ii) Samples required:

(*a*) The clindamycin palmitate hydrochloride used in making the batch: 10 packages, nine containing not less than 300 milligrams, and one containing not less than 2 grams.

(*b*) The batch: A minimum of six immediate containers.

(b) *Tests and methods of assay*—(1) *Clindamycin content.* Proceed as directed in § 141.573 of this chapter, except:

(i) Preparation of clindamycin palmitate hydrochloride sample and working standard solutions. Accurately weigh about 130 milligrams of the clindamycin palmitate hydrochloride working standard and transfer to a 25-milliliter volumetric flask. Add 5 milliliters of distilled water. Reconstitute the clindamycin palmitate hydrochloride for oral suspension as directed in the labeling, using the accompanying diluent when provided, and transfer exactly 5.0 milliliters to a 25-milliliter volumetric flask. Add exactly 5.0 milliliters of internal standard and 1 milliliter of 30 percent sodium carbonate to each flask. Shake both flasks mechanically for 5 minutes. Transfer the contents of each flask to separate 15-milliliter glass-stoppered centrifuge tubes and centrifuge. Remove the top aqueous layer by suction and transfer exactly 1.0 milliliter of the chloroform layer to separate glass-stoppered, conical, 15-milliliter centrifuge tubes. Add 1 milliliter of pyridine and 0.5 milliliter of acetic anhydride. Agitate the tubes to insure complete mixing of the liquids. Proceed as directed in § 141.573(e) of this chapter.

(ii) Calculations: Calculate the clindamycin content as follows:

$$\text{Milligrams of clindamycin per milliliter} = \frac{R_u \times W_s \times f}{R_s \times V},$$

where:

R_u = (Area of the sample peak (at a retention time equal to that observed for the clindamycin palmitate hydrochloride standard)) / (Area of internal standard peak)

R_s = (Area of the clindamycin palmitate hydrochloride standard peak) / (Area of internal standard peak)

W_s = Weight of the clindamycin palmitate hydrochloride working standard in milligrams;

V = Volume of reconstituted sample in milliliters;

f = Milligrams of clindamycin activity per milligram of clindamycin palmitate hydrochloride working standard.

(2) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(3) *pH.* Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

Data supplied by the manufacturer concerning the subject antibiotic drug have been evaluated. Since the conditions prerequisite to providing for certification of this drug have been complied with and since the matter is noncontroversial, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (3–3–72).

Dated: February 23, 1972.

H. E. SIMMONS,
Director, Bureau of Drugs.

[FR Doc.72-3167 Filed 3-2-72;8:45 am]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

[CGFR 71–101a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Chickahominy River, Va.

This amendment changes the regulations for the highway bridge on State Route 5 across the Chickahominy River at Barrets Ferry to require that the draw open on signal from 7 a.m. to 11 p.m. and that the draw open on signal from 11 p.m. to 7 a.m. if at least 12 hours' notice has been given. This amendment was circulated as a public notice dated October 5, 1971 by the Commander, Fifth Coast Guard District and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGFR 71–101) on October 5, 1971 (36 F.R. 19391). Four replies were received. One recommended approval of this proposal and one had no objection. One recommended that 12 rather than 24 hours' notice be required. This recommendation is incorporated into this amendment. One objected because of potential future marine and water recreation development. If this does occur the regulations may be amended to meet the needs of navigation at that time.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revising § 117.245(f)(21) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of drawtenders is not required.

* * * * *

(f) * * *

(21) Chickahominy River, Va.; Virginia Department of Highways at Barrets Ferry. The draw shall open on signal from 7 a.m. to 11 p.m. and shall open on signal from 11 p.m. to 7 a.m. if at least 12 hours' notice has been given.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05–1(c)(4))

Effective date. This revision shall become effective on April 3, 1972.

Dated: February 25, 1972.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.72-3227 Filed 3-2-72;8:47 am]

[CGFR 71-122a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

North Branch, Chicago River, Ill.

This amendment changes the regulations for the North Avenue, Cortland Street, Webster Avenue, North Ashland Avenue, North Damen Avenue, and Belmont Avenue bridges across the North Branch, Chicago River to permit the draws to remain closed to the passage of vessels. This amendment was circulated as a public notice dated November 11, 1971, by the Commander, Ninth Coast Guard District and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGFR 71-122) on November 3, 1971 (36 F.R. 21063). Two comments were received. Both comments offered no objection to the proposed change.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by adding paragraph (i) to § 117.663 to read as follows:

§ 117.663 **The Chicago River, the Ogden Slip, the North Branch of the Chicago River, the North Branch Canal, the South Branch, the West Fork of the South Branch, the South Fork of the South Branch, and the West Arm of South Fork of South Branch of the Chicago River, Ill.; bridges.**

* * * * *

(i) The draws of the North Avenue, Cortland Street, Webster Avenue, North Ashland Avenue, North Damen Avenue, and Belmont Avenue bridges across the North Branch of the Chicago River need not open for the passage of vessels. However the draws shall be returned to an operable condition within 6 months after notification from the Commandant to take such action.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Effective date. This revision shall become effective on April 3, 1972.

Dated: February 25, 1972.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.72-3229 Filed 3-2-72;8:47 am]

[CGFR 72-40]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Inner Harbor Navigation Canal, New Orleans, La.

This amendment adds regulations for the St. Claude Avenue and Florida Avenue bridges across the Inner Harbor Navigation Canal to permit the draws to remain closed to the passage of vessels from 8 a.m. to 4 p.m., Monday through Saturday, from March 15 through June 1, 1972. This amendment is made to allow the replacement of rivets, structural members, and performance of general painting and cleaning of both bridges. The Board of Commissioners of the Port of New Orleans has agreed to open the draws of these bridges during this closed period any time there is an accumulation of vessels waiting to pass. This arrangement is acceptable to navigation.

This rule is issued without notice of proposed rule making and is effective in less than 30 days. The Coast Guard has found that good cause exists for taking this action on the basis that it would be contrary to the public interest to delay this work.

Accordingly, Part 117 of Title 33 of the the Code of Federal Regulations is amended by adding a paragraph (a) to § 117.535 to read as follows:

§ 117.535 **Inner Harbor Navigation Canal, New Orleans, La.**

* * * * *

(a) The draws of the St. Claude Avenue and the Florida Avenue bridges need not open for the passage of vessels from 8 a.m. to 4 p.m., Monday through Saturday, from March 15 through June 1, 1972. However, the draws of each bridge shall open during this period to allow an accumulation of vessels to pass. At all other times during this period the draws shall open on signal.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Effective date. This revision is effective from March 15 through June 1, 1972.

Dated: February 25, 1972.

J. M. AUSTIN,
Acting Chief, Office of Marine Environment and Systems.

[FR Doc.72-3230 Filed 3-2-72;8:47 am]

[CGFR 71-121a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Mokelumne River, Calif.

This amendment changes the regulations for the drawbridges above New Hope Landing to permit the draws of these bridges to remain closed to the passage of vessels. This amendment was circulated as a public notice dated November 12, 1971, by the Commander, Twelfth Coast Guard District and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGFR 71-121) on October 30, 1971 (36 F.R. 20894). Two comments were received. One had no objection. One objected on the grounds that this change could hinder future development. If future development does occur, the regulations may be amended to meet the needs of navigation at that time.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revising § 117.714(h)(1)(ii) to read as follows:

§ 117.714 **San Joaquin River and its tributaries, California.**

* * * * *

(h) *Mokelumne River, including North and South Forks—(1) Mokelumne River.* * * *

(ii) *Drawbridges above New Hope Landing.* The draws of these bridges need not be opened to the passage of navigation. However, the owners of or agencies controlling these bridges shall restore the draws to full operation within 6 months of notification to take such action from the Commandant, U.S. Coast Guard.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(e)(5), 33 CFR 1.05-1(c)(4))

Effective date. This revision shall become effective on April 3, 1972.

Dated: February 25, 1972.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.72-3228 Filed 3-2-72;8:47 am]

Title 24—HOUSING AND URBAN DEVELOPMENT

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

List of Eligible Communities

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

§1914.4 List of eligible communities.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
* * *	* * *	* * *	* * *	* * *	* * *	* * *
California	Madera	Unincorporated areas.				Mar. 3, 1972.
Do	Contra Costa	Richmond				Do.
Colorado	Boulder	Louisville				Do.
Georgia	Dougherty	Unincorporated areas.				Do.
Do	do	Albany				Do.
Iowa	Floyd	Charles City				Do.
Kansas	Finney	Garden City	I 20 055 1950 01	Division of Water Resources, State Board of Agriculture, Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor, Statehouse, Topeka, Kans. 66612.	City Hall, 116 East Chestnut, Garden City, KS 67846.	Do.
Maryland	Anne Arundel	Unincorporated areas.				Do.
Mississippi	Lowndes	Columbus				Do.
Oregon	Umatilla	Pendleton				Do.
Tennessee	Hamilton	Unincorporated areas.				Do.
Do	do	Chattanooga				Do.
Do	do	Collegedale				Do.
Do	do	East Ridge				Do.
Do	do	Soddy-Daisy				Do.
Do	Maury	Columbia				Do.
Do	Shelby	Memphis				Do.
Texas	Galveston	Friendswood	I 48 167 2505 02	Texas Water Development Board, Post Office Box 12386, Capital Station, Austin, TX 78701. Texas Insurance Department, 1110 San Jacinto St., Austin, TX 78701.	City Hall, City of Friendswood, 109 Willowick Ave., Friendswood, TX 77546	Do.
Do	Palo Pinto	Mineral Wells				Do.
Do	Tarrant	Richland Hills				Do.
Do	Tom Green	San Angelo				Do.

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

Issued: February 25, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72-3141 Filed 3-2-72;8:45 am]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

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

§ 1915.3 List of communities with special hazard areas.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
* * *	* * *	* * *	* * *	* * *	* * *	* * *
California	Madera	Unincorporated areas.				Mar. 3, 1972.
Do	Contra Costa	Richmond				Do.
Colorado	Boulder	Louisville				Do.
Georgia	Dougherty	Unincorporated areas.				Do.
Do	do	Albany				Do.
Iowa	Floyd	Charles City				Do.
Kansas	Finney	Garden City	H 20 055 1950 01	Division of Water Resources, State Board of Agriculture, Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor, Statehouse, Topeka, Kans. 66612.	City Hall, 116 East Chestnut, Garden City, KS 67846.	Mar. 24, 1971.
Maryland	Anne Arundel	Unincorporated areas.				Mar. 3, 1972.
Mississippi	Lowndes	Columbus				Do.
Oregon	Umatilla	Pendleton				Do.
Tennessee	Hamilton	Unincorporated areas.				Do.
Do	do	Chattanooga				Do.
Do	do	Collegedale				Do.
Do	do	East Ridge				Do.
Do	do	Soddy-Daisy				Do.
Do	Maury	Columbia				Do.
Do	Shelby	Memphis				Do.
Texas	Galveston	Friendswood	H 48 167 2505 02	Texas Water Development Board, Post Office Box 12386, Capital Station, Austin, TX 78701. Texas Insurance Department, 1110 San Jacinto St., Austin, TX 78701.	City Hall, City of Friendswood, 109 Willowick Ave., Friendswood, TX 77546.	June 5, 1970.
Do	Palo Pinto	Mineral Wells				Mar. 3, 1972.
Do	Tarrant	Richland Hills				Do.
Do	Tom Green	San Angelo				Do.

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

Issued: February 25, 1972.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.72-3142 Filed 3-2-72;8:45 am]

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 55—GRANTS UNDER THE EMERGENCY EMPLOYMENT ACT

When Part 55 was published in the FEDERAL REGISTER on August 14, 1971 (36 F.R. 15433–15437), the Secretary invited interested parties to submit written comments, suggestions, data, or arguments to the Assistant Secretary for Manpower within 45 days of publication, and stated that material thus submitted would be evaluated and acted upon in the same manner as if the original document had been published in proposal form. The suggestions received were considered and Part 55 is revised as set forth herein. The following list of major changes will assist in directing attention to those changes.

In § 55.1(e) the reference to Indian tribes on Federal or State reservations is deleted from the definition of eligible applicant. Grants to them are covered under separate regulations.

In paragraph (k) of § 55.1 employment in highway or building construction projects (not maintenance) and work which is not customarily done by government, and which inures primarily to the benefit of private profit making organizations is excluded from public service employment.

In paragraph (q) of § 55.1 the definition of unemployed is revised to eliminate the requirement that an individual who is waiting to be called back to a job or to report to a new job within the next 30 days have looked for work within the past 4 weeks.

Paragraph (a) of § 55.4 is amended to provide that units which serve fewer than 10,000 people or which would be entitled to less than $25,000 may be excluded from grants.

Paragraph (d) of § 55.5 is revised to accord with an opinion of the Comptroller General that outstationing of State and local employees to work for Federal agencies may occur only if the Federal agency concerned has authority to accept the work.

Paragraph (e) of § 55.6 specifies that the reevaluation and analysis of job descriptions required to eliminate artificial barriers includes those for jobs not paid for from grant funds.

Paragraph (i) of § 55.6 provides that the nondiscrimination clause does not preclude preference to older or younger workers which may be necessary to assure equitable employment of the significant segments which they constitute.

Paragraph (c) of § 55.7 provides that preference for any significant segment ends when its members have been employed in proportion to their numbers in the unemployed population.

Paragraph (c) of § 55.7 gives preference to disabled veterans of the Vietnam era. It also makes 65 the maximum age for the older segment.

Paragraph (c) of § 55.7 provides that upon request the Employment Service will also refer members of other significant segments as well as veterans during the 48-hour hold.

Paragraph (f) of § 55.7 makes it clear that the residence requirement applies to the jurisdiction of the Program Agent for purposes of the Act and not to its normal jurisdiction. It also authorizes the Secretary to waive the residency requirement for persons who are unemployed or underemployed because of technological change or who have lost their jobs because of cutbacks in Federal contracts.

Paragraph (g) of § 55.7 requires employing agencies to select applicants fairly, based on objective criteria.

Paragraph (b) of § 55.10 has added to it a new provision requiring that the Governor and officials of appropriate units of Government be given an opportunity to comment when substantial modifications or amendments are made.

Paragraph (d) of § 55.15 clarifies that funds granted for administrative purposes may be used to pay wages to a participant in excess of $12,000.

Paragraph (d) of § 55.16 specifically waives the non-Federal share when the employing agency is fully funded by the Federal Government.

Paragraph (a) of § 55.19 specifies that retirement benefits need not be paid at the same level as other benefits.

Paragraph (b) of § 55.19 adds that police and firework must be done in accord with reasonable safety practices.

Paragraph (c) of § 55.19 requires that each participant be advised the name of his employer.

In addition to the above a number of other minor editorial and clarifying changes have been made.

This revision shall be effective 30 days after publication in the FEDERAL REGISTER.

As revised, Part 55 reads as follows:

Subpart A—Application for and Requirements of Grants

Sec.
55.1 Definitions.
55.2 Purpose and scope.
55.3 Application for grants.
55.4 Use of funds by Program Agents.
55.5 Employing agencies.
55.6 Assurances.
55.7 Selection of participants.
55.10 Comments by units of general government or labor organizations.
55.11 Action upon application.
55.15 Use of Federal funds.
55.16 Non-Federal share.
55.17 Records, financial reports, and audits.
55.18 Reports of effectiveness.
55.19 Participant compensation and working conditions.
55.20 Nondiscrimination.
55.25 Adjustments in payments.
55.26 Termination of grant.

AUTHORITY: The provisions of this Part 55 are issued under section 12(e) of the Emergency Employment Act of 1971, 85 Stat. 154.

§ 55.1 Definitions.

As used in this part and in grant instruments entered into pursuant to this part:

(a) "The Act" means the Emergency Employment Act of 1971.

(b) "Compensation" means the wages or salary payable to any participant, but does not include fringe benefits or supportive services provided to him.

(c) "Eligible applicant" means any unit of Federal, State, or general local government, or any public agency or institution which is a subdivision or consortium of Federal, State, or general local government. For purposes of this definition, a public agency or institution is deemed to be a subdivision of State or local government even if it is not directly responsible to such unit of government.

(d) "Employing agency" means any eligible applicant which has been designated by a Program Agent or subagent, or by the Secretary, to employ participants with funds granted pursuant to this Act. It includes a Program Agent when acting as an employer.

(e) "Health care" includes, but is not limited to, preventive and clinical medical treatment, voluntary family planning services, nutrition services, and appropriate psychiatric, psychological, and prosthetic services.

(f) "Initial funding" refers to grants under the Act which have been designated by the Secretary as primarily for the purpose of enabling the Program Agent to plan its program and to pay compensation to initial participants.

(g) "Participant" means any unemployed or underemployed person employed under this Act after selection in accordance with § 55.7, except an individual paid from administrative funds.

(h) "Poverty level" means the minimum income required for a family to live out of poverty, as determined in accordance with criteria established by the Director of the Office of Management and Budget. Copies of the current poverty level index are available from the Manpower Administration of the Department of Labor.

(i) "Professional work" means work performed by an individual acting in a bona fide professional capacity, as such term is used in section 13(a)(1) of the Fair Labor Standards Act and defined in § 541.3 of this title.

(j) "Program Agent" means an eligible applicant which has been designated by the Secretary for requesting, receiving and administering funds pursuant to the Act.

(k) "Public Service" is that service normally provided by government, and includes, but is not limited to, work in such fields as environmental quality, health care, education, public safety, crime prevention and control, manpower services, prison rehabilitation, transportation, recreation, maintenance of parks, streets and other public facilities, solid waste removal, pollution control, housing and neighborhood improvements, rural development, conservation, beautification, and other fields of human betterment and community improvement. It excludes work which is not customarily done by government and which inures primarily to the benefit of a private profit making organization and employment in building and highway construction. The latter prohibition does not exclude maintenance work.

(l) "Secretary" means the Secretary of Labor, or his authorized representative.

(m) "Special Veteran" means an individual who served in the Armed Forces in Indochina or Korea, including the waters adjacent thereto, on or after August 5, 1964, and who received other than a dishonorable discharge.

(n) "Subagent" or "subgranteee" means an eligible applicant that receives a subgrant from a Program Agent.

(o) "Supportive or manpower services" are services which are designed to contribute to the employability of participants, enhance their employment opportunities, and facilitate their movement into permanent employment not subsidized under the Act. They may include child care.

(p) "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(q) "Unemployed persons" means—

(1) A person who is without a job and who wants and is available for work. An individual shall be deemed to meet this qualification if he has been without work for 7 days or longer for reasons other than a strike or lockout at his usual place of employment, and (i) has made specific efforts to find a job within the past 4 weeks, (ii) is waiting to be called back to a job from which he has been laid off, or (iii) is expecting to report to a new job, other than a job funded under the Act, within the next 30 days;

(2) A person who is 18 years of age or older, and a recipient of money payments pursuant to a State plan approved under the public assistance titles of the Social Security Act or a person whose income, resources, or need are counted with that of such a recipient for determining public assistance entitlement, and whose need does not arise from a strike or lockout at his usual place of employment, and who (i) has been without work for 1 week or longer and (*a*) is an unemployed father receiving assistance under title IV, part A of the Social Security Act (as defined in 45 CFR 233.100(a)(1)), (*b*) is referred for work by the State or local welfare agency, or (c) volunteers for work; or (ii) is working in a job providing insufficient income to enable him and his family to be self-supporting without welfare assistance.

(r) "Underemployed person" means—

(1) A person who is seeking full-time employment while working part time for an employer other than the employing agency from whom he is seeking full-time work; or

(2) A person who is working full time for an employer other than employing agency from whom he is seeking work, and whose wages, when added to the other income of adults 16 and over in their immediate families living in the same household, are below the poverty level.

(s) "Veteran of the Vietnam Era" means a veteran who served in the Armed Forces on or after August 5, 1964, and who received other than a dishonorable discharge.

§ 55.2 Purpose and scope.

This part contains the policies, rules, and regulations of the Department of Labor in implementing and administering the Emergency Employment Act of 1971 (Public Law 92–54, 85 Stat. 146):

(a) Under the Act the Secretary of Labor provides financial assistance to public employers to be used to provide unemployed and underemployed persons with transitional employment in jobs providing needed public services during times of high unemployment, and, where appropriate, training and manpower services related to such employment which are otherwise unavailable and which will enable such persons to move into employment or training not supported under the Act. Programs assisted under the Act are intended to develop new careers, provide opportunities for career advancement, provide opportunities for continued training, including on-the-job training, and provide transitional public service employment which will enable the individuals so employed to move into public or private employment or training not supported under the Act.

(b) This part sets forth the requirements for applying for such financial assistance; the assurances and other conditions required of the applicant; standards for selection of participants, requirements for assuring priorities for unemployed and underemployed persons who served in the Armed Forces in Indochina or Korea on or after August 5, 1964, and for other specified segments of the unemployed and underemployed population; the policies for reviewing grant applications and acting upon them; requirements for use of Federal funds and for non-Federal share; the requirements for allocation of funds by grantees within the jurisdiction of each; requirements as to compensation and working conditions of persons employed under the Act; recordkeeping and reporting requirements; the bases upon which financial assistance may be denied, terminated or withheld, or restitution required; and other pertinent conditions and standards.

§ 55.3 Applications for grants.

Only a Program Agent designated by the Secretary and acting through its chief elected officer or his designee may submit an application for a direct grant from the Department of Labor. Except as waived by the Secretary re initial funding, the application shall include a budget, a commitment by the Program Agent to comply with the requirements of the Act, the regulations, and the grant conditions, and such information as the Secretary shall request. The information provided shall demonstrate the validity of the assurances made by the Program Agent as required by § 55.6 and, except as may be waived by the Secretary with respect to initial funding, shall include the following:

(a) A description of the area to be served by the program proposed by the Program Agent, and a plan for effectively serving on an equitable basis the significant segments of the population residing in the area. The plan shall provide for jobs which under presently applicable requirements can be filled by the significant segments in equitable proportions. Also included shall be data indicating the number, income and employment status of potential participants living in the area.

(b) A description of unmet public service needs in the area served by the program and a statement of priorities among such needs.

(c) A list of the occupations in which public service employees will be placed and a statement of the reasons the Program Agent expects these fields to expand (in either the public or private sector) as unemployment recedes.

(d) A description of jobs to be filled, a listing of the major kinds of work to be performed and skills to be acquired, and the approximate duration for which participants would be assigned to such jobs.

(e) A description of the methods to be used to recruit, select, and orient participants, including specific eligibility criteria, and programs to prepare the participants for their job responsibilities.

(f) A description of career opportunities and job advancement potentialities for participants.

(g) A statement of the range of the compensation to be paid to participants and a comparison with the compensation paid for similar public occupations by the same employer.

(h) The plan the Program Agent will make to assist the participants to find permanent employment, including a description of the plans of the employing agency to absorb participants into its own regular staff.

(i) A description of the education, training, and supportive services (including counseling and health care services) which will be provided participants, and the source of funds which will be used to pay for such services. Linkages with upgrading and other manpower services required under § 55.6(h), which have been made should be indicated.

(j) The planning for and training of supervisory personnel in working with participants.

(k) If the Program Agent proposes that funds be used to pay for work which has been performed at any time during the past 6 months, or fill jobs which have been vacant for less than 6 months prior to the filing of the application for a grant with which to fill it, the Program Agent will submit clear evidence to show that without assistance under this Act the work would not be performed at Federal, State, or local expense, and that a determination by the Secretary to permit the grant to be used for such purpose would not result in the displacement or partial displacement of currently employed workers or impair existing contracts for services.

§ 55.4 Use of funds by the Program Agents.

(a) Program Agents must allocate funds equitably among county and city levels of government, including public agencies which are independent of supervision by such level of government. When selecting employing agencies and allotting funds to them they shall give due consideration to the size and severity of unemployment in a particular area, the number of public service jobs at each level of government, and the size of the population served by each unit of government. Units which serve fewer than 10,000 people or which would be entitled to less than $25,000 may be excluded. Where appropriate Federal and State agencies may also be made employing agencies.

(b) Program Agents and employing agencies may enter into contracts for necessary supportive or administrative services with public organizations and, except contracts for the employment of participants, with private organizations or individuals: *Provided,* Any such contract with a private organization or individual for an amount in excess of $10,000 shall be approved by the Secretary.

§ 55.5 Employing agencies.

(a) Activities and services for which assistance is provided under this Act must be administered by or under the supervision of a Program Agent. Program Agents may designate any eligible applicant as an employing agency: *Provided, however,* The Program Agent remains responsible for assuring compliance by such employing agency with the Act, the regulations and the grant conditions, except that (1) no State or local governmental unit or subdivision thereof will be held responsible for assuring compliance by the Federal Government, and (2) no local governmental unit or subdivision thereof will be held responsible for assuring compliance by a State which has been designated by the Secretary to be the employing agency in the area of another Program Agent. In such case, the Federal or State government respectively shall remain responsible. The Secretary shall hold the responsible unit of government accountable for funds which are improperly expended, and may take action to recover any such improperly expended funds in accordance with § 55.25, or to terminate the grant in accordance with § 55.26.

(b) If the employing agency is another unit of government, the Program Agent may provide the funds through a subgrant, subject to the same requirements as set forth in paragraph (a) of this section.

(c) No agency or institution other than an eligible applicant may become an employing agency.

(d) Federal agencies acting as employing agencies may employ participants only in accordance with laws governing Federal employment. In the case of positions subject to the jurisdiction of the Civil Service Commission, employment of participants must be in accordance with applicable Commission regulations. Employees of other employing agencies who are not Federal employees may perform work for a Federal agency only if (1) the employing agency deems it in the best interest of its constituency to detail them for such work and (2) the host agency has authority to accept voluntary services or other legal authority to accept such work.

(e) Employing agencies may delegate authority to employ to other employing agencies: *Provided,* The unit of government responsible to the Secretary accepts responsibility pursuant to paragraph (a) of this section. Notice and an opportunity to review the agreement between the employing agency and its delegates shall be provided to the Secretary.

§ 55.6 Assurances.

The following commitments by the Program Agent must be part of the grant application. Failure to comply with them may lead to the withholding or denial of grant funds:

(a) Agreement by the Program Agent to give special consideration to the filing of jobs which provide sufficient prospects for advancement or suitable continued employment by providing complementary training and manpower services designed to (1) promote the advancement of participants to employment or training opportunities suitable to the individuals involved, whether in the public or private sector of the economy, (2) provide participants with skills for which there is an anticipated high demand, or (3) provide participants with self-development skills. Nothing contained in this paragraph shall be construed to preclude persons or programs for whom the foregoing goals are not feasible or appropriate.

(b) Agreement by the Program Agent that, to the extent feasible, public service jobs shall be provided in occupational fields which are most likely to expand within the public or private sector as the unemployment rate recedes.

(c) Agreement by the Program Agent to give due consideration to persons who have participated in manpower training programs for whom employment opportunities are not otherwise immediately available.

(d) Agreement by the Program Agent that it and the employing agencies responsible to it will have the goal of placing half of the participants in continuing positions with the Program Agent or employing agency financed from funds other than grant funds under the Act. Until this goal is reached the Program Agent and the employing agencies responsible to it shall utilize at least half the vacancies occurring in suitable occupations in their respective work forces not financed by funds pursuant to this Act for the purpose of providing participants permanent employment, except where this is prohibited by hiring practices required by law, regulation, or collective bargaining agreement and the Program Agent or employing agency has submitted a statement explaining the prohibition.

(e) Agreement by the Program Agent that agencies and institutions to whom financial assistance will be made available under the Act will undertake analysis of job descriptions and a reevaluation of skill requirements at all levels of employment, including jobs not paid for from grant funds. The required analysis and reevaluation will include merit system requirements and practices relating thereto, and will be made in accordance with applicable guidelines issued by the U.S. Civil Service Commission.

(f) Agreement by the Program Agent that the program will, to the maximum extent feasible, contribute to the elimination of artificial barriers to employment and occupational advancement that restrict employment opportunities for the disadvantaged, in accordance with applicable guidelines issued by the U.S. Civil Service Commission.

(g) Agreement by the Program Agent that (1) in the event the Secretary or an appropriate agency designated by him advises after a periodic review of the program authorized under section 1(a) of the Act that the job in which a participant has been placed will not provide sufficient prospects for advancement or suitable continued employment, the Program Agent will make maximum efforts to locate employment or training opportunities providing such prospects, and that it will offer such a person appropriate assistance in securing placement in the opportunity he chooses after appropriate counseling and (2) when the Secretary advises that the rate of national unemployment is receding toward 4.5 percent, or financial assistance will no longer be available for any other reason, the Program Agent or the employing agency will make maximum efforts to locate employment or training opportunities not supported under the Act for each participant, and will offer such a person appropriate assistance in securing placement in the opportunity which he chooses after appropriate counseling.

(h) Agreement that where appropriate the Program Agent will, and will require the employing agencies to, maintain or provide linkages with upgrading and other manpower programs for the purpose of (1) providing those persons employed in public service jobs under the Act who want to pursue work with the employer, in the same or similar work, with opportunities to do so and to find permanent, upwardly mobile careers in that field and (2) providing those persons so employed, who do not wish to pursue permanent careers in such field, with opportunities to seek, prepare for, and obtain work in other fields.

(i) Agreement that (1) neither the Program Agent nor any person with responsibilities in the operation of the program will discriminate with respect to any employee of the program, or any participant or any applicant for participation in such program, because of race, creed, color, or national origin, sex, age, political affiliation, or beliefs except

that this paragraph shall not be construed to prohibit efforts to assure equitable employment of younger or older workers as these segments are described in §§ 55.7(c) (ii) and (iii); (2) no program under the Act will involve political activities and neither the program, the funds provided therefore, nor the personnel employed in the administartion thereof, shall be, in any way or to any extent, engaged in the conduct of political activities in contravention of chapter 15 of title 5, of the United States Code; and (3) participants in the program will not be employed in the construction, operation or maintenance of so much of any facility as is used for sectarian instruction or as a place for religious worship.

§ 55.7 Selection of participants.

(a) All persons employed pursuant to this Act, shall be participants, except for necessary supervisory, and full-time technical and administrative personnel, who may be participants or others.

(b) Priority shall be given to the unemployed over the underemployed.

(c) Each Program Agent shall be responsible for assuring (1) that participants will be chosen on an equitable basis, in accordance with the purposes of the Act, from among significant segments of the population in the area of unemployed and underemployed persons and (2) that preference will be given to unemployed and underemployed persons who are any one or more of the following (not necessarily in this order) until such time as they have been employed in proportion to their numbers in the unemployed population: (i) Disabled veterans of the Vietnam era and special veterans; (ii) young persons 18 years and older entering the labor force; (iii) persons 45 to 65 years of age; (iv) migrant farmworkers; (v) persons whose native tongue is not English and whose ability to speak English is limited; (vi) persons from families with incomes below the poverty level or welfare recipients; (vii) persons who have become unemployed or underemployed as a result of technological change or whose most recent employment was with Federal contractors who have cut back in employment because of shifts in Federal expenditure, such as in the defense, aerospace or construction industries; or (viii) others who come from socio-economic backgrounds generally associated with substantial unemployment and underemployment.

(d) All job vacancies under the program, except those to which former employees are being recalled, shall be listed with the State Employment Security Agency at least 48 hours before such vacancies are filled during which period the Employment Service will first refer disabled veterans of the Vietnam Era and special veterans, second, other veterans of the Vietnam Era, and third, upon request, members of other significant segments. A list of such job openings will also be made available to any other public or private organizations or agencies, including veteran's organizations, for making them known to disabled and special veterans.

(e) Participants may not have been employed by a Program Agent or subagent less than 30 days prior to being reemployed by the same unit of government.

(f) Each Program Agent and the employing agencies receiving funds through it shall select all participants from among those eligible individuals who reside in the geographical area over which the Program Agent has jurisdiction for purposes of this Act and shall place them within reasonable commuting distance of such area. When a State government is given funds for expenditure within the geographic area of another Program Agent, the participants it selects must reside in that geographical area. This paragraph is subject to exceptions in individual cases provided the total number of participants residing in each Program Agent's area remains the same. This pargaraph does not apply to individuals recalled to their former jobs. The Secretary retains the right to waive the residency requirement insofar as it applies to members of the segment of the unemployed or underemployed described in paragraph (c)(vii) of this section.

(g) Participants shall be selected and promoted fairly, in accordance with objective criteria, such as ability to do the job. Salaries or wages of individuals selected or promoted on the basis of nepotism or political or other favoritism shall not be allowable costs.

§ 55.10 Comments by units of general government or labor organizations.

(a) Grant applications, except applications for initial funding, must be accompanied by:

(1) A statement that a copy of the application, except for initial funding, including the proposed distribution of funds, has been furnished to the Governor, and to the major units of general local government within the jurisdiction as listed, and a summary has been published in two newspapers of general circulation in the area for the benefit of other units of general local government. Notice to the Governor may be given in accordance with the procedures established under the Intergovernmental Cooperation Act of 1968. The published notice shall specify where the application may be examined in full, and invite comment to the Program Agent and/or the Secretary. Both actual and constructive notice shall state that consideration will be given only to comments received within the time period specified in paragraph (b) of this section.

(2) A statement that a summary of the application and the other information required by subparagraph (1) of this paragraph to be in the published notice has been sent to any labor organization representing employees engaged in similar work in the same area as that proposed to be performed under any program to be funded under the application. For purposes of this section, "area" means that geographical area over which the employing agency exercises general political jurisdiction.

(3) The dates of actual notice and of notice by publication.

(4) A copy of any comments on the application submitted to the Program Agent by the Governor of the State, a unit of general local government, or any labor organization in response to an invitation under subparagraph (2) of this paragraph. Comments received after the application is submitted shall also be sent to the Secretary, and the application shall contain an assurance that they will be so forwarded.

(b) An amendment or modification to a grant application may be approved only if an opportunity to comment has been provided in accordance with the procedures set forth in paragraph (a) of this section to the Governor of the State and to the officials of the appropriate units of general local government. For this purpose an amendment or modification is a substantial change in a grant application, such as a plan to increase or decrease the number of jobs of any Program Agent or subagent by 25 and more than one-third, to add or delete any subagent on the approved application, or to revise the plans of a Program Agent because of an increase in the grant amount of 10 percent or more.

(c) In making his determination whether or not to approve an application, the Secretary shall consider any comments by the Governor, a unit of general local government or a labor organization receiving notice under paragraph (a)(2) of this section, which is filed with him or with the Program Agent within 3 days of the date specified under paragraph (a)(3) of this section, or within 15 days of such date provided it has been preceded within 3 days of such date by a notice of intent to file.

§ 55.11 Action upon application.

(a) An application for a grant from funds made available under section 9(a)(1) of the Act will be approved if (1) the Program Agent has the legal capacity to operate the program proposed, (2) the application meets the requirements of the statute and of the regulations in this part, (3) the amount requested is not larger than the amount apportioned to the Program Agent filing the application, and (4) the Secretary finds in his discretion that the plan set forth in the application will serve properly to reduce unemployment in the area.

(b) The Program Agent shall be notified of action taken on the application. If the application is accepted, the Secretary will execute and forward a grant document, which together with the application, the grant conditions, any appendices, and the regulations in this part shall constitute the grant agreement. If the application is denied, a notice of denial will be sent to the Program Agent accompanied by a brief statement of the grounds for denial.

(c) In the event an application is not filed within the time prescribed by the

Secretary or is denied, or a grant is terminated in whole or in part during a fiscal year, the Secretary may make provision for the funds released by such failure to file, denial or termination to be used by one or more alternative Program Agents in furtherance of the purposes of the Act.

§ 55.15 Use of Federal funds.

(a) Federal funds will be granted on the basis of program applications, and may be used to meet not more than 90 percent of the cost of the program unless the Secretary waives the requirement for non-Federal share pursuant to § 55.16(d).

(b) Such funds may be expended only for purposes (1) permitted under the provisions of Subpart 1–15.7 of Title 41 of the Code of Federal Regulations, entitled "Principles for Determining Costs Applicable to Grants and Contracts with State and Local Government," and (2) not barred under the remaining provisions of this part.

(c) Not less than 85 percent of the funds granted to a Program Agent, or the percent specified by the Secretary, shall be used for compensation and benefits to participants: *Provided*, That if initial funding is provided, the expenditures under such funding will be considered together with expenditures under a subsequent grant from funds apportioned under section 9(a)(1) of the Act for the same fiscal year for purposes of this paragraph.

(d) Federal funds granted under the Act for wages and benefits shall not be used to pay—

(1) Compensation to any participant at a full-time rate higher than $12,000 a year plus fringe benefits to the extent they do not exceed those normally provided employees earning $12,000. This restriction does not apply to compensation paid from administrative funds.

(2) Compensation for professional work to more than one-third of the participants, except that there is no maximum on the number of participating classroom teachers who may be paid from Federal funds. Additional exceptions may be made by the Secretary for good cause shown prior to the employment of such individuals.

(e) Federal funds shall not be used for acquisition, rental or leasing of supplies, equipment, materials, or real property, whether these expenses are budgeted as direct costs, indirect costs, or overhead.

(f) Federal funds shall not be expended for work that would otherwise have been performed at Federal, State, or local expense, which will not result in an increase over the employment which would otherwise be available, which will result in the displacement of currently employed workers (including partial displacement such as a reduction in the hours of nonovertime work or wages or employment benefits), or which will impair existing contracts for services.

§ 55.16 Non-Federal share.

(a) Non-Federal share may be provided in cash or in kind, fairly evaluated including, but not limited to, plant, equipment, or services.

(b) Non-Federal share must be expended for a purpose which is allowable under the provisions of Subpart 1–15.7 of Title 41 of the Code of Federal Regulations entitled "Principles for Determining Costs Applicable to Grants and Contracts with State and Local Governments."

(c) Non-Federal participation may be derived from a variety of sources, including newly appropriated funds and previously appropriated funds and the time of personnel used by the Program Agent or the employing agency for the program Agent or the employing agency for the program. Voluntary services or space donated to the grantee from private sources may not be included as non-Federal share unless specifically accepted by the Secretary. Grantee contributions derived from other Federal funds whether in cash or in kind, may not be used for the non-Federal share, except (1) when specifically permitted by the law under which the other Federal funds were made available or (2) when an agency of the Federal Government is the employing agency.

(d) Non-Federal share is waived when the employing agency is fully funded by the Federal Government. The Secretary may waive the requirement for non-Federal share in other cases where it would cause a serious hardship for the Program Agent or prevent participation in the program by the Program Agent or an employing agency.

§ 55.17 Records, financial reports, and audits.

The Program Agent shall require each employing agency to maintain such records and accounts, including records of property purchased with non-Federal share, and personnel and financial records, and submit such financial reports as are required by the Secretary to assure proper accounting for all program funds, including the non-Federal share. Such records and accounts shall be made available for audit purposes to the Department of Labor or the Comptroller General of the United States or any authorized representative of either, and shall be retained for 3 years after the expiration of the grant.

§ 55.18 Reports of effectiveness.

Program Agents shall submit periodic reports as required by the Secretary designed to measure the effectiveness of the program. In addition to any other requirements of the Secretary, such reports may be required to provide data on (a) the characteristics of participants, including age, sex, race, health, education level, and previous wage and employment experience; (b) their duration in employment situations, including information on the duration of employment of program participants for at least a year following termination of employment under the Act and comparable information on other employees or trainees of employing agencies; and (c) total dollar cost per participant, including a breakdown between the costs of wages, training, supportive services, fringe benefits, and administrative costs.

§ 55.19 Participant compensation and working conditions.

(a) Participants shall be paid wages or a salary at a rate which is not lower than whichever is the highest of (1) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938 if section 6(a)(1) of such Act applied to the participant and he were not exempt under section 13 thereof; (2) the State or local minimum wage for the most nearly comparable covered employment, or (3) the prevailing rate of pay for persons employed in similar public occupations by the same employing agency. In addition, participants shall receive the protection of the same workmen's compensation, health insurance, unemployment insurance, and other benefits, except retirement benefits which may be provided with the approval of the Secretary, as other employees of the employer similarly employed, and shall enjoy working conditions and promotional opportunities neither more nor less favorable than such other employees enjoy.

(b) No participant will be required or permitted to work in buildings or surroundings or under working conditions which are unsanitary or hazardous or dangerous to his health or safety. In the case of participants employed in jobs inherently dangerous, e.g., fire or police jobs, participants will be assigned to work in accordance with reasonable safety practices. If specific standards applicable to the occupational health and safety of public employees in the jurisdiction of the Program Agent are promulgated under section 18 of the Occupational Safety and Health Act of 1970 (Public Law 91–596), such standards shall be applicable to participants.

(c) Every participant must be advised prior to entering upon employment of the name of his employer, and of his rights and benefits in connection with his employment under the Act.

§ 55.20 Nondiscrimination.

Any grant made pursuant to the Act is subject to title VI of the Civil Rights Act of 1964 (42 U.S.C. 200d), which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Any such grant is also subject to the rules to implement title VI which were issued by the Secretary of Labor with the approval of the President (Part 31 of this subtitle).

§ 55.25 Adjustments in payments.

(a) If any funds are expended by a Program Agent or an employing agency in violation of the Act, the regulations or grant conditions, the Secretary may make necessary adjustments in payments to the Program Agent or the employing agency, if the Federal or State government, on account of such unauthorized

or illegal expenditures. If the employing agency is the Federal or State government he may make adjustments in payments to the employing agency. He may draw back unexpended funds which have been made available in order to assure that they will be used in accordance with the purposes of the Act, or to prevent further unauthorized or illegal expenditures, and he may withhold funds otherwise payable under the Act in order to recover any amounts expended illegally or for unauthorized purposes in the current or immediately prior fiscal year. If no further payments would otherwise be made under the Act during the current or subsequent fiscal year, the Secretary may request a repayment of funds used for unauthorized or illegal expenditures, and within 30 days after receipt of such request such repayment shall be made.

(b) No action taken by the government under paragraph (a) of this section shall entitle the grantee to reduce either salaries and wages or supportive services for any participant or to expend less during the effective period of the grant than those sums called for in his grant budget either for salaries and wages or for supportive services for participants. Any such reduction in expenditures may be deemed sufficient cause for termination under § 55.26.

§ 55.26 Termination of grant.

(a) If the Program Agent violates or permits an employing agency to violate or if a unit of Federal or State government acting independently as employing agency, violates any provisions of the Act, the regulations, or grant terms or conditions which the Secretary has issued or shall subsequently issue during the period of the grant, the Secretary may terminate the grant in whole or in part unless the grantee causes such violation to be corrected within a period of 30 days after receipt of notice specifying the violation; or

(b) In his discretion the Secretary may terminate the grant in whole or in part. Such discretion may be exercised to withdraw funds which have not been timely expended.

(c) Termination shall be effected by a notice of termination which shall specify the extent of termination and the date upon which such termination becomes effective. Upon receipt of a notice of termination, the grantee shall: (1) Discontinue further commitments of grant funds to the extent that they relate to the terminated portion of the grant; (2) promptly cancel all subgrants, agreements, and contracts utilizing funds under this grant to the extent that they relate to the terminated portion of the grant; (3) settle, with the approval of the Secretary, all outstanding claims arising from such termination; (4) submit, within 6 months after the receipt of the notice of termination, a termination settlement proposal which shall include a final statement of all unreimbursed costs related to the terminated portion of the grant, but in case of terminations under paragraph (a) of this section will not include the cost of preparing a settlement proposal. Allowable costs shall be determined in accordance with § 55.15.

Signed at Washington, D.C., this 28th day of February 1972.

MALCOLM R. LOVELL,
Assistant Secretary of Labor for Manpower.

[FR Doc.72-3225 Filed 3-2-72;8:47 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18632]

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES AND ALASKA-PUBLIC FIXED STATIONS

PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

Report and Order; Correction

In the matter of amendment of Parts 2, 81, and 83 and the deletion of Part 85—to establish for the State of Alaska a schedule of dates, technical standards, frequencies and other requirements for the use of radiotelephony, radiotelegraphy and single sideband emissions on frequencies below 4,000 kHz, for the maritime services in Alaska, and below 12,000 kHz for Alaska-public fixed stations, and to make other incidental rule changes, Docket No. 18632.

1. The report and order in the above-entitled matter (FCC 71-1044) was released October 26, 1971. It was published in the FEDERAL REGISTER on November 2, 1971 (36 F.R. 20949) and was corrected in the FEDERAL REGISTER on November 30, 1971 (36 F.R. 22751). Corrections to the appendix are necessary for several reasons:

A. In the report and order in Docket No. 18218 (FCC 69-61), released January 20, 1969, the decision discussed in paragraph 4 to provide for the use of emission A2H was inadvertently overlooked in preparing rule amendments set forth in the appendix thereto and was not picked up in the report and order in Docket No. 18632, released October 26, 1971. These changes are included in this errata in §§ 81.131(b)(1), 81.132(a)(1), 81.134 (g), (h), and (i), 83.131(b)(1), and 83.132(a)(1)(i).

B. In the first report and order in Docket No. 18307 (FCC 70-608), released June 16, 1970, the decision discussed in paragraph 50 to make 2065 and 2079 kHz available to limited coast stations on a noninterference basis to use by Canadian stations was not reflected in § 81.361 in the report and order in Docket No. 18632, released October 26, 1971. This change to § 81.361 is included in this errata.

C. In the third report and order in Docket No. 18271 (FCC 69-1369), released December 22, 1969, the Commission adopted various frequency changes and a schedule of dates for conversion of coast radiotelephone stations, operating on frequencies between 4 and 23 MHz, from double sideband (DSB) to single sideband (SSB). The effective date for conversion to SSB was January 1, 1972. In preparing Table 2, following paragraph (a) of § 81.308 of the appendix to the report and order in Docket No. 18632, released October 26, 1971, we inadvertently reproduced Table 2 from § 83.372. The difference between these two tables is in the effective date, that is, January 1, 1972, for coast radiotelephone stations, and January 1, 1974, for ship stations. This inadvertent error is corrected in this errata.

D. Editorial change in § 83.132(a)(1)(i) in regard to the frequency bands 2080 to 27,500 kHz and 1605 to 3400 kHz to: remove the apparent limitation on availability of frequencies in the band 2080 to 27,500 kHz in Alaska; and the overlap between the upper limit of the band 1605 to 3400 kHz and the lower limit of the band 2080 to 27,500 kHz.

E. Correction of inadvertent errors, omissions, or to provide clarification in §§ 81.131, 81.206, 81.304, 83.360, and 83.351.

2. In view of the foregoing, Parts 81 and 83 are amended as set forth below.

Released: February 24, 1972.

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

A. Part 81 is corrected as follows:

1. In § 81.131, paragraph (b)(1) is corrected to read as follows:

§ 81.131 Authorized frequency tolerance.

* * * * * *

(b) * * *

Frequency ranges	*Tolerance—parts in 10^6 unless shown as hertz (Hz)*
(1) From 14 to 525 kHz:	
For A2H emission	20 Hz
For other than A2H emission	200

* * * * * *

2. In § 81.132, paragraph (a)(1) is corrected to read as follows:

§ 81.132 Authorized classes of emission.

(a) * * *

Frequency band	*Classes of emission*
(1) Coast stations using telegraphy:	
14 to 160 kHz	A1.
160 to 490 kHz	A1; A2 or A2H for distress, urgency and safety signals or any communication preceded by one of these signals.
490 to 525 kHz	A1 and A2, or A2H.
2035 to 27,500 kHz	A1.

* * * * * * *

3. In § 81.134, paragraphs (g), (h), and (i) are corrected to add in the table, under "class of emission", A2H wherever "A1 and A2" appears, to read as follows:

§ 81.134 Transmitter power.

* * * * *

(g) * * *

Frequency band (kHz)	Class of emission	Transmitter power (watts)
400–425	A1 and A2, or A2H	265
1605–12,000 [1]	A1, A3, A3A, A3H, and A3J	150
* * *	* * *	* * *

(h) * * *

Frequency band (kHz)	Class of emission	Transmitter power (watts)
50–200	A1	[1] 650
400–525	A1 and A2, or A2H.	265
1605–12,000	A1, A3, A3A, A3H and A3J.	150
* * *	* * *	* * *

(i) * * *

Frequency band (kHz)	Class of emission	Transmitter power (watts)
400–525	A1 and A2, or A2H.	1,000
1605–12,000	A3, A3A, A3H and A3J.	1,000

4. In § 81.206, the column headings in the table following paragraph (a) are corrected to read as follows:

§ 81.206 Assignable frequencies.

(a) * * *

Area	90–100 (kHz)	415–525 (kHz)	2 MHz (kHz)	4 MHz (kHz)	6 MHz (kHz)	8 MHz (kHz)	12 MHz (kHz)	16 MHz (kHz)	22 MHz (kHz)

* * * * *

5. In § 81.304, paragraphs (a)(2), (b)(28), (d)(6), and (f)(2) are amended to read as follows:

§ 81.304 Frequencies available.

(a) * * *

(2) See the following table.

Carrier frequency (kHz)	See section	Conditions of use
* * *	* * *	* * *
4072.4	81.306(c)	3, 5, 18, 28, 47.
* * *	* * *	* * *
4371.0	81.306(a)(b)(c)	3, 5, 18, 28, 47.
* * *	* * *	* * *
6147.5	81.306(c)	3, 5, 28, 47.
* * *	* * *	* * *
6455.0	81.306(c)	3, 4, 5, 28, 47.
* * *	* * *	* * *
8210.8	81.306(c)	3, 4, 28, 47.
* * *	* * *	* * *

(b) * * *

(28) During the period January 1, 1972, to December 31, 1973, available for use with emissions 6A3, 2.8A3A, 2.8A3H, and 2.8A3J.

* * * * *

(d) * * *

(6) After January 1, 1972, new installations of transmitters employing A3 (DSB) emission will not be authorized.

* * * * *

(f) * * *

(2) Except in the Mississippi River System and Great Lakes, public coast stations serving lakes or rivers will not be authorized to employ frequencies below 4000 kHz.

6. In § 81.308, the dates in the heading of Table 2 of paragraph (a) are corrected to read as follows:

§ 81.308 Frequencies available in one or more zones in the Alaska area.

(a) * * *

TABLE 2

Zone 1		Zone 2		Zone 3		Zone 4		Zone 5		Zone 6	
Available [3] Until 1-1-72 [1]	After 1-1-72 [2]	Available [3] Until 1-1-72 [1]	After 1-1-72 [2]	Available [3] Until 1-1-72 [1]	After 1-1-72 [2]	Available [3] Until 1-1-72 [1]	After 1-1-72 [2]	Available [3] Until 1-1-72 [1]	After 1-1-72 [2]	Available [3] Until 1-1-72 [1]	After 1-1-72 [2]

* * * * * * *

7. In § 81.361, paragraph (a) is corrected to add the frequencies 2065 and 2079 kHz, and a new subparagraph (7) is added to paragraph (b), to read as follows:

§ 81.361 Frequencies available.

(a) * * *

Carrier frequency (kHz)		
2065.0	6518.6	16,568.5
2079.0	8281.2	16,572.0
2096.5	8284.4	22,094.5
4136.3	12,421.0	22,098.0
4139.5	12,424.5	22,101.5
4434.9	12,428.0	22,105.0
6210.4	16,565.0	22,108.5
6213.5		

(b) * * *

(7) Subject to coordination with Canada, the frequencies 2065.0 and 2079.0 kHz may be assigned for safety, operational, or business communications only at locations which will not cause interference to use of the same frequency by Canada.

B. Part 83, is corrected as follows:

1. In § 83.131, paragraph (b)(1) is corrected to read as follows:

§ 83.131 Authorized frequency tolerance.

* * * * *

(b) * * *

Frequency ranges	Tolerance — parts in 10^6 unless shown as hertz (Hz)
(1) From 100 to 525 kHz:	
For A2H emission	50 Hz
For other than A2H emission and classes of emission specified in (2) and (3), below	1,000

* * * * *

2. In § 83.132, paragraph (a)(1)(i) is corrected to read as follows:

§ 83.132 Authorized classes of emission.

(a) * * *

Frequency band	Classes of emission
(1) Stations using radiotelegraphy:	
(i) 100 to 160 kHz	A1.
160 to 525 kHz	A1 and A2, or A2H.
2080 to 27,500 kHz	A1; survival craft stations may in addition use A2 or A2H.
2070 to 2080 kHz	Wideband telegraphy, facsimile and special transmission systems. Manual International Morse code and telephony are excluded.
1605 to 2080 kHz in Alaska	A1.

* * * * *

3. In § 83.351, the table following paragraph (a) is corrected as follows:

§ 83.351 Frequencies available.

(a) * * *

Carrier frequency (kHz)	See section	Conditions of use
* * *	* * *	* * *
2115	83.372	22, 35.
2118	83.354	7, 20, 39.
2118	83.372	7, 22, 39.
* * *	* * *	* * *
2131	83.370, 83.371	17, 19, 35, 37.
2134	83-354	7, 20, 37, 39.
* * *	* * *	* * *
2237	83.370, 83.371	17, 19, 35, 37.

Carrier frequency (kHz)	See section	Conditions of use
2240	83.370, 83.371	7, 17, 19, 37, 39.
* * *	* * *	* * *
2514		2, 7.
* * *		* * *
2550		2, 7.
* * *		* * *
2582		2, 7.
* * *		* * *

§ 83.360 [Amended]

4. In § 83.360, subparagraph (7) of paragraph (b) is deleted.

[FR Doc.72-3157 Filed 3-2-72;8:45 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Service

[7 CFR Parts 301, 319]

UNSHU ORANGES FROM JAPAN

Importation and Interstate Movement

Notice of proposal to allow restricted importation of Unshu oranges from Japan into the State of Hawaii and to restrict the interstate movement of such oranges from Hawaii.

On June 2, 1967, there was published in the FEDERAL REGISTER (32 F.R. 7958) a revision of Notice of Quarantine No. 28 (7 CFR 319.28) relating to the importation into five States of Unshu (Satsuma) oranges from Japan, and a new quarantine (7 CFR 301.83) restricting the movement of such imported oranges from said States, pursuant to sections 5, 7, 8, and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 159, 160, 161, 162). Effective July 3, 1967, the revision authorized the importation, under permit, of Unshu oranges grown in Japan in isolated citrus canker-free areas, handled in accordance with rigid safeguards intended to prevent the introduction of the citrus canker disease (*Xanthomonas citri* (Hasse) Dowson), and entered through Pacific Coast ports in the States of Alaska, Washington, and Oregon, with destinations limited to points in the States of Alaska, Idaho, Montana, Oregon, and Washington.

The U.S. Department of Agriculture now proposes that Notice of Quarantine No. 28 be amended to allow the restricted importation, under permit, of Unshu oranges from Japan into the additional State of Hawaii.

The same rigid safeguards in the quarantine which now provide protection of U.S. citrus production against the citrus canker disease with respect to imports into the five States currently approved for such importations would also apply with respect to importations into Hawaii.

Accordingly, it is proposed, under sections 5, 7, and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 159, 160, 162) to amend the introductory portion of § 319.28(b) and paragraph (b)(6) to read, respectively, as follows:

§ 319.28 Notice of quarantine.

* * * * *

(b) This prohibition shall not apply to importations from Japan of fruits of *Citrus reticulata Blanco var.* Unshu (Satsuma), under permit, with destinations limited to points in the States of Alaska, Hawaii, Idaho, Montana, Oregon, and Washington: *Provided,* That each of the following safeguards is fully carried out:

* * * * *

(6) Entry shall be limited to Pacific Coast ports in the States of Alaska, Washington and Oregon, or to ports in Hawaii, where plant quarantine inspection is available, with destinations limited to points in the States of Alaska, Hawaii, Idaho, Montana, Oregon, and Washington.

* * * * *

In order to prevent any risk of spreading citrus canker disease from Hawaii to other parts of the United States it is further proposed under sections 8 and 9 of the Plant Quarantine Act, as amended (7 U.S.C. 161 and 162), to amend the domestic quarantine for Unshu oranges (7 CFR 301.83) to include the State of Hawaii in the list of quarantined States, thereby prohibiting the movement of Unshu oranges from said State into or through any State other than those named, or into or through any Territory or District of the United States. Clarifying changes would also be made in this quarantine.

The provisions in 7 CFR 301.83 would be amended to read as follows:

§ 301.83 Notice of quarantine.

Under the authority conferred by sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162) and after public hearing, it has been determined that in order to prevent the interstate dissemination of citrus canker disease, it is necessary to prohibit the movement from the States of Alaska, Hawaii, Idaho, Montana, Oregon, and Washington into or through any State other than those named, or into or through any Territory or District of the United States of Unshu (Satsuma) oranges grown in Japan and imported into any of the specified States subject to Notice of Quarantine No. 28 (§ 319.28(b) of this chapter). Accordingly, under said authority, the States of Alaska, Hawaii, Idaho, Montana, Oregon, and Washington are quarantined and the aforesaid Japanese-grown Unshu (Satsuma) oranges are prohibited movement therefrom into or through any State other than those named, or into or through any Territory or District of the United States.

Therefore, notice is hereby given pursuant to the provisions of sections 5, 7, 8, and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 159, 160, 161, 162) and the administrative procedure provisions of 5 U.S.C. 553, that a public hearing to consider the biological aspects of the above proposals will be held before a representative of the Animal and Plant Health Service in Room 2032, U.S. Customhouse, 300 South Ferry Street, San Pedro, CA at 10 a.m., P.s.t., on March 21, 1972, and if necessary will continue in the same location the following day beginning at 10 a.m. It is requested that statements at the public hearing be addressed specifically to the biological aspects of the proposals. At this hearing any interested persons may appear and be heard, either in person or by attorney, on the proposals. Any interested person who desires to submit written data, views, or arguments on the proposals may do so by filing the same with the Deputy Administrator, Plant Protection and Quarantine Programs, Animal and Plant Health Service, U.S. Department of Agriculture, Federal Center Building, Hyattsville, Md. 20782, on or before March 21, 1972, or with the presiding officer at the hearing.

All written communications received pursuant to this notice will be made available for public inspection at times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 28th day of February 1972.

F. J. MULHERN,
Administrator,
Animal and Plant Health Service.

[FR Doc.72-3209 Filed 3-2-72;8:46 am]

Consumer and Marketing Service

[7 CFR Part 929]

CRANBERRIES GROWN IN CERTAIN STATES

Proposed Limitation of Handling

Handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York.

Notice is hereby given that the Department is considering a proposed amendment, as hereinafter set forth, of § 929.104 *Outlets for restricted cranberries* (Subpart—Rules and Regulations 7 CFR Part 929.100–929.150; 36 F.R. 9496, 18852, 22808) currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 929, as amended (7 CFR Part 929), regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The amendment of said rules and regulations was unanimously recommended by the Cranberry Marketing Committee, established under said amended marketing agreement and order, as the agency to administer the terms and provisions thereof. Section 929.104(a) of the

amended marketing agreement and order provides, in part, that after inspection pursuant to § 929.54(c), cranberries withheld from handling may be disposed of through diversion to research and development projects dealing with dehydration, radiation, or freeze drying of cranberries, approved by the U.S. Department of Agriculture, for the development of foreign markets. The proposed amendment is designed to enlarge the scope of such research and development projects by adding authority for projects dealing with the freezing of cranberries. Permitting withheld cranberries to be diverted to projects that involve freezing cranberries should promote the development of foreign markets by facilitating the expansion of uses for cranberries.

Therefore, it is proposed that paragraph (a)(4) of § 929.104 be amended to read as follows:

§ 929.104 Outlets for restricted cranberries.

(a) * * *

(4) Research and development projects dealing with dehydration, radiation, freeze drying, or freezing of cranberries, approved by the U.S. Department of Agriculture, for the development of foreign markets.

* * * * *

All persons who desire to submit written data, views, or arguments in connection with the proposed amendment should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112-A, Administration Building, Washington, D.C. 20250, not later than the 10th day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: February 29, 1972.

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

[FR Doc.72-3240 Filed 3-2-72;8:48 am]

[7 CFR Part 946]

[AO-200-A1]

IRISH POTATOES GROWN IN STATE OF WASHINGTON

Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Proposed Amendment of Marketing Agreement and Order

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders, as amended (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to a proposed amendment of Marketing Agreement No. 113 and Order No. 946 (7 CFR Part 946), hereinafter referred to collectively as the "order," regulating the handling of Irish potatoes grown in the State of Washington. This regulatory program is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "act."

Interested persons may file written exceptions to this recommended decision in quadruplicate with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 20 days after publication of this recommended decision in the FEDERAL REGISTER. All such communications will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The public hearing, on the record of which the proposed amendment of the order was formulated, was held in Quincy, Wash., October 28, 1971, pursuant to notice thereof published in the September 24, 1971, issue of the FEDERAL REGISTER (36 F.R. 18956). The notice set forth proposed amendments to the order which were submitted with a request for a hearing thereon, by the State of Washington Potato Committee, the administrative agency established pursuant to the order.

Material issues. The material issues presented on the record of hearing are as follows:

(1) The amendment of § 946.6 *Handler,* to extend its application to include a person who causes potatoes to be handled;

(2) The amendment of § 946.7 *Ship or handle,* to more clearly define its meaning, and to include the shipping of uninspected potatoes between the production area and the adjoining States of Idaho and Oregon for grading or storage;

(3) The amendment of § 946.9 *Fiscal year,* to change the beginning and ending dates of the fiscal period;

(4) The deletion of § 946.13 *Table stock potatoes;* § 946.14 *Wholesale pack;* and § 946.15 *Consumer pack;* because the terms are no longer applicable;

(5) The amendment of § 946.16 *Grade and size,* to add certain additional U.S. standards for potatoes for processing and prepeeling, and to delete U.S. Consumer Standards for Potatoes;

(6) The addition of a new § 946.14 *Grading,* to define its meaning;

(7) The amendment of § 946.17 *Export,* to more clearly define its meaning;

(8) The amendment of paragraph (a) of § 946.25 *Selection,* to delete the requirement that members must reside in districts they represent;

(9) The amendment of paragraph (a) of § 946.27 *Term of office,* to change the beginning and ending dates for the term of office of committee members;

(10) The amendment of § 946.30 *Expenses and compensation,* to change the committee members' and alternates' compensation to a reasonable rate recommended by the committee and approved by the Secretary;

(11) The amendment of § 946.32 *Nomination,* to change the dates upon which nominations must be completed and submitted to the Secretary, to change the number of nominees required for each position to be filled, and to include the substance of § 946.33 *Failure to nominate;*

(12) The amendment of § 946.40 *Expenses;* § 946.41 *Assessments;* and § 946.42 *Accounting;* to utilize more precise terminology, to require the committee to submit to the Secretary a budget for each fiscal period, to authorize late payment and interest charges on late assessment payments, and to provide authority for the establishment of an operating reserve;

(13) The amendment of § 946.46 *Marketing policy;* and § 946.47 *Recommendation for regulation;* to utilize more precise terminology, and to delete terms which are no longer applicable;

(14) The amendment of § 946.48 *Issuance of regulation,* to utilize more precise terminology, to provide authority for regulating the handling of production area potatoes which have been graded or stored in the States of Idaho or Oregon, and to provide more flexible authority to regulate differently for different uses or outlets;

(15) The amendment of § 946.49 *Minimum quantities,* to make necessary conforming changes resulting from the addition or deletion of certain other sections;

(16) The amendment of § 946.50 *Shipments for specified purposes;* and the addition of new § 946.55 *Safeguards;* to utilize more precise terminology, to provide authority for the shipment of uninspected potatoes to and within specified locations in the adjoining States of Idaho and Oregon for the purpose of having them graded or stored and to provide adequate safeguards thereon;

(17) The amendment of § 946.53 *Inspection and certification,* to provide authority to modify inspection requirements in circumstances under which such requirements would create an undue hardship on growers or shippers.

(18) The deletion of § 946.56 *Procedure;* § 946.57 *Granting exemptions;* § 946.58 *Appeal;* and § 946.59 *Review, records, and reports of exemptions;* because the provisions have not been used since the order was issued in 1949;

(19) The amendment of § 946.70 *Reports,* to clarify the handler reporting requirements, to provide for appropriate protective custody of the information contained in handler reports; and to require handlers to maintain their records for at least 2 successive years; and

(20) The amendment of such other sections as are necessary to conform the present order to the proposed amendments.

Findings and conclusions. Findings and conclusions on the material issues are as follows:

(1) The definition of "handler" should be amended as hereinafter provided to change "ships" to "handles" and to include the term "or causes potatoes to be

handled." This definition covers substantially the same activities as provided in the current definition of "handler." However, the term "handle" has assumed more common usage in recent years and the definition of "handler" should be amended to clearly indicate that all persons engaged in the handling of potatoes should be subject to the order and to rules and regulations issued thereunder. The record indicates that all persons who cause potatoes to be shipped, regardless of whether they take title to them, should be considered handlers. Producers, packers, processors, or truckers, or persons responsible for the sale, consignment, or transportation of production area potatoes, who may reside either inside or outside of the production area, should be considered handlers if they have shipped or caused the shipment of production area potatoes.

The term "handler" is synonymous with the term "shipper." It is defined to identify the person who handles production area potatoes. Any person engaged in the act or acts of handling potatoes grown in the production area, as well as any person who causes such potatoes to be shipped, is a handler. Such person is responsible for compliance with the grade, size, quality, maturity, inspection, and the payment of applicable assessments on the potatoes which are transported or sold into the current of commerce so as to directly burden, obstruct, or affect such commerce. Any person is a handler who: (1) Handles potatoes after they are dug from the field, (2) sells potatoes; (3) transports potatoes within the production area (except for transportation within the production area where grown for storage or preparation for market) or between the production area and any point outside thereof; or (4) handles potatoes that are moved out of the production area under a Special Purpose Certificate.

A common or contract carrier transporting potatoes which are owned by another person is performing a handling function. However, such person should be exempted from the provisions of the order since such carrier is not responsible for the grade, size, and other specifications of the potatoes being shipped. Nor does he cause the potatoes to be introduced into the current of commerce. The only interest of a common or contract carrier in such potatoes is to transport them for a fee to destinations specified by others.

(2) The definition of "handle" should be amended to include any activity which places or causes potatoes to be placed in the current of commerce within the production area, to any point outside thereof, or from any point in the adjoining States of Idaho and Oregon, except that the definition of "handle" should not include the transportation of potatoes within the production area where grown for the purpose of having such potatoes prepared for market or stored.

"Handle" is synonymous with "ship" and is defined in the order to establish the marketing functions which are primarily responsible for placing production area potatoes in the current of commerce within the production area or between the production area and points outside thereof. It should include any function, except as specifically exempted under this part, that is performed from the time the potatoes are dug until the time they are prepared for market and delivered into the channels of commerce. Any person performing any such function would be a handler and should be subject to applicable regulations thereon.

The record indicates that activities which are normally considered part of a producer's activities should be excluded from the definition of handle. The movement within the production area of field run potatoes from the field where grown to a packinghouse for preparation for market or movement into storage for later grading or sale are functions normally performed by the producer. Such functions are incidental to harvesting and do not cause potatoes to be available for commercial disposition and should therefore be excluded from the definition.

A person may handle production area potatoes by causing them to be handled. For example, a person is as much a handler when he has another ship potatoes to points inside or outside of the production area as when he performs the activity himself. Also, the producer of potatoes becomes a handler when performing any of the handler functions, e.g., a producer who sells potatoes or who transports potatoes other than within the production area where grown for the purpose of grading or storing or who causes potatoes to be handled would be a handler.

The hearing record indicates that the definition of "handle" should include the shipment of ungraded potatoes to the adjoining States of Idaho or Oregon for storage, or preparation for market, or both. In the Horse Heaven Hills section of the production area, the production of potatoes exceeds the capacity of the handlers' facilities for sorting and packing potatoes produced in that section. Under the existing order, the nearest facilities in the production area for obtaining packing and sorting services are located in the Pasco, Wash., area. The record indicates that it would be more practical to allow these potatoes to be shipped into Oregon for sorting or preparation for market. The committee should be well acquainted with the sections in which shortages of packing or sorting facilities exist, and with sections which have adequate facilities for packing or storing of such potatoes. The record indicates that safeguards can be developed for the handling of such potatoes. Therefore, production area potatoes should be permitted to be shipped, field-run to such destinations, to be prepared for market or stored if they are handled as special purpose shipments under safeguards, upon recommendation of the committee and approval of the Secretary.

The preparation for market of production area potatoes in adjoining sections of the States of Idaho and Oregon, should be considered a handling function. In handling potatoes that are moved out of the production area to be prepared for market or stored, it should be the responsibility of the person who handles them to maintain their identity until they have complied with the regulations in effect under the Washington marketing order.

The record indicates that it is becoming increasingly common for packers and processors in the production area to eliminate small sized potatoes at the time the crop is put into storage. This act of separating small sized potatoes from the rest of the crop should not be considered a function of handling as the potatoes so separated have not been prepared for market and are not then being made available for commercial disposition. However any subsequent commercial disposition of either the small sized potatoes or the remainder of the crop would directly burden, affect, or obstruct the current of commerce and should be included within the definition of handle. Thus, a packer who would separate small sized potatoes from the rest of the crop as it was put into storage could dispose of the small sized potatoes only in accordance with applicable provisions of the order. The record indicates that in most cases the small sized potatoes would not meet requirements of the order for fresh market purposes, and could be disposed of only as Special Purpose shipments under safeguards recommended by the committee and approved by the Secretary.

(3) The term "fiscal year" should be amended so that the time period begins July 1 and ends June 30, 1 month later than it does under the existing order. Due to better storage facilities and better handling practices, the marketing season is now completed at a later date than in the past. In order to insure that all potatoes harvested during a given season are assessed at the same rate, the fiscal period should be extended to end June 30. Beginning the fiscal period at a later date should also allow the committee the use of more accurate information when considering marketing prospects.

(4) The terms "Table stock potatoes," "Wholesale pack," and "Consumer pack," should be deleted from the order.

When the order was issued in 1949, the term "table stock potatoes" meant and included all potatoes not included within the definition of "seed potatoes." Potatoes which are used for such purposes as processing, livestock feed, or are prepeeled are referred to as such and are not presently considered "table stock potatoes." Hence, the definition has become obsolete and should be deleted from the order. Likewise, the terms "wholesale pack" and "consumer pack" are no longer needed or in common use and should be deleted from the order.

(5) "Grade" and size should be amended by incorporating into this definition, U.S. Standards for Grades of Potatoes for Processing, U.S. Standards for Grades of Peeled Potatoes, and by deleting U.S. Consumer Standards for Potatoes.

Grade and size, the essential terms under which regulations are issued, are defined as the comprehensive and equivalent meanings assigned these terms in any of the official standards for potatoes issued by the U.S. Department of Agriculture and official standards for potatoes issued by the State from which the potatoes are shipped. Such standards are generally recognized and accepted by the potato industry in the production area. The Federal-State Inspection Service or such other inspection service designated by the Secretary would be qualified to certify to the grade and size of potatoes grown in the production area in terms of such standards, modifications thereof, or variation thereon which are incorporated in the regulations issued under the marketing order.

The record shows that U.S. Standards for Grades of Potatoes for Processing are being used more every year. In 1970, nearly 78 percent of the State of Washington crop used for food was processed. These standards are the basis for contractual understanding between buyer and seller and regulations in the past have been based in part on these standards. Also, the U.S. Standards for Grades of Peeled Potatoes have been used by the committee as a basis for recommending regulations on potatoes used for prepeeling.

U.S. Consumer Standards for Potatoes should be deleted since they are not commonly used and are considered obsolete under the order as it presently operates.

(6) A new definition "grading" should be added to the order and should be synonymous with "preparing for market" which means the sorting or separating of potatoes into grades and sizes for market purposes.

The definition of "grading" should include all activities which involve sorting or separating potatoes into grades and sizes for the purpose of having such potatoes entered into the channels of commerce. The record indicates that sales transactions sometimes occur on the basis of a percentage of the aforementioned grades. Separating or sorting of potatoes in such manner should also be included in the concept of grading since potatoes prepared in such manner normally enter channels of commerce. The record indicates that it is becoming more prevalent in the production area to remove the small sized potatoes at the time the crop is put into storage. This practice should not be considered "grading" since the potatoes at such time are not being put into definite grades and sizes to be shipped into the channels of commerce.

(7) The definition of "export" should be amended and should mean shipment of potatoes beyond the boundaries of the 48 continguous States of the United States and the District of Columbia. The record indicates that the District of Columbia is not considered an export market and the proposed definition should be revised accordingly. The proposed definition means substantially the same as did the original definition when it was issued in 1949.

(8) Paragraph (a) of § 946.25 *Selection*, should be amended by deleting the requirement that a committee member or alternate reside in the district which he represents. The record indicates that there are instances in which a producer does not live on the property farmed, and may live some distance from it, i.e., outside the district in which he produces. Such producer has a financial interest in his crop regardless of his place of residence. The record indicates that a nondistrict resident growing potatoes would be aware of the problems and conditions which exist in such district. He would know his neighboring producers and their wishes regarding regulatory provisions which would affect their marketing.

(9) The beginning and ending dates of the term of office for committee members and their respective alternates should be changed from a 3-year term beginning on June 1, to a 3-year term beginning on July 1, 1 month later than the current term. The term of office of current committee members and their respective alternates should be extended by 1 month to comply with such change in the ending date of their term of office.

The record indicates that the marketing season of a given year's crop is presently longer than it has been in the past due to better handling of potatoes from field to storage, better storage practices such as ventiliation and refrigeration, and improved sprout inhibitors. In order that the term of office better coincides with the marketing of the year's crop, the term of office should begin and end on dates 1 month later than under the present order.

(10) The committee members and their respective alternates should be authorized to receive reasonable compensation at a rate recommended by the committee and approved by the Secretary, when acting on official committee business.

Under the existing order, committee members may receive compensation at a rate not to exceed $10 for each day, or portion thereof, spent in attending meetings of the committee. The record shows that $10 a day no longer adequately compensates a committee member who may have to hire someone to take his place while he is away on committee business. A specific limit should not be set in the order on the compensation for committee members and alternates since a future increase in wage rates would tend to make it obsolete. Rather, it should be authorized at a rate recommended by the committee and approved by the Secretary.

(11) The record indicates that nominations should be completed on or before May 1, rather than April 1 as required under the present order. Also, the names of the nominees should be submitted to the Secretary not later than June 1.

Since the term of office of committee members is proposed to begin 1 month later than at present, this should provide sufficient time for nominations to be completed and submitted to the Secretary prior to the beginning of the fiscal period. The proposal would allow substantially the same amount of time for completing and submitting nominations prior to the beginning of the fiscal period as is allowed under the existing order.

The record indicates that the name of at least one nominee should be submitted to the Secretary for each position as member and each position as alternate which is to be filled. Two members must be submitted for each position to be filled under the existing order. The record indicates that the producers in a given district often have a preference for a certain individual for each position to be filled. Also, requiring two nominees for each position to be filled has frequently eliminated a person who would otherwise have been an alternate nominee. Therefore, this section should be amended to require that the name of at least one nominee should be submitted for each position which is to become vacant. However, this would not preclude the Secretary's right of choice since he may select members and alternates from among other eligible persons.

The record indicates that provision should be made for the conduct of nominations by mail. In some portions of the production area, the producers are widely scattered and few in number. The record indicates that the committee should recommend, and the Secretary establish, rules for the conduct of nominations by mail.

One method proposed for the conduct of nominations by mail was to provide that a certain minimum number of producers or handlers could nominate a person for a committee position. Names of persons nominated in such manner would then be submitted to producers or handlers in a given district for purposes of providing a nominee to the Secretary. Such ballot would also provide an opportunity for producers or handlers to vote for persons other than those listed on the ballot. Any other method recommended by the committee, with the approval of the Secretary, would also be acceptable for conducting nominations by mail.

(12) Section 946.40 should be amended to require the committee to submit a recommendation for a budget and rate of assessment for each fiscal period. Such budget should be determined by a listing of the expenses that the committee would necessarily incur in the administration of the order. Also, the committee should submit a rate of assessment applicable to assessable shipments during such fiscal period which would provide sufficient funds to meet budgeted expenses.

Section 946.41 should be amended by providing authority for the committee to incur expenses for its maintenance and functioning during periods when no regulations are in effect, and by providing that handlers who do not pay assessments promptly may have their assessments increased by a late payment charge, interest charge, or both, at rates prescribed by the committee and approved by the Secretary.

The record indicates that a late payment charge or an interest charge, or both, applied to assessments not made within a specific time after they are due would compensate the committee for

costs incurred and assist in prompting earlier payment of assessments than has been the practice in the past. The late payment charge should reflect the additional costs involved in the handling of delinquent assessments, such as setting up a special account and issuing requests for payment. The record indicates that the interest charge should reflect the interest rate the committee would be charged if it had to borrow money to meet budgeted expenses. A late payment charge imposed on assessments not submitted within a certain time after they are due should likewise assist the committee in earlier receipt of payments that have been late in previous years. The committee should recommend, and the Secretary issue, appropriate rules governing application of late payment charges, and application of interest rates on late payments. Such provisions are considered to be necessary for prompt and efficient collection of assessments.

The record indicates, and so should the proposed amendment, that if the rate of assessment is increased after the beginning of a fiscal period, the increased rate should be applicable to all shipments during such fiscal period.

The record indicates that assessment income in excess of a fiscal period's expenses should be placed in an operating reserve. Authority should be provided to use such funds for any authorized expenses incurred by the committee.

The record indicates that a monetary reserve would serve several useful purposes for the committee. Once a reserve is established, the committee could maintain an even assessment rate throughout the fiscal period since reserve funds would be available in case of emergencies, or if the crop is smaller than expected and assessments would not provide sufficient income to meet budgeted expenses. The reserve would be available to defray the necessary expenses of liquidation in the event the order is terminated. Also, the reserve fund could be used to defray expenses of the committee during any period when certain provisions of the order are not in effect. A further purpose of the operating reserve would be to provide a source of funds early in the fiscal period before income is received from shipments.

The reserve fund should not exceed approximately two fiscal periods' operational expenses, as indicated in the record. It may also be limited to a smaller amount recommended by the committee and approved by the Secretary. This provision is necessary in order to establish a reasonable limit on reserves so that they do not become excessive.

(13) Sections 946.46 and 946.47 should be amended and updated to better conform with the order as it presently operates. The record indicates that prior to each marketing season, the committee should formulate a policy with respect to marketing of the coming season's crop. In determining such policy, the committee should take into consideration all of the important economic factors having a bearing on the marketing of the crop. Hence, the committee in preparing its marketing policy should give consideration to the supply and demand factors, as hereinafter set forth in the amendment of the order, affecting marketing conditions for potatoes since consideration of such factors is essential to the development of an economically sound and practical marketing policy.

Also, the record indicates that the committee should revise the marketing policy whenever supply or demand conditions change significantly. Such marketing policy or revision should be forwarded to the Secretary and supplied to producers, handlers and other interested parties by bulletins, newspapers, or other appropriate media.

The record indicates that the committee should recommend to the Secretary rules and regulations for marketing of the season's crop. In submitting recommendations to the Secretary, the committee should include essential information used by it in making such recommendation.

(14) Section 946.48 *Issuance of regulations* should be amended by deleting those provisions which have become obsolete and are no longer being used, and by updating other provisions which are now needed to improve the efficacy and administration of the marketing order. The current provisions in this section authorize the regulation of shipments by grades and sizes. Even though quality and maturity are factors of grade and size, the words "quality" and "maturity" should be included in addition to "grade" and "size" at appropriate places in this section where such addition would provide clarity.

The present order includes authority for regulating shipments of particular grades and sizes of potatoes differently for different varieties, for different portions of the production area, for consumer and wholesale packs, for table stock and seed. Although no evidence was offered to remove the substance of this authority, the record indicates that the terms "consumer pack" and "wholesale pack" are no longer in common usage and for that reason should be deleted from this section and the authority for regulating differently for consumer and wholesale packs should thus be amended to provide only for regulating differently for different packs. The term "table stock" has also fallen into disuse and should likewise be deleted. At the time that the order was first issued, most potatoes used for food were consumed fresh and "table stock" was an appropriate term applied to potatoes sold for purposes other than seed. More recently, however, the major portion of production area potatoes used for food are moved to processing outlets and more specific descriptions of outlets, e.g., freezing, dehydration, chipping, and fresh market have become prevalent. Therefore authority for regulating differently for "table stock" potatoes and seed should be replaced by authority for regulating differently for different uses or outlets.

The record indicates the order should be broadened to authorize the shipment of uninspected potatoes into the adjoining States of Idaho and Oregon for storage or preparation for market. Producers are now growing potatoes in the Patterson-Horse Heaven Hills area. Under the existing order, the nearest facilities for obtaining adequate packing and sorting services in the production area are located in the Pasco, Wash., area. The record shows that it is much closer for these growers to take their potatoes across the Columbia River into Oregon and have them stored or prepared for market. Likewise, authority should be provided for shipping uninspected potatoes from the production area into certain locations in Idaho in similar circumstances. Further marketing of such potatoes would be subject to requirements of all regulations in effect under the order. Also, such shipments to locations in Idaho and Oregon should be permitted only in accordance with the safeguard provisions of the shipments for specified purposes of this part.

The provision of § 946.52(a)(3) set forth in the Notice of Hearing which would provide authority for regulating differently for potatoes for prepeeling differently for different markets should be deleted as no supporting evidence was offered at the hearing.

(15) The provisions of § 946.49 *Minimum quantities* should be amended only to conform to proposed changes in section numbers. This section, as proposed to be amended would mean substantially the same as it does in the existing order.

(16) Section 946.50 *Shipments for specified purposes* should be deleted and the substance of the provisions contained therein and modifications thereof should be included in a new § 946.54 *Shipments for specified purposes*, and a new § 946.55 *Safeguards*, as hereinafter provided. Additionally, shipments of uninspected production area potatoes to specified locations in the States of Idaho and Oregon for grading or storage should be authorized subject to safeguard provisions so as to prevent such potatoes from being handled for purposes other than those specified.

The deletion of the aforementioned section and the addition of two new sections as hereinafter provided, are necessary to conform to changes in the marketing of production area potatoes yet in no way would they diminish the authority or responsibility of the committee or the Secretary.

The record indicates that it is necessary to ship field-run uninspected potatoes to specified locations in the adjoining States of Idaho and Oregon to have such potatoes prepared for market or stored. Such handling should be permitted under appropriate safeguards on shipments for specified purposes. Handlers who ship potatoes for such specified purposes should obtain a Special Purpose Certificate from the committee to make such shipments, and prepare a report on each shipment so handled as may be required by the committee. The person receiving the potatoes should verify that the potatoes so handled were used for the purpose specified in the certificate and report same to the committee office. In addition, handlers should be required to

submit any reports that may be requested pursuant to § 946.70 *Reports and records.*

Potatoes that are moved outside the production area for specified purposes without being inspected before they leave the production area should be handled by the handlers located outside the production area in the same manner as if such handling was performed inside the production area. The record indicates that if potatoes were grown in the production area and packed in Idaho or Oregon, then the packer should be considered a handler and would be responsible for insuring that the potatoes meet the applicable provisions of the marketing order. It is essential that the identity of potatoes shipped for specified purposes be maintained to insure they are not used for purposes contrary to those specified. It was indicated in the record that the committee would not lose control over such potatoes if appropriate safeguards are applied.

The record indicates that safeguards should be applied to special purpose shipments so that such shipments can be identified from the time they leave their local shipping point until the time they arrive at their final destination. It will be necessary to maintain such special purpose shipments separately to the extent that their identity is maintained in order to insure that such special purpose shipments comply with regulations applicable to such shipments.

Ungraded potatoes which have been shipped from the production area into specified locations in the adjoining States of Idaho or Oregon for storage or preparation for market should not be mixed with other potatoes as it would become impossible to maintain their identity under such circumstances.

The record indicates that authority should be provided to require inspection pursuant to § 946.60 and assessments pursuant to § 946.41 on special purpose shipments. However, special purpose shipments which are exempt under the act should not be subject to inspection and assessment requirements.

Pursuant to the deletion of § 946.50 and the addition of two new sections, §§ 946.54 and 946.55, the current rules governing shipments for specified purposes §§ 946.120 through 946.123, should be terminated, and new rules should be recommended by the committee and approved by the Secretary to correspond with the newly provided sections.

The record indicates that the committee should be authorized to require Special Purpose Certificates on potatoes handled as herein discussed. Also, the committee should be authorized to rescind or deny any handler such Special Purpose Certificate if he handles the potatoes contrary to the provisions specified or to the rules or regulations issued pursuant to this part. However, the committee should provide adequate appeal procedure for handlers who are so denied such certificates or who have had such certificates rescinded. Also, the record indicates that duration of such denial or revocation should be determined by the committee.

(17) Section 946.53. *Inspection and certification,* should be amended by providing authority to modify inspection requirements in circumstances under which such requirements would create an undue hardship on growers or shippers.

The record indicates that there are a number of widely scattered handlers in certain outlying portions of the production area. These handlers normally do not ship large quantities of potatoes, often not more than one carload per day. If an inspector is required to travel 50 miles to a packing facility and remain there most of the day to insure the entire load meets grade requirements, the cost of inspecting a single car may amount to $50 or $60. Such high cost of inspection tends to put shippers in such areas at a disadvantaged position with other shippers in the production area.

The language which would provide authority for modifying inspection requirements should be revised from that set forth in the Notice of Hearing, based on evidence of record. This authority is intended for specific circumstances which tend to make the cost of inspection relatively high rather than for specific instances in which an authorized inspector cannot be readily obtained. Upon the basis of record evidence, it would be more appropriate to provide for this authority "in circumstances under which such requirements would create an undue hardship on growers or shippers."

The committee, with approval of the Secretary, should establish rules and regulations to relieve inspection requirements under such circumstances. The record indicates that safeguards should be developed which would insure that such shipments comply with all other requirements of the order. One method of checking compliance would be to require each shipper to telephone the committee prior to making a shipment. The committee could then request terminal point inspection on the shipment, with the cost of such inspection being paid by the shipper. If the potatoes were not in accordance with the applicable provisions of the order, such shipper could be required to obtain shipping point inspection on subsequent shipments. Any other method recommended by the committee and approved by the Secretary could also be used.

(18) Sections 946.56 *Procedure;* 946.57 *Granting exemptions;* 946.58 *Appeal;* and 946.59 *Review, records, and reports of exemptions;* should be deleted from the order.

The record shows that these sections have not been used since the order was originally formulated in 1949. Such sections provided that if a producer by reason of a limitation of shipments regulation was not able to ship a percentage of his crop equal to the average of that being shipped in the district where he produced, because the grade, size, or quality of such producer's potatoes had been adversely affected by acts beyond his control, then he could apply for and obtain a special exemption which would allow him to ship the same percent of his crop as the average being shipped within his district. The record indicates that it would be difficult to find suitable outlets for such potatoes that would not meet requirements of the order. Also, allowing the marketing of potatoes which will not meet marketing order standards tends to undermine the overall image of the crop. Accordingly, the aforementioned sections should be deleted from the order.

(19) The provisions of § 946.70 *Reports,* should be clarified as to the types of reports handlers could be required to submit, the length of time that handlers could be required to maintain records of potatoes handled by them, and to provide for the safeguarding by committee employees of confidential information in reports submitted to handlers.

The order presently requires that reports shall be furnished in such manner and at such time as may be prescribed by the committee with approval of the Secretary. It is difficult to anticipate every type of report or kind of information which the committee might need in administering the program, but it should have the authority, subject to the approval of the Secretary, to request such reports and information, as needed, of the types set forth in the proposed amendment of this section.

Provision should be included to insure the confidentiality of information contained in individual reports which may adversely affect the competitive position of any handler. These provisions, however, should not preclude the compilation of general reports from information submitted by handlers as required by the order, and the distribution of such compilations, provided they do not disclose the identity of an individual handler's operations.

Such reports and records should be kept exclusively in the custody of and under the control of, one or more of the employees of the committee and should not be disclosed to anyone other than the Secretary, or his authorized agents. In this way, no other persons would have access to information which may contain trade secrets, disclose a handler's trade position, his financial condition, his customers, or the prices at which he buys or sells potatoes. Since some members of the committee may be competitors of a handler from whom information was obtained, such information should not be made available to committee members unless it has been compiled in such a manner that it does not disclose the identity or operations of an individual handler.

The present order has no provision which requires handlers to maintain records on potatoes received or handled. Each handler should be required to establish and maintain, for at least 2 succeeding years, adequate records on all potatoes handled by him. The hearing record indicates that such records are normally kept for periods longer than 2 years. Therefore, a requirement for establishing and maintaining such records should not create an undue burden on

handlers. Such records are necessary to verify reports that are required to be submitted by handlers and to provide satisfactory proof of compliance with the order. They should be made available by the handler to the committee through its authorized employees or to the Secretary on request.

(20) Pursuant to the deletion of sections 946.56 through 946.59, the rules and regulations applicable to exemptions should be terminated. Such rules and regulations are set forth in §§ 946.110, 946.111, 946.112, 946.113, and 946.114. These sections should be terminated as they will no longer be authorized upon deletion of §§ 946.56 through 946.59.

General findings. (1) The findings hereinafter set forth are supplementary, and in addition to the previous findings and determinations which were made in connection with the issuance of the marketing agreement and order; and all of the said previous findings and determinations are hereby ratified and affirmed except insofar as such previous findings and determinations may be in conflict with the findings and determinations set forth herein (for prior findings and determinations see 14 F.R. 5860);

(2) The marketing agreement and order, as both are hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(3) The marketing agreement and order, as both are hereby proposed to be amended, regulate the handling of potatoes grown in the State of Washington in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in, the marketing agreement and order upon which hearings have been held;

(4) The marketing agreement and order, as both are hereby proposed to be amended, are limited in application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act; and the issuance of several marketing agreements and orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(5) There are no differences in the production and marketing of potatoes in the production area covered by the marketing agreement and order, as both are hereby proposed to be amended, which require different terms applicable to different parts of such area; and

(6) All handling of potatoes grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

Recommended amendment of the marketing agreement and order. The following amendments to the marketing agreement and order are recommended as the detailed means by which the aforesaid conclusions may be carried out:

1. Section 946.6 is revised to read as follows:

§ 946.6 Handler.

"Handler" is synonymous with "shipper" and means any person (except a common or contract carrier of potatoes owned by another person) who handles potatoes or causes potatoes to be handled.

2. Section 946.7 is revised to read as follows:

§ 946.7 Handle.

"Handle" is synonymous with "ship" and means to transport, sell, or in any other way to place potatoes grown in the State of Washington, or cause such potatoes to be placed, in the current of commerce within the production area or between the production area and any point outside thereof, or from any point in the adjoining States of Oregon and Idaho to any other point: *Provided,* That, the definition of "handle" shall not include the transportation of ungraded potatoes within the production area for the purpose of having such potatoes prepared for market, or stored, except that the committee may impose safeguards pursuant to § 946.55 with respect to such potatoes.

3. Section 946.9 is revised to read as follows:

§ 946.9 Fiscal period.

"Fiscal period" means the period beginning on July 1 of each year and ending June 30 of the following year, or such other period as the Secretary may establish pursuant to recommendation of the committee.

§§ 946.13, 946.14, 946.15 [Deleted]

4. Sections 946.13, 946.14, and 946.15 are deleted.

5. Section 946.16 is renumbered as 946.13 and revised to read as follows:

§ 946.13 Grade and size.

"Grade" means any one of the officially established grades of potatoes, and "size" means any one of the officially established sizes of potatoes as defined and set forth in:

(a) The U.S. Standards for Potatoes issued by the U.S. Department of Agriculture (§§ 51.1540 to 51.1566 of this title), or amendments thereto or modifications thereof, or variations based thereon;

(b) U.S. Standards for Grades of Potatoes for Processing as issued by the U.S. Department of Agriculture (§§ 51.3410 to 51.3424 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(c) U.S. Standards for Grades of Peeled Potatoes (§§ 52.2421 to 52.2433 of this title), or amendments thereto, or modifications thereof, or variations based thereon, and

(d) State of Washington Standards for Potatoes issued by the State of Washington Director of Agriculture, or amendments thereto, or modifications thereof, or variations based thereon.

6. Section 946.14 is added to read as follows:

§ 946.14 Grading.

"Grading" is synonymous with "preparing for market" which means the sorting or separating of potatoes into grades and sizes for market purposes.

7. Section 946.17 is renumbered as 946.15 and revised to read as follows:

§ 946.15 Export.

"Export" means shipment of potatoes beyond the boundaries of the 48 contiguous States of the United States, or the District of Columbia.

§ 946.16 [Renumbered]

8. Section 946.18 is renumbered as § 946.16.

9. Paragraph (a) of § 946.25 is amended to read as follows:

§ 946.25 Selection.

(a) Persons selected as committee members or alternates to represent producers shall be individuals who are producers in the respective district for which selected, or officers or employees of a corporate producer in such district.

* * * * *

10. Paragraph (a) of § 946.27 is amended to read as follows:

§ 946.27 Term of office.

(a) The term of office of committee members and alternates shall be for 3 years beginning on the first day of July and continuing until their successors are selected and have qualified: *Provided, however,* That the terms of office of the initial committee under the amended order shall be determined by the Secretary so that the terms of office of one-third of the initial members and alternates shall be for 1 year, one-third for 2 years, and one-third for 3 years.

* * * * *

11. Section 946.30 is revised to read as follows:

§ 946.30 Expenses and compensation.

Committee members and their respective alternates when acting on committee business shall be reimbursed for reasonable expenses necessarily incurred by them in the performance of their duties and in the exercise of their powers under this subpart. In addition, they may receive reasonable compensation at a rate recommended by the committee and approved by the Secretary.

12. Section 946.32 is revised to read as follows:

§ 946.32 Nomination.

The Secretary may select the members of the State of Washington Potato Committee and their respective alternates from nominations which may be made in the following manner, or from among such other qualified persons:

(a) A meeting or meetings of producers and handlers shall be held by the committee in each district for which nominees are to be selected not later than May 1 of each year to designate nominees for members and alternates to the committee; or the committee may

conduct nominations by mail in a manner recommended by the committee and approved by the Secretary; and, in arranging for such meetings, the committee may, if it deems desirable, utilize the services and facilities of other existing organizations;

(b) At least one nominee shall be designated for each position as member and for each position as alternate member on the committee which is vacant, or which is to become vacant the following July 1;

(c) The names of nominees shall be supplied to the Secretary in such manner and form as he may prescribe, not later than June 1 of each year, or by such other date as may be specified by the Secretary;

(d) Only producers may participate in designating producer nominees, and only handlers may participate in designating handler nominees. Any person who operates in more than one district or is engaged in producing and handling potatoes, shall elect the classification (i.e., producer or handler), and the district within which he desires to participate in designating nominees;

(e) Regardless of the number of districts in which a person produces or handles potatoes, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives in designating nominees for committee members and alternates. An eligible voter's privilege of casting only one vote as aforesaid shall be construed to permit a voter to cast one vote for each position to be filled in the district in which he elects to vote; and

(f) If nominations are not made within the time and in the manner specified in this section, the Secretary may, without regard to nominations, select the committee members and alternates on the basis of the representation provided for in this subpart.

§ 946.33 [Deleted]

13. Section 946.33 is deleted.

§ 946.33 [Renumbered]

14. Section 946.34 is renumbered as 946.33.

15. Section 946.40 is revised to read as follows:

§ 946.40 Expenses.

The committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by it during each fiscal period for its maintenance and functioning, and for such other purposes as the Secretary, pursuant to this subpart, determines to be appropriate. The committee shall submit to the Secretary a budget for each fiscal period, including an explanation of the items appearing therein, and a recommendation as to the rate of assessment for such fiscal period.

16. Section 946.41 is revised to read as follows:

§ 946.41 Assessments.

Each handler shall pay to the committee upon demand, his pro rata share of the expenses authorized by the Secretary for each fiscal period. Each handler's pro rata share shall be the rate of assessment per hundredweight fixed by the Secretary times the quantity of potatoes which he handles as the first handler thereof. At any time during or after a fiscal period, the Secretary may increase the rate of assessment as necessary to cover authorized expenses. Such increase shall be applicable to all potatoes handled during the given fiscal period. The payment of expenses for the maintenance and functioning of the committee may be required during periods when no regulations are in effect. If a handler does not pay his assessment within the time prescribed by the committee, the assessment may be increased by a late payment charge or an interest charge, or both, at rates prescribed by the committee with the approval of the Secretary.

17. Section 946.42 is revised to read as follows:

§ 946.42 Accounting.

(a) *Excess funds.* At the end of a fiscal period, funds in excess of the year's expenses shall be placed in an operating reserve not to exceed approximately two fiscal periods' operational expenses or such lower limits as the committee, with the approval of the Secretary, may establish. Funds in such reserves shall be available for use by the committee for expenses authorized pursuant to § 946.40. Funds in excess of those placed in the operating reserve shall be refunded to handlers. Each handler's share of such excess shall be the amount of assessments he paid in excess of his pro rata share of the actual expenses of the committee and the addition, if any, to the operating reserve.

(b) *Accounting of funds upon termination of order.* Any money collected as assessments pursuant to this subpart and remaining unexpended in the possession of the committee after termination of this part shall be distributed in such manner as the Secretary may direct: *Provided,* That to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

18. Section 946.46 is renumbered as § 946.50 and amended to read as follows:

§ 946.50 Marketing policy.

(a) Prior to each marketing season, the committee shall consider and prepare a policy statement for the marketing of potatoes. In developing its marketing policy, the committee shall investigate relevant supply and demand conditions for potatoes. In such investigations, the committee shall give appropriate considerations to the following:

(1) Market prices of potatoes, including prices by grade, size, quality, and maturity in different packs of fresh potatoes and of the various forms of processed potatoes;

(2) Supplies of potatoes by grade, size, quality, and maturity in the production area and in other production areas, of fresh potatoes, and the supplies of various forms of processed potatoes;

(3) The trend and level of consumer income;

(4) Establishing and maintaining orderly marketing conditions for potatoes;

(5) Orderly marketing of potatoes as will be in the public interest; and

(6) Other relevant factors.

(b) In the event it becomes advisable to deviate from such marketing policy because of changed supply and demand conditions, the committee shall formulate a revised marketing policy statement in accordance with the appropriate considerations in paragraph (a) of this section.

(c) The committee shall submit a report to the Secretary setting forth such marketing policy. Notice of each such marketing policy and any revision thereof shall be given to producers, handlers, and other interested parties by bulletins, newspapers, or other appropriate media, and copies thereof shall be available for examination at the committee office to all interested parties.

19. Section 946.47 is renumbered as § 946.51 and amended to read as follows:

§ 946.51 Recommendation for regulation.

The committee shall recommend to the Secretary regulations, or amendments, modifications, suspension, or termination thereof, whenever it finds that such regulations as provided in § 946.52 are in accordance with the marketing policy established pursuant to § 946.50 and that such regulations will tend to effectuate the declared policy of the act.

20. Section 946.48 is renumbered as § 946.52 and amended to read as follows:

§ 946.52 Issuance of regulations.

(a) The Secretary shall limit the shipment of potatoes as set forth in this subpart whenever he finds from the recommendation and information submitted by the committee, or from other available information, that it would tend to effectuate the declared policy of the act:

(1) To regulate, in any or all portions of the production area the handling of particular grades, sizes, qualities, or maturity of any or all varieties of potatoes during any period;

(2) To regulate the handling of particular grades, sizes, qualities, or maturities of any or all varieties of potatoes, or for any combination of the foregoing during any period in the States of Oregon and Idaho which have been shipped from the production area to specified locations therein for grading or storage pursuant to § 946.54;

(3) To regulate the handling of particular grades, sizes, qualities, or maturities of any or all varieties differently for: different portions of the production area, different uses or outlets, different packs or for any combination of the foregoing, during any period;

(4) To regulate the handling of potatoes by establishing in terms of grades, sizes, or both, minimum standards of quality and maturity.

(b) The Secretary may amend any regulation issued under this subpart whenever he finds that such amendment would tend to effectuate the declared policy of the act. The Secretary may also terminate or suspend any regulation whenever he finds that such regulation obstructs or no longer tends to effectuate the declared policy of the act.

(c) The Secretary shall notify the committee of any such regulation issued pursuant to this section and the committee shall give reasonable notice thereof to handlers.

21. Section 946.49 is renumbered as § 946.53 and amended to read as follows:

§ 946.53 **Minimum quantities.**

The committee, with the approval of the Secretary, may establish, for any or all portions of the production area, minimum quantities below which shipments will be free from regulations issued pursuant to this part.

22. Section 946.50 is renumbered as § 946.54 and amended to read as follows:

§ 946.54 **Shipments for specified purposes.**

(a) Whenever the Secretary finds, upon the basis of the recommendations and information submitted by the committee, or from other available information, that it will tend to effectuate the declared policy of the act, he shall modify, suspend, or terminate any or all regulations issued pursuant to this part in order to facilitate shipments of potatoes for the following purposes:

(1) Livestock feed;
(2) Charity;
(3) Export;
(4) Seed;
(5) Prepeeling;
(6) Such other purposes as may be specified by the committee with the approval of the Secretary, and
(7) Grading or storing between the districts within the production area or to and within specified locations in the adjoining States of Idaho and Oregon.

(b) The Secretary shall give prompt notice to the committee of any modification, suspension, or termination of regulations pursuant to this section, or of any approval issued by him under the provisions of this section.

23. Section 946.55 is added to read as follows:

§ 946.55 **Safeguards.**

(a) The committee, with the approval of the Secretary, may prescribe adequate safeguards to prevent shipments pursuant to § 946.54 from entering channels of trade and other outlets for other than the specific purposes authorized therefor, and the transportation of potatoes for grading and storing to points outside the production area.

(b) Safeguards provided by this section may include, but shall not be limited to, requirements that handlers:

(1) Shall obtain the inspection required by § 946.60 or pay the assessment provided by § 946.41, or both, in connection with the potato shipments effected in accordance with § 946.54, and

(2) Shall obtain a Special Purpose Certificate from the committee for shipments of potatoes effected or to be effected under provisions of § 946.54.

(c) The committee, with the approval of the Secretary, shall prescribe rules governing the issuance and the contents of the Special Purpose Certificate.

(d) The committee may rescind, or deny to any handler the Special Purpose Certificate if proof satisfactory to the committee is obtained that potatoes shipped by him for the purpose stated in § 946.54 were handled contrary to the provisions of this section.

(e) The committee shall make reports to the Secretary, as requested, showing the number of applications for such certificates, the quantity of potatoes covered by such applications for such certificates, the number of such applications denied, and certificates granted, the quantity of potatoes shipped under duly issued certificates, and such other information as may be requested by the Secretary.

24. Section 946.53 is renumbered as § 946.60 and paragraph (a) is amended to read as follows:

§ 946.60 **Inspection and certification.**

(a) During any period in which the Secretary regulates the shipment of potatoes pursuant to the provisions of this subpart, each handler who first ships potatoes shall, prior to making shipment, cause each shipment to be inspected by an authorized representative of the Federal-State Inspection Service or such other inspection service as the Secretary shall designate. The committee may, with the approval of the Secretary, prescribe rules and regulations modifying the inspection requirements of this section in circumstances under which such requirements would create an undue hardship on growers or shippers: *Provided,* That all such shipments shall comply with all regulations in effect: *And provided further,* That proper safeguards to assure compliance are adopted.

* * * * *

§§ 946.56, 946.57, 946.58, 946.59 [Deleted]

25. Sections 946.56, 946.57, 946.58, and 946.59 are deleted.

26. Section 946.70 is amended to read as follows:

§ 946.70 **Reports and records.**

(a) Upon the request of the committee, with the approval of the Secretary, every handler shall furnish to the committee in such manner and at such time as may be prescribed, such information as will enable the committee to exercise its duties under this subpart.

(b) Each handler shall establish and maintain for at least 2 succeeding years such records and documents with respect to potatoes received and potatoes disposed of by him as will substantiate the required reports.

(c) For the purpose of assuring compliance with the recordkeeping requirements and verifying reports filed by handlers, the Secretary and the committee through its duly authorized employees, shall have access to such records.

(d) All reports and records furnished or submitted by handlers to, or obtained by the employees of, the committee which contain data or information constituting a trade secret or disclosing the trade position, financial condition, or business operations of the particular handler from whom received, shall be treated as confidential, and the reports and all information obtained from records shall at all times be kept in the custody and under the control of one or more employees of the committee who shall disclose such information to no person other than the Secretary, or his authorized agents. Compilations of general reports from data and information submitted by handlers is authorized subject to the prohibition of disclosure of individual handlers' identity or operations.

Copies of this notice of recommended decision may be obtained from the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, or may be there inspected.

Dated: February 29, 1972.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc.72-3241 Filed 3-2-72;8:48 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

[CGFR 72-42]

SHEEPSCOT RIVER, MAINE

Proposed Drawbridge Operations

The Coast Guard is considering revising the regulations for the Maine State Highway Commission bridge and the Maine Central railroad bridge at miles 14 and 15 respectively across the Sheepscot River. Present regulations governing the Maine State Highway Commission bridge require that the draw open on signal from June 1 through September 30 from 9 a.m. to 9 p.m. The draw shall open on signal from June 1 through September 30 from 9 p.m. to 9 a.m., if notice is given to the drawtender from 9 a.m. to 9 p.m. From October 1 through May 31 the draw shall open on signal if at least 24 hours' notice has been given. The Maine Central railroad bridge is presently required to open on signal.

The proposed regulations would require that the draws of each bridge shall open on signal from June 1 through September 30 if at least 4 hours' notice has been given and from October 1 through May 31 if at least 24 hours' notice has been given. This change is being considered because

of the infrequent openings of these bridges.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), First Coast Guard District, J. F. Kennedy Federal Building, Government Center, Boston, Mass. 02203. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, First Coast Guard District.

The Commander, First Coast Guard District, will forward any comments received before April 3, 1972, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising § 117.5a to read as follows:

§ 117.5a Sheepscot River, Maine. Maine State Highway Commission bridge, Mile 14 and Maine Central railroad bridge, mile 15.

From June 1 through September 30 the draw of each bridge shall open on signal if at least 4 hours' notice has been given to the owner of the bridge to be opened. From October 1 through May 31 the draw of each bridge shall open on signal if at least 24 hours' notice has been given to the owner of the bridge to be opened.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Dated: February 25, 1972.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.72-3232 Filed 3-2-72;8:47 am]

[33 CFR Part 117]

[CGFR 72-41]

JOHNSON RIVER, CONN.

Proposed Drawbridge Operations

The Coast Guard is considering amending the regulations for the Pleasure Beach Highway Bridge at the end of Seaview Avenue across the Johnson River to require the draw open on signal. Present regulations allow the draw to remain closed to the passage of vessels from 10:30 p.m. to 11 p.m. and 11:15 p.m. to 11:45 p.m. This change is being considered because of limited vehicular traffic during the present restricted periods.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Third Coast Guard District, Governors Island, New York, N.Y. 10004. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Third Coast Guard District.

The Commander, Third Coast Guard District, will forward any comments received before April 3, 1972, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revoking § 117.130(c)(2)(iv) as follows:

§ 117.130 Poquonnock and Johnson Rivers, Conn., bridges (highway and railroad) at Bridgeport.

* * * * *

(c) * * *

(2) * * *

(iv) [Revoked]

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Dated: February 25, 1972.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.72-3231 Filed 3-2-72;8:47 am]

CIVIL AERONAUTICS BOARD

[14 CFR Part 373]

[Docket No. 23971; SPDR-28]

STUDY GROUP CHARTERS BY DIRECT AIR CARRIERS AND CHARTERERS

Proposed Authorization of Period of Independent Travel

Notice is hereby given that the Civil Aeronautics Board has under consideration proposed amendments to Part 373 of its special regulations (14 CFR Part 373) to authorize, subject to the conditions provided therein, a period of independent travel in connection with study group charters. The principal features of the proposed amendments are described in the attached explanatory statement, and the proposed amendments are set out in the attached proposed rule. The amendments are proposed under the authority of sections 101(3), 101(33), 204(a), 401, and 402 of the Federal Aviation Act of 1958, as amended, 72 Stat. 737, 743, 754, 757 (49 U.S.C. 1301, 1324, 1371, and 1372.)

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before April 3, 1972, will be considered by the Board before taking action on the proposal. Copies of communications will be available for examination by interested persons in the Docket Section, Room 712 Universal Building, 1825 Connecticut Avenue NW., Washington, DC upon receipt thereof.

By the Civil Aeronautics Board.

Dated: February 29, 1972.

[SEAL] HARRY J. ZINK,
Secretary.

EXPLANATORY STATEMENT

Part 373 of the Board's regulations (14 CFR Part 373) authorizes, subject to conditions, study group charters by study group charterers, with the air transportation portion thereof provided by direct air carriers and foreign air carriers. Under these regulations,[1] study group charterers are required to include a formal academic course of instruction abroad of at least 4 weeks' duration, and where the charterer is not an "educational institution"[2] to provide a minimum of 15 hours of classroom instruction per week for 4 weeks of said study course. These formal academic requirements are intended to insure the bona fides of foreign study programs, while, at the same time, permitting the study group charterer to offer additional periods of supervised travel for participating students.[3]

The American Institute for Foreign Study, Inc. (AIFS), and Trans International Airlines, Inc. (TIA), have filed jointly a petition for rule making wherein they request that Part 373 be amended to allow, subject to appropriate conditions, periods of "free travel"[4] in connection with study group charters.[5] In support of this request, the joint parties state that the college level study group programs offered by AIFS and other study group charterers have historically included a period of independent travel, and that inclusion of an independent travel period enables AIFS to offer its

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[1] § 373.2.

[2] Defined in § 373.2.

[3] SPR-46, May 8, 1971.

[4] In this context, "free travel" means independent travel by individual study group participants, at their own expense, without supervision and outside of the charter itinerary covered by the charter price.

[5] On Aug. 6, 1971, AIFS and TIA jointly filed a request, wherein they asked the Board to interpret Part 373 so as to authorize periods of independent travel in connection with study group charters, or, alternatively, to grant TIA a waiver allowing such independent travel periods for its 1972 summer season college program. The Board determined that, as presently cast, Part 373 does not authorize periods of independent travel in connection with study group charter programs, but the requested waiver was granted, so as to avoid economic hardship to the applicants.

college level programs at a substantially lower price than if it were required to include food, transportation and other surface accommodations for that period. Specifically, petitioners contend that, in light of the introduction of low youth fares to Europe on scheduled service and the fact that college students usually prefer to spend the travel portions of their foreign study tour free of the constraints imposed by a supervised program, the unavailability of independent travel periods under our rules could spell the end of study group charter programs at the college and postgraduate levels. They further argue that inclusion of an independent travel period would not compromise the academic character of study group programs since the duration of the academic study portions of the programs would be unaffected.

The joint parties also propose the following "safeguards," in order to minimize the risk of stranding and other similar problems which might arise during a period of independent travel: (1) Student participants under age 17 may not travel abroad independently unless accompanied by a responsible adult.[6] (2) Student participants must submit their travel itineraries in advance to the study group charterer for its approval, and a student under age 17 must also submit the name and relationship of the responsible adult who is to accompany him. (3) The study group charterer shall provide financial or other assistance (subject to reimbursement) which will assure that student participants are not without food, shelter, or other necessities during periods of independent travel. (4) The period of independent travel shall not exceed in duration the period of the formal academic course and shall not receive primary emphasis in the study group charterer's promotional materials.

The American Leadership Study Groups (ALSG) filed an answer to the petition in which it substantially concurs with the joint parties' request but would limit the provision of independent travel periods to student participants who are at least 17 years of age, and who have completed at least 1 year (two semesters) of college.

While we are in tentative agreement with the general views expressed in the joint parties' petition, we think that the "safeguards" they propose require several additional refinements, as discussed hereinbelow, to protect the integrity of the study group charter concept and to insure that student participants are fully apprised of the rules and procedures relative to the provision of independent travel periods. On the other hand, we do not think it necessary to completely exclude from independent travel participants who have not yet reached 17 years of age and completed at least 1 year of college, as suggested by ALSG.

We do not accept petitioners' proposal that the maximum period of independent travel should be permitted to equal the period of academic instruction. Accordingly, the proposed rule limits the period which the study group charterer may set aside for independent travel to one-half of the period provided for formal academic instruction. This maximum period appears to be roughly in line with the past practice of study group charters who offer periods of supervised travel, and should better serve to keep the focus of foreign study programs on academic pursuits.

Because independent travel abroad may increase the risk of stranding and other related problems, we are of the tentative view that parents of all student participants under age 18 should be afforded the opportunity to decide whether they wish to permit their children to travel abroad, without supervision. We therefore propose, as a further condition on the availability of independent travel periods, to require student paticipants who are under 18 years of age to obtain a statement of parental consent to their planned independent travel. Moreover, inasmuch as we are proposing that 18 be the minimum age for students not required to obtain parental consent for independent travel, we are also proposing to prescribe the same minimum age of 18 for students not required to have adult accompaniment on such travel.[7] Accordingly, the proposed rule states that student participants under age 18 may not travel abroad independently unless accompanied by a responsible adult. The proposed consent statement will explicitly refer to the teacher or other responsible adult who is to accompany the student participant on such independent travel, and shall be submitted to the study group charterer along wih the student's planned itinerary.

Finally, as previously indicated, we think that student participants should be fully apprised of the rules and procedures relative to the provision of independent travel periods. To that end, the proposed rule requires the study group charterer to include, in its contract with the student participant, a provision which sets forth the procedures governing the period of independent travel.

Based on the foregoing considerations, it is proposed to amend Part 373 of the special regulations (14 CFR Part 373) as follows:

1. Amend § 373.2 by inserting, in alphabetical order, a new definition of "Independent travel" and revising the definition of "Study group charter," to read as follows:

§ 373.2 Definitions.

As used in this part, unless the context otherwise requires:

* * * * *

"Independent travel" means travel abroad by student participants, at their own expense, during any period of travel not included in the charterer's itinerary: *Provided, however,* That in connection with such travel the study group charterer shall (1) not allow independent travel by student participants under 18 years of age unless said student is to be accompanied by a teacher or other responsible adult and has furnished the charterer with a statement of parental consent to engage in such travel, which statement shall explicitly refer, by name and address, to the teacher or other responsible adult who is to accompany said student on such travel; (2) require student participants who desire to engage in independent travel to submit, in advance of the departure date of the study group charter, a planned itinerary for the study group charterer's approval and, where applicable, the statement required in subparagraph (1) of this paragraph; and (3) provide financial or other assistance (subject to reimbursement), where necessary to assure that student participants are not without food, shelter, or other necessities during any period of independent travel, and that they may be able to board the return charter flight: *And provided further,* That the aggregate duration of any period or periods of independent travel provided in connection with each study group charter program shall not exceed one-half of the aggregate duration of the period or periods of formal academic study furnished in connection therewith, and shall not receive primary emphasis in the study group charterer's promotional materials.

* * * * *

"Study group charter" means the charter of the entire capacity of an aircraft or of less than the entire capacity of an aircraft (provided that the remaining capacity of the aircraft is under charter by a person or persons authorized to charter aircraft under § 208.6(c) of this chapter) by a study group charterer or, with respect to study groups which originate in a foreign country, by a foreign study group charterer, for the carriage on a direct air carrier of persons traveling in air transportation as a study group, and which meets all of the following requirements:

(1) The group qualifies as a study group as defined herein,

(2) A minimum of 4 weeks must elapse between departure and return,

(3) An aircraft under charter to one study group charterer may carry any number of study groups: *Provided,* That if more than one group is carried each of the groups shall consist of 40 or more student participants.

(4) The price to each participant shall include, at a minimum, at least two meals

[6] In the joint parties' view, youths under age 17 may, in some cases, lack the maturity of judgment needed for unsupervised travel, and should therefore be subject to additional supervision during independent travel periods. While we adopt the principle underlying this view, we are proposing a minimum age of 18, rather than 17, as hereinafter discussed.

[7] It could of course be argued that 21 years would be a more appropriate minimum age for students not required to have either parental consent or adult accompaniment, or both, for their independent travel abroad. The Board wishes to emphasize that its views in this respect are only tentative. We will particularly welcome comments enabling us to determine a proper basis for making classifications by age, for the purposes of the proposed rule.

per day, and all sleeping accommodations, and necessary air or surface transportation between all places on the itinerary, including transportation to and from air and surface-carrier terminals utilized at such places other than the point of origin, and tuition: *Provided, however,* That this subparagraph (4) shall not apply to periods of "Independent travel" as defined in this section.

* * * * *

2. Amend § 373.18 by adding a new paragraph (k) to read as follows:

§ 373.18 Contract between the study group charterer and the student participants.

Contracts between study group charterers and student participants shall include provisions concerning the following matters:

* * * * *

(k) Where applicable, procedures governing any period of independent travel.

[FR Doc.72-3236 Filed 3-2-72;8:48 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 19451; FCC 72-173]

NON-GOVERNMENT FIXED AND LAND MOBILE TELEMETERING

Proposed Table of Frequency Allocations

In the matter of amendment of Parts 2, 89, 91, and 93 of the Commission's rules to Permit non-Government fixed and land mobile telemetering in the band 1427–1435 MHz on a secondary basis, Docket No. 19451.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The frequency band 1427–1429 MHz is presently shared between Government radio services and the non-Government space telecommand service. The band 1429–1435 MHz is allocated to Government radio services exclusively. In cooperation with the Office of Telecommunications Policy (OTP) the Commission proposes to amend its rules to permit non-Government fixed and land mobile telemetering operations in the band 1427–1435 MHz on a secondary basis to existing services.

3. To minimize the potential of harmful interference to the primary services, certain limitations would be imposed on the new land telemetering allocation. In this regard we contemplate the same type of provision adopted recently in the band 216–220 MHz (see report and order in Docket 18924 36 F.R. 9514). More specifically, the proposed land mobile telemetering service would be limited to local area, industrial, public safety and land transportation applications to be coordinated with Government users on a case-by-case basis. Extensive fixed and land mobile telemetering operations requiring wide area frequency clearance would not be authorized. Nor would systems be authorized which, because of public safety or other factors, could not tolerate interference from the primary users of this band. Base stations would be limited to telecommand.

4. Due to the nature of these primary services, we believe that considerable use can be made of the proposed allocation despite the necessary limitations discussed above. The comments received in Docket 18924 (See reference above) indicates a growing need for land telemetering in industrial, public safety and land transportation applications, many of which might be accommodated in this higher range of the spectrum.

5. The proposed amendments to Part 2 are set forth below. It is expected that corresponding amendments to Parts 89, 91, and 93 will be adopted in the report and order in this proceeding similar to those adopted in Docket 18924. As in that proceeding, power and bandwidth requirements would be considered on a case-by-case basis as new applications are filed and no specific channeling plan would be used.

6. This proposed Amendment is issued pursuant to authority contained in sections 303 (b), (c), and (r) of the Communications Act of 1934, as amended.

7. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before May 9, 1972, and reply comments on or before May 23, 1972. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding, the Commission may also take into account other relevant information before it in addition to specific comments invited by this notice.

8. In accordance with the provisions of § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs on comments shall be furnished the Commission. Responses will be available for public inspection during regular business hours in the Commission's Broadcast and Docket Reference Room at its Headquarters in Washington, D.C.

Adopted: February 23, 1972.

Released: February 25, 1972.

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

1. In § 2.106, the Table of Frequency Allocations is amended as follows and footnote US60 is deleted from the list of footnotes:

[1] Commissioner Johnson concurring in the result; Commissioner H. Rex Lee absent.

United States		Federal Communications Commission				
Band (MHz)	Allocation	Band (MHz)	Service	Class of station	Frequency (MHz)	Nature of services of stations
5	6	7	8	9	10	11
* * *	* * *	* * *	* * *	* * *	* * *	* * *
1427-1429	G. NG.	1427-1429	SPACE (Telecommand). Fixed (Telemetering). Land mobile (Telemetering and telecommand).	Base. Earth. Fixed. Land mobile.		INDUSTRIAL. LAND TRANSPORTATION. PUBLIC SAFETY. Earth (telecommand). Base (telecommand). Land mobile (telemetering). Fixed (telemetering).
1429-1435	G. *NG.*	1429-1435	Fixed (Telemetering). Land mobile (Telemetering and telecommand).	Base. Fixed. Land mobile.		INDUSTRIAL. LAND TRANSPORTATION. PUBLIC SAFETY. Base (telecommand). Land mobile (telemetering). Fixed (telemetering).
* * *	* * *	* * *	* * *	* * *	* * *	* * *

[FR Doc.72-3156 Filed 3-2-72;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release No. 34-9482]

ANNUAL REPORTS OF BROKERS AND DEALERS

Proposed Disclosure of Changes in Certifying Accountants

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to adopt an amendment to Rule 17a-5 (17 CFR 240.17a-5) under the Securities Exchange Act of 1934 relating to disclosure of a change of the accountant certifying the annual report of a broker-dealer pursuant to paragraph (a) of Rule 17a-5.

The Commission has recently adopted rules relating to the disclosure of changes of certifying accountants in connection with financial statements filed by publicly owned companies subject to the reporting requirements of sections 13 and 15(d) of the 1934 Act. It is proposed that similar disclosure of such changes be filed in connection with financial statements in the annual Rule 17a-5 reports required of broker-dealers. Such disclosure will assist the Commission in administering its regulatory responsibility by disclosing matters which might not

otherwise come to its attention in a timely fashion.

It is proposed to designate the present paragraph (f) of Rule 17a–5 as paragraph (f)(1) and to add a new paragraph (f)(2). Proposed paragraph (f)(2) would require the broker-dealer to file a notice with the Commission within 15 days of the date that the broker-dealer has determined that the certifying accountant engaged the previous year will not be reengaged to certify the next report pursuant to Rule 17a–5. The notice would require the disclosure of the date of notification of termination of the engagement and a statement of the details of any disagreements between the certifying accountant and the broker-dealer on any matter of accounting principles or practices, financial statement disclosure, auditing procedure, or compliance with applicable rules of the Commission that, if not resolved to the satisfaction of the accountant, would have caused him to refer to the subject matter of the disagreement in his opinion.

Additionally, the broker or dealer would be required to request the former certifying accountant to furnish him with a letter addressed to the Commission stating whether he agrees or disagrees with the statements contained in the letter of the broker or dealer. The accountant's letter should be furnished to the Commission with the notice which the broker-dealer would be required to file pursuant to the proposed rule. The notice and the accountant's letter would be placed in the public files of the Commission.

The proposed amendments to Rule 17a–5 would be adopted pursuant to sections 17(a) and 23(a) (15 U.S.C. 78q(a), 78w(a)) of the Securities Exchange Act of 1934.

Commission action: The Commission proposes to amend § 240.17a–5 of Chapter II of Title 17 of the Code of Federal Regulations by redesignating present paragraph (f) as new subparagraph (1) of paragraph (f) of said section, and by adding thereafter a new subparagraph (2) to paragraph (f), and as so amended it will read as follows:

§ 240.17a–5 Reports to be made by certain exchange members, brokers and dealers.

* * * * *

(f) *Qualification and replacement of accounts*—(1) *Qualification of accountants.* * * *

(2) *Replacement of accountant.* If the member, broker or dealer has notified the certified public accountant or public accountant who certified the report of financial condition in the most recent report under this rule that the accountant will not be engaged to certify the next report under this rule, or if the certified public accountant or public accountant has notified the member, broker or dealer that he will not accept an engagement to certify the next such report, the member, broker or dealer shall, not more than 15 days after such notification, file with the Commission a notice stating (i) the date of notification of the termination of the engagement and (ii) details of any disagreements between the member, broker or dealer and the former certifying accountant during the 24 months preceding such termination on any matter of accounting principles or practices, financial statement disclosure, auditing procedure, or compliance with applicable rules of the Commission, which disagreements, if not resolved to the satisfaction of the former accountant, would have caused him to make reference in connection with his opinion to the subject matter of the disagreement. The member, broker or dealer shall also request the former certifying accountant to furnish the member, broker or dealer with a letter addressed to the Commission stating whether he agrees with the statements contained in the letter of the member, broker or dealer and, if not, stating the respects in which he does not agree; and the registrant shall furnish such letter to the Commission together with the notice it files pursuant to this subparagraph.

* * * * *

All interested persons may submit their views and comments on the above proposal in writing to the Securities and Exchange Commission, Washington, D.C. 20549 on or before March 17, 1972. All such communications will be considered available for public inspection.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

FEBRUARY 8, 1972.

[FR Doc.72–3331 Filed 3–2–72;8:50 am]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 72-71]

PANTYHOSE

Restriction on Importation

FEBRUARY 28, 1972.

Pursuant to the direction of the President, dated February 17, 1972, the Bureau of Customs has notified all appropriate Customs officers that pursuant to section 337(f), Tariff Act of 1930, as amended (19 U.S.C. 1337(f)), unlicensed U-shaped seamed pantyhose manufactured in accordance with the claims of U.S. Patent No. 2,826,760, Re. 25,360, held by Tights, Inc., of Greensboro, N.C., may not be entered or released from Customs custody except pursuant to a special bond in an amount equal to the domestic value of the merchandise. The filing of this special bond is in addition to all other entry requirements including the filing of an appropriate entry bond. The format and conditions of the special bond are set forth in T.D. 45474.

The restricted articles are those which embody the invention set out in U.S. Patent No. 2,826,760, Reissued Patent No. 25,360, described as follows:

A combination panty and stocking formed from circularly knit fabric comprising a pair of stockings of seamless knit construction having foot, leg and welt portions, said welt portions being knit of stretchable yarn and adapted to extend above the knee to the waist of the wearer, said welts each having a longitudinal slit intermediate the front and rear of the stocking, said first and second stockings being oriented to position the longitudinal slits adjacent each other, and a seam binding the corresponding front and rear edges formed by the longitudinal slits to form a U-shaped seam intermediate a single enlarged welt and defining the panty.

These articles are generally classified under item 382.78, TSUS.

[SEAL] LEONARD LEHMAN,
Acting Commissioner of Customs.

[FR Doc.72-3250 Filed 3-2-72;8:49 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

DIRECTOR OF ADMINISTRATIVE SERVICES ET AL.

Delegation of Authority

FEBRUARY 1, 1972.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2 (32 F.R. 13938).

This delegation is issued under the authority delegated to the Commissioner by the Secretary in section 25 of Secretarial Order 2508 (10 BIAM 2.1).

Section 5.1 of Part 10 of the Bureau of Indian Affairs Manual (BIAM) was published on page 636 of the January 17, 1970, FEDERAL REGISTER (35 F.R. 636).

Section 5.1 of 10 BIAM is being revoked to reflect recent organizational changes in the Bureau headquarters office when the positions of Associate Commissioner for Support Services and Associate Commissioner for Education and Programs were eliminated. A new section 5.1 which contains a delegation of certain authority pertaining to contracting to the Director of Administrative Services is being substituted therefor.

Section 5.1 of 10 BIAM is hereby revoked and the following substituted therefor:

5.1 *Authority for Bureau contracting.* The Director of Administrative Services and those persons designated to act for him during his absence are authorized to issue directives and orders concerning contracting policies, procedures, and practices to Area, Agency, and other field offices.

JOHN O. CROW,
Deputy Commissioner.

[FR Doc.72-3154 Filed 3-2-72;8:45 am]

Bureau of Land Management

CHIEFS, LANDS SECTION AND MINERALS SECTION, BRANCH OF LANDS AND MINERALS OPERATIONS, NEW MEXICO STATE OFFICE

Redelegation of Authority

FEBRUARY 24, 1972.

1. Pursuant to the authority contained in Item 4 of the Redelegation of Authority published in the February 5, 1972 FEDERAL REGISTER (37 F.R. 2793), I hereby redelegate to the Chief, Lands Section and Chief, Minerals Section authority to take action on the following matters listed in Part II-A of Bureau Order No. 701 of July 23, 1964, as amended:

A. Chief, Lands Section.

Section	*Section*	*Section*
2.2(b)	2.9(e)	2.9(m)
2.3(a)	2.9(f)	2.9(n)
2.3(c)	2.9(h)	2.9(p)
2.9(a)	2.9(i)	2.9(q)
2.9(b)	2.9(j)	2.9(r)
2.9(c)	2.9(k)	2.9(s)
2.9(d)	2.9(l)	

B. Chief, Minerals Section.

Section	*Section*	*Section*
2.2(b)	2.6(b)	2.6(j)
2.2(d)	2.6(e)	2.6(k)
2.3(a)	2.6(f)	2.6(l)
2.3(c)	2.6(g)	
2.6(a)	2.6(h)	

2. The Chief, Branch of Lands and Minerals Operations may, in his discretion, personally exercise any authority hereby delegated to the Chief, Lands Section and the Chief, Minerals Section.

3. The Chief, Lands Section and the Chief, Minerals Section may, by written order, designate any qualified employee of his section to perform the functions of his position, in an acting capacity, in his absence. Such order will be approved by the Chief, Branch of Lands and Minerals Operations.

4. *Effective date.* This redelegation will become effective immediately upon publication in the FEDERAL REGISTER (3-3-72)

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

Approved: February 18, 1972.

W. J. ANDERSON,
State Director.

[FR Doc.72-3207 Filed 3-2-72;8:45 am]

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

[FSP No. 1971-2]

FOOD STAMP PROGRAM

Alaska; Maximum Monthly Allowable Income Standards

Notice FSP No. 1971-2, which is a part of Subchapter C—Food Stamp Program, under Title 7, Chapter II, Code of Federal Regulations, is revised to amend the uniform national standards of eligibility with respect to the maximum allowable income levels for nonpublic assistance households and to reduce the purchase requirements for certain households. In view of the need for placing the following amendment into effect at the earliest possible date, it is hereby determined that it is impracticable and contrary to the public interest to give notice of proposed rule making with respect to this amendment. Notice FSP No. 1971-2 is, therefore, revised to read as follows:

MAXIMUM MONTHLY ALLOWABLE INCOME STANDARDS AND BASIS OF COUPON ISSUANCE; ALASKA

As provided in § 271.3(b), households in which all members are included in the federally aided public assistance or general assistance grant shall be determined to be eligible to participate in the program while receiving such grants without regard to the income and resources of the household members.

The maximum allowable income standards for determining eligibility of all other applicant households, including those in which some members are recipients of federally aided public assistance or general assistance in Alaska shall be the higher of:

(1) The maximum allowable monthly income standards for each household size which were in effect in Alaska prior to July 29, 1971, or

(2) The following maximum allowable monthly income standards which were established on July 29, 1971:

Household size:	*Maximum allowable monthly income standards—Alaska*
One	$208
Two	272
Three	400
Four	480
Five	573
Six	667
Seven	733
Eight	800
Each additional member	+67

"Income" as the term is used in the notice is as defined in paragraph (b) of § 271.3 of the Food Stamp Program Regulations.

Pursuant to section 7 (a) and (b) of the Food Stamp Act, as amended (7 U.S.C. 2016, Public Law 91-671), the face value of the monthly coupon allotment which the State agency is authorized to issue to any household certified as eligible to participate in the Program and the amount charged for the monthly coupon allotment in Alaska are as follows:

MONTHLY COUPON ALLOTMENTS AND PURCHASE REQUIREMENTS—ALASKA

Monthly net income	For a household of—							
	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
	The monthly coupon allotment is—							
	$44	$80	$120	$144	$172	$200	$220	$240
	And the monthly purchase requirement is—							
$0-$19.99	0	0	0	0	0	0	0	0
$20-$29.99	1	1	0	0	0	0	0	0
$30-$39.99	4	4	4	4	5	5	5	5
$40-$49.99	6	7	7	7	8	8	8	8
$50-$59.99	8	10	10	10	11	11	12	12
$60-$69.99	10	12	13	13	14	14	15	16
$70-$79.99	12	15	16	16	17	17	18	19
$80-$89.99	14	18	19	19	20	21	21	22
$90-$99.99	16	21	21	22	23	24	25	26
$100-$109.99	18	23	24	25	26	27	28	29
$110-$119.99	20	26	27	28	29	31	32	33
$120-$129.99	22	29	30	31	33	34	35	36
$130-$139.99	24	31	33	34	36	37	38	39
$140-$149.99	26	34	36	37	39	40	41	42
$150-$169.99	30	36	40	41	42	43	44	45
$170-$189.99	30	42	46	47	48	49	50	51
$190-$209.99	30	49	52	53	54	55	56	57
$210-$229.99		54	58	59	60	61	62	63
$230-$249.99		54	64	65	66	67	68	69
$250-$269.99		54	70	71	72	73	74	75
$270-$289.99		54	76	77	78	79	80	81
$290-$309.99			82	83	84	85	86	87
$310-$329.99			88	89	90	91	92	93
$330-$359.99			94	95	96	97	98	99
$360-$389.99			98	105	105	106	107	108
$390-$419.99			98	114	114	115	116	117
$420-$449.99				116	123	124	125	126
$450-$479.99				116	132	133	134	135
$480-$509.99				116	138	142	143	144
$510-$539.99					140	151	152	153
$540-$569.99					140	160	161	162
$570-$599.99					140	164	168	171
$600-$629.99						164	172	176
$630-$659.99						164	176	180
$660-$689.99						164	180	184
$690-$719.99							180	188
$720-$749.99							180	192
$750-$779.99								196
$780-$809.99								196

For issuance to households of more than eight persons use the following formula:

A. *Value of the total allotment.* For each person in excess of eight, add $20 to the monthly coupon allotment for an eight-person household.

B. *Purchase requirement.* 1. Use the purchase requirement shown for the eight-person household for households with incomes of $779.99 or less per month.

2. For households with monthly incomes of $780 or more, use the following formula:

For each $30 worth of monthly income (or portion thereof) over $779.99, add $4 to the monthly purchase requirement shown for an eight-person household with an income of $779.99.

3. Maximum monthly purchase requirements for households of more than eight persons are: Nine persons $212, 10 persons $228, and add $16 for each person over 10.

Effective date. The provisions of this notice shall become effective in accordance with the provisions of § 271.1(s).

RICHARD LYNG,
Assistant Secretary.

FEBRUARY 25, 1972.

[FR Doc.72-3149 Filed 3-2-72;8:45 am]

[FSP No. 1971-3]

FOOD STAMP PROGRAM

Hawaii; Maximum Monthly Allowable Income Standards

Notice FSP No. 1971-3, which is a part of Subchapter C—Food Stamp Program, under Title 7, Chapter II, Code of Federal Regulations, is revised to amend the uniform national standards of eligibility with respect to the maximum allowable income levels for nonpublic assistance households and to reduce the purchase requirements for certain households.

In view of the need for placing the following amendment into effect at the earliest possible date, it is hereby determined that it is impracticable and contrary to the public interest to give notice of proposed rule making with respect to this amendment. Notice FSP No. 1971-3 is, therefore, revised to read as follows:

MAXIMUM MONTHLY ALLOWABLE INCOME STANDARDS AND BASIS OF COUPON ISSUANCE; HAWAII

As provided in § 271.3(b), households in which all members are included in the federally aided public assistance or general assistance grant shall be determined to be eligible to participate in the program while receiving such grants without regard to the income and resources of the household members.

The maximum allowable income standards for determining eligibility of all other applicant households, including those in which some members are recipients of federally aided public assistance or general assistance in Hawaii shall be the higher of:

(1) The maximum allowable monthly income standards for each household size which were in effect in Hawaii prior to July 29, 1971, or

(2) The following maximum allowable monthly income standards which were established on July 29, 1971:

Household size:	*Maximum allowable monthly income standards—Hawaii*
One	$193
Two	254
Three	373
Four	467
Five	560
Six	640
Seven	707
Eight	773
Each additional member	+67

"Income" as the term is used in the notice is as defined in paragraph (b) of § 271.3 of the Food Stamp Program Regulations.

Pursuant to section 7 (a) and (b) of the Food Stamp Act, as amended (7 U.S.C. 2016, Public Law 91-671), the face value of the monthly coupon allotment which the State agency is authorized to issue to any household certified as eligible to participate in the Program and the amount charged for the monthly coupon allotment in Hawaii are as follows:

MONTHLY COUPON ALLOTMENTS AND PURCHASE REQUIREMENTS—HAWAII

Monthly net income	For a household of—				
	1 Person	2 Persons	3 Persons	4 Persons	5 Persons
Income	The monthly coupon allotment is—				
	$40	$76	$112	$140	$168
	And the monthly purchase requirement is—				
$0–$19.99	0	0	0	0	0
$20–$29.99	1	1	0	0	0
$30–$39.99	4	4	4	4	5
$40–$49.99	6	7	7	7	8
$50–$59.99	8	10	10	10	11
$60–$69.99	10	12	13	13	14
$70–$79.99	12	15	16	16	17
$80–$89.99	14	18	19	19	20
$90–$99.99	16	21	21	22	23
$100–$109.99	18	23	24	25	26
$110–$119.99	20	26	27	28	29
$120–$129.99	22	29	30	31	33
$130–$139.99	24	31	33	34	36
$140–$149.99	26	34	36	37	39
$150–$169.99	28	36	40	41	42
$170–$189.99	30	42	46	47	48
$190–$209.99	30	49	52	53	54
$210–$229.99		56	58	59	60
$230–$249.99		56	64	65	66
$250–$269.99		56	70	71	72
$270–$289.99			76	77	78
$290–$309.99			82	83	84
$310–$329.99			88	89	90
$330–$359.99			94	95	96
$360–$389.99			94	104	105
$390–$419.99				113	114
$420–$449.99				116	123
$450–$479.99				116	132
$480–$509.99					140
$510–$539.99					140
$540–$569.99					140

MONTHLY COUPONS ALLOTMENTS AND PURCHASE REQUIREMENTS—HAWAII

Monthly net income	For a household of—				
	6 Persons	7 Persons	8 Persons	9 Persons	10 Persons
	The monthly coupon allotment is—				
	$192	$212	$232	$252	$272
	And the monthly purchase requirement is—				
$0–$19.99	0	0	0	0	0
$20–$29.99	0	0	0	0	0
$30–$39.99	5	5	5	5	5
$40–$49.99	8	8	8	8	8
$50–$59.99	11	12	12	12	12
$60–$69.99	14	15	16	16	16
$70–$79.99	17	18	19	19	19
$80–$89.99	21	21	22	22	22
$90–$99.99	24	25	26	26	26
$100–$109.99	27	28	29	29	29
$110–$119.99	31	32	33	33	33
$120–$129.99	34	35	36	36	36
$130–$139.99	37	38	39	39	39
$140–$149.99	40	41	42	42	42
$150–$169.99	43	44	45	45	45
$170–$189.99	49	50	51	51	51
$190–$209.99	55	56	57	57	57
$210–$229.99	61	62	63	63	63
$230–$249.99	67	68	69	69	69
$250–$269.99	73	74	75	75	75
$270–$289.99	79	80	81	81	81
$290–$309.99	85	86	87	87	87
$310–$329.99	91	92	93	93	93
$330–$359.99	97	98	99	99	99
$360–$389.99	106	107	108	108	108
$390–$419.99	115	116	117	117	117
$420–$449.99	124	125	126	126	126
$450–$479.99	133	134	135	135	135
$480–$509.99	142	143	144	144	144
$510–$539.99	151	152	153	153	153
$540–$569.99	160	161	162	162	162
$570–$599.99	160	170	171	171	171
$600–$629.99	160	176	180	180	180
$630–$659.99	160	176	189	189	189
$660–$689.99		176	192	198	198
$690–$719.99		176	192	206	207
$720–$749.99			192	208	214
$750–$779.99			192	208	218
$780–$809.99				208	222
$810–$839.99				208	224
$840–$869.99				208	224
$870–$899.99					224
$900–$929.99					224

For issuance to households of more than 10 persons use the following formula:

A. *Value of the total allotment.* For each person in excess of 10, add $20 to the monthly coupon allotment for a 10-person household.

B. *Purchase requirement.* 1. Use the purchase requirement shown for the 10-person household for households with incomes of $809.99 or less per month.

2. For households with monthly incomes of $810 or more, use the following formula:

For each $30 worth of monthly income (or portion thereof) over $809.99, add $4 to the monthly purchase requirement shown for a 10-person household with an income of $809.99.

3. To obtain maximum monthly purchase requirements for households of more than 10 persons, add $16 to the maximum monthly purchase requirement shown for a 10-person household for each person over 10.

Effective date. The provisions of this notice shall become effective in accordance with the provisions of § 271.1(s).

RICHARD LYNG,
Assistant Secretary.

FEBRUARY 25, 1972.

[FR Doc.72-3150 Filed 3-2-72;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

CONSTRUCTION OF COMBINATION RO/RO CONTAINERSHIPS

Notice of Intent Regarding Computation of Foreign Cost

Notice is hereby given of the intent of the Maritime Subsidy Board to compute the estimated foreign cost for the construction of combination RO/RO containerships (identified as MA Design C7-S-95a) pursuant to the provisions of section 502(b) of the Merchant Marine Act, 1936, as amended.

Any person, firm or corporation having any interest (within the meaning of section 502(b)) in such computations may file written statements by the close of business on April 14, 1972, with the Secretary, Maritime Subsidy Board, Maritime Administration, Room 3099B, Department of Commerce Building, 14th and E Streets NW., Washington, D.C. 20235.

Dated: February 24, 1972.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.72-3251 Filed 3-2-72;8:49 am]

[Docket No. S-279]

PACIFIC FAR EAST LINE, INC.

Notice of Application for Approval of Certain Cruises

Notice is hereby given that Pacific Far East Line, Inc. has applied for approval, pursuant to section 613 of the Merchant Marine Act, 1936, as amended, of the following cruises:

Ship	Approximate cruise dates 1973	Itinerary
Mariposa	Apr. 6-June 13	San Francisco, Los Angeles, Mazatlan, Balboa, Cristobal, San Juan, Casablanca, Piraeus, Yalta, Odessa, Istanbul, Delos-Mikonos, Kusadasi, Rhodes, Rome (Fiumicino), Villefranche, Barcelona, Lisboa, St. Thomas, Cristobal, Balboa, Acapulco, Los Angeles.
Do	June 20-June 30	San Francisco, Honolulu, Los Angeles.
Do	June 30-July 10	Los Angeles, Honolulu, San Francisco.
Do	July 10-July 23	(each cruise) San Francisco, Los Angeles, Vancouver, Juneau, Glacier Bay, Skagway, Sitka, Victoria, San Francisco.
Do	July 23-Aug. 5	
Do	Aug. 6-Aug. 19	
Do	Aug. 19-Sept. 1	
Do	Sept. 1-Sept. 14	
Do	Oct. 30-Dec. 14	San Francisco, Los Angeles, Honolulu, Yokohama, Kobe, Chi-lung (Keelung), Hong Kong, Singapore, Tandjungpriok (Djakarta), Bali, Port Moresby, Green Island [Aus.], Sydney, Noumea, Suva, Apia, Honolulu, San Francisco.
Monterey	Mar. 9-Mar. 20	San Francisco, Los Angeles, Honolulu, Los Angeles.
Do	Mar. 20-Apr. 7	Los Angeles, San Francisco, Honolulu, Hilo, Lahaina, Nawiliwili, Honolulu, Los Angeles.
Do	May 30-June 10	San Francisco, Los Angeles, Honolulu, San Francisco.
Do	July 25-Aug. 4	San Francisco, Honolulu, Los Angeles.
Do	Aug. 5-Aug. 14	Los Angeles, Honolulu, San Francisco.
Do	Aug. 14-Aug. 24	San Francisco, Honolulu, San Francisco.
Do	Aug. 25-Sept. 5	San Francisco, Los Angeles, Honolulu, San Francisco.
Do	Sept. 5-Sept. 16	San Francisco, Los Angeles, Honolulu, San Francisco.
Do	Sept. 17-Oct. 5	San Francisco, Los Angeles, Honolulu, Hilo, Lahaina, Nawiliwili, Honolulu, San Francisco.
Do	Oct. 5-Oct. 16	San Francisco, Los Angeles, Honolulu, San Francisco.
Do	Oct. 17-Nov. 4	(Each cruise) San Francisco, Los Angeles, Honolulu, Hilo, Lahaina, Nawiliwili, Honolulu, San Francisco.
Do	Dec. 20-Jan. 7, 1974.	

Any person, firm, or corporation having any interest, within the meaning of section 613 of the Merchant Marine Act, 1936, as amended, in the foregoing who desires to offer data, views, or arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C. 20235, by the close of business on March 28, 1972.

In the event an opportunity to present oral argument is also desired, specific reason for such request should be included. The Maritime Subsidy Board will consider these comments and views and take such action with respect thereto as in its discretion it deems warranted.

By order of the Maritime Subsidy Board/Maritime Administration.

Dated: February 29, 1972.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.72-3252 Filed 3-2-72;8:49 am]

National Bureau of Standards

COMMERCIAL STANDARDS AND SIMPLIFIED PRACTICE RECOMMENDATIONS

Notice of Intent to Withdraw Certain Standards

In accordance with § 10.12 of the Department of Commerce procedures for the development of Voluntary Product Standards (15 CFR Part 10, as revised; 35 F.R. 8349 dated May 28, 1970), notice is hereby given of the Department's intent to withdraw the 81 standards identified below. It has been tentatively determined that each of these Commercial Standards (CS) and Simplified Practice Recommendations (SPR) are no longer technically adequate or used by the industry, or are otherwise not in the public interest.

CS 16-29	Wall Paper.
CS 26-30	Aromatic Red Cedar Closet Lining.
CS 27-36	Mirrors.
CS 28-46	Cotton Fabric Tents, Tarpaulins and Covers.
CS 43-32	Grading of Sulphonated (Sulphated) Oils Saponifiable Types.
CS 61-51	Venetian Blinds (Grade A Custom-Made).
CS 73-61	Old Growth Douglas Fir, Sitka Spruce, and Western Hemlock Doors.
CS 76-39	Hardwood Interior Trim and Molding.
CS 78-40	Ground-and-Polished Lenses for Sun Glasses.
CS 79-40	Blown, Drawn, and Dropped Lenses for Sun Glasses.
CS 89-40	Hardwood Stair Treads and Risers.
CS 92-41	Cedar, Cypress and Redwood Tank Stock Lumber.
CS 119-45	Dial Indicators (For Linear Measurements).
CS 133-46	Woven Wire Netting.
CS 134-46	Cast Aluminum Cooking Utensils (Metal Composition).
CS 140-47	Testing and Rating Convectors.
CS 141-47	Sine Bars, Blocks, Plates and Fixtures.
CS 159-49	Sun Glass Lenses Made of Ground and Polished Plate Glass Thereafter Thermally Curved.
CS 160-49	Wood Fiber Blanket Insulation (For Building Construction).
CS 161-59	"Standard Grade" Hot Dipped Galvanized Ware (Coated After Fabrication).
CS 162-49	Tufted Bedspreads.
CS 167-50	Automotive and General Service Copper Tube.
CS 168-50	Polystyrene Plastic Wall Tiles, and Adhesives for Their Application.
CS 169-50	Galvanized Ware Fabricated from Pregalvanized Steel Sheets (For Standard Grade Items Only).
CS 206-57	Solvent Welded (SWP Size) (Cellulose-Acetate Butyrate Pipe)
CS 225-59	Method of Rating Commercial and Industrial Type Vacuum Cleaners, Portable and Mobile Types.
CS 231A-60	Aircraft Hangar Doors Manually Operated Horizontal Sliding Type (Steel Frame).
CS 231B-61	Aircraft Hangar Doors of the Individually Power-Operated Horizontal Sliding Type (Steel Frame).
CS 231C-63	Aircraft Hangar Doors of the Partial Group Power-Operated Horizontal Sliding Type (Steel Frame).
CS 231D-63	Aircraft Hangar Doors of the Full-Group Power-Operated Horizontal Sliding Type (Steel Frame).
CS 231E-63	Aircraft Hangar Doors of the Power-Operated Unbraced-Canopy Type (Steel Frame).
CS 232-60	Industrial Wire Cloth.
CS 244-62	Roof Drainage Products.
CS 252-63	TFE-Fluorocarbon (Polytetrafluoroethylene) Resin Electrical Insulating Tubing.
CS 263-64	Aluminium Nails.
CS 267-65	Steel Medicine Cabinets.
SPR 6-63	Standard Stock Sizes of American Pattern and Curved Milled Tooth Files and Rasps.
SPR 11-36	Bed Blanket Sizes.
SPR 22-40	Paper (Basic Sheet Sizes).
SPR 31-63	Loaded Shot Shell.
SPR 37-38	Commercial Forms (Invoice, Purchase Order and Inquiry).
SPR 42-61	Grocers' Paper Bags.
SPR 47-54	Cut Tacks and Small Cut Nails.
SPR 51-29	Chasers for Self-Opening and Adjustable Die Heads.
SPR 53-63	Steel Spirals for Reinforced Concrete Columns.
SPR 62-63	Metallic Cartridges.
SPR 76-40	Ash Handles.
SPR 81-28	Binders' Board.
SPR 90-62	Hack-Saw Blades.
SPR 91-32	Glass Containers for Preserves, Jellies and Apple Butter.
SPR 129-59	Merchandise Paper Bags.
SPR 132-36	Ice Cream Cups and Cup Caps.
SPR 146-52	Corrugated and Solid-Fiber Boxes for Canned Fruits and Vegetables.
SPR 150-34	Copper Wire Nails.
SPR 155-49	Cans for Fruits and Vegetables (Names, Dimensions, Capacities and Designated Use).
SPR 162-35	Packaging of Air Brake (Electric Railway) Parts.
SPR 173-54	Stock Folding Boxes for Millinery.
SPR 175-40	Heavy-Duty, Round Nesting Paper, Food and Beverage Containers and Lids.
SPR 187-42	Food Trays or Dishes (Waxed Paper, Molded Wood Pulp, and Wood Types).
SPR 197-51	Glass Containers for Maraschino Cherries.
SPR 206-63	Standard Stock Sizes of Swiss Pattern Files.
SPR 208-55	Fluid-Milk Cans.

SPR 213–45 Asphalt Roll Roofing and Asphalt and Tar-Saturated Felt Products.
SPR 217–49 Copper Water Tube, and Copper and Brass Pipe.
SPR 218–46 Paper Tubes for Packaging Milk Bottle Caps.
SPR 223–47 Wire Nails and Staples.
SPR 228–47 Pallets for Handling Groceries and Packaged Merchandise.
SPR 235–48 Copper and Copper-Alloy Round Seamless Tube.
SPR 241–50 Copper and Copper-Alloy Rod.
SPR 246–51 Wooden Kegs for Nails.
SPR 248–52 Packaging of Standard Malleable Iron Screwed Pipe Fittings, Black or Galvanized.
SPR 250–53 Standard Drug Catalogs.
SPR 251–54 Packaging of Gas Stop Cocks.
SPR 252–60 Standard Sizes of Pint, Quart, and Half-Gallon Rectangular Ice Cream Cartons and Molds.
SPR 254–54 Packaging of Steel Pipe Couplings.
SPR 256–55 Steel Outlet Boxes, Zinc or Cadmium Coated.
SPR 257–55 Thermal Conductance Factors for Preformed Above-Deck Roof Insulation.
SPR 258–56 One-Pound Eastern Flat Margarine Carton.
SPR 261–58 One-Pound Elgin-Style Butter Cartons Sizes.
SPR 262–60 Acoustical Materials.
SPR 263–60 Standard Shapes, Sizes, Grades and Designations of Cemented Carbide Products.

Any comments or objections concerning the intended withdrawal of any of these standards should be made in writing and directed to the Office of Engineering Standards Services, National Bureau of Standards, Washington, D.C. 20234, within 45 days of the publication of this notice. The effective date of withdrawal, where appropriate, will be not less than 60 days after the final notice of withdrawal. Withdrawal action terminates the authority to refer to a published standard as a voluntary standard developed under the Department of Commerce procedures, from the effective date of the withdrawal.

Dated: February 28, 1972.

LEWIS M. BRANSCOMB,
Director.

[FR Doc.72-3253 Filed 3-2-72;8:49 am]

National Oceanic and Atmospheric Administration

YELLOWFIN TUNA

Closure of Season

Notice is hereby given pursuant to § 280.5, Title 50, Code of Federal Regulations, as follows:

On February 29, 1972, the Director of Investigations of the Inter-American Tropical Tuna Commission recommended to the representatives of all nations having vessels operating in the regulatory area defined in 50 CFR 280.1 (g) that the yellowfin tuna fishing season be closed at 0001 hours, local time, on March 5, 1972, to assure that the established catch limit of 140,000 short tons for 1972 will not be exceeded. (See announcement of the annual catch limit established for yellowfin tuna from the regulatory area published in the FEDERAL REGISTER of March 2, 1972.

I hereby announce that the 1972 season for the taking of yellowfin tuna without restriction as to quantity by persons and vessels subject to the jurisdiction of the United States will terminate at 0001 hours, local time in the area affected, March 5, 1972.

Issued at Washington, D.C., and dated February 29, 1972.

PHILIP M. ROEDEL,
Director, National Marine Fisheries Service.

[FR Doc.72-3274 Filed 3-2-72;8:49 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 72-43]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Termination of Approval Notice

1. Certain laws and regulations (46 CFR Ch. I) require that various items of lifesaving, firefighting, and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the Outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been terminated as herein described during the period from December 30, 1971 to January 24, 1972 (List No. 2–72). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75–1 to 2.75–50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of title 46, United States Code, section 1333 of title 43, United States Code, and section 198 of title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.46(b)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction, and materials are set forth in 46 CFR Parts 160 to 164.

3. Notwithstanding the termination of approval listed in this document, the equipment affected may be used as long as it remains in good and serviceable condition.

LIFEBOATS

The C. C. Galbraith & Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, NJ 07735, no longer manufactures certain lifeboats and Approval No. 160.035/12/4 was therefore terminated effective January 4, 1972.

The C. C. Galbraith & Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, NJ 07735, Approval No. 160.035/27/4 expired and was terminated effective January 10, 1972.

BUOYANT CUSHIONS, KAPOK, OR FIBROUS GLASS

For Motorboats of Classes A, 1, or 2 Not Carrying Passengers for Hire.

The Crawford Manufacturing Co., Inc., Third and Decatur Streets, Richmond, VA 23212, and 12th and Graham Streets, Emporia, Kans. 66801, no longer manufactures certain kapok buoyant cushions for Montgomery Ward & Co., Inc., 619 West Chicago Avenue, Chicago, IL 60610, and Approval No. 160.048/103/0 was therefore terminated effective December 30, 1971.

BOILERS (HEATING)

The AMF Beaird, Inc., MAXIM Sales, Post Office Box 1115, Shreveport, LA 71102, no longer manufactures certain heating boilers and Approval No. 162.003/21/1 was therefore terminated effective January 24, 1972.

The Aldrich Co., Wyoming, Ill. 61491, no longer manufactures certain heating boilers and Approval Nos. 162.003/144/0, 162.003/145/0, 162.003/146/0, 162.003/147/0, 162.003/148/0, and 162.003/149/0 were therefore terminated effective January 24, 1972.

The Way-Wolff Associates, Inc., 45–10 Vernon Boulevard, Long Island City, NY 11102, no longer manufactures certain heating boilers and Approval No. 162.003/182/0 was therefore terminated effective January 24, 1972.

BOILERS, AUXILIARY, AUTOMATICALLY CONTROLLED PACKAGED, FOR MERCHANT VESSELS

The Seattle Boiler Works, 5237 East Marginal Way South, Seattle, WA 98134, no longer manufactures certain automatically controlled packaged auxiliary boilers and Approval No. 162.026/9/0 was therefore terminated effective January 24, 1972.

The Johnston Brothers, Inc., Ferrysburg, Mich. 49409, no longer manufactures certain automatically controlled packaged auxiliary boilers and Approval Nos. 162.026/10/0 and 162.026/11/0 were therefore terminated effective January 24, 1972.

STRUCTURAL INSULATIONS FOR MERCHANT VESSELS

The Johns-Manville Sales Corp., 22 East 40th Street, New York, NY 10016, no longer manufactures certain structural insulations and Approval No. 164.-007/6/1 was therefore terminated effective December 30, 1971.

INCOMBUSTIBLE MATERIALS FOR MERCHANT VESSELS

The Johns-Manville Sales Corp., 22 East 40th Street, New York, NY 10016, no longer manufactures certain incombustible materials and Approval No. 164.009/97/0 was therefore terminated effective December 30, 1971.

The Owens-Corning Fiberglas Corp., Toledo, Ohio 43601, no longer manufactures certain incombustible materials and Approval No. 164.009/99/0 was therefore terminated effective January 17, 1972.

Dated: February 28, 1972.

G. H. READ,
Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.

[FR Doc.72-3233 Filed 3-2-72;8:47 am]

CIVIL AERONAUTICS BOARD

[Docket No. 23708; Order 72-2-97]

AIR WEST

Order Denying Petition for an Order To Show Cause and Setting Application for Hearing

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 29th day of February 1972.

Application and petition of Hughes Air Corp., doing business as Air West, for permission to provide service to Seattle and Tacoma through the Seattle-Tacoma International Airport, Docket 23708.

Hughes Air Corp. (Air West) has filed an application (Docket 23708), and in addition, a petition seeking issuance of an order to show cause why its certificate should not be amended so as to permit it to serve Seattle and Tacoma through the Seattle-Tacoma International Airport (SEA/TAC). Air West presently serves Seattle through the Seattle-Tacoma International Airport and Tacoma through the Tacoma Industrial Airport.

In support of its application in Docket 23708, Air West alleges that, inter alia, SEA/TAC is located 22 miles and about 30 minutes' driving time from downtown Tacoma; that traffic generation at Tacoma has decreased from a high of 13.2 passenger originations a day in calendar year 1966 to a low of 0.4 per day in calendar year 1970; that the majority of the Tacoma traffic moves through the SEA/TAC; that suspension of service at Tacoma will result in an annual subsidy need reduction of $31,837 ($127.86 per passenger) according to Subpart K methodology; and that Air West has made every reasonable effort to generate traffic at the Tacoma Industrial Airport.

An answer in opposition has been filed by the city of Tacoma (Tacoma),[1] which denies the allegations of Air West and requests a hearing.

Upon consideration of the pleadings and all the relevant facts, we have decided to deny Air West's request for a show cause order and to set for hearing Air West's application to serve Seattle and Tacoma using SEA/TAC. We note that if Air West's application to serve Tacoma through SEA/TAC is granted, the Tacoma Industrial Airport will be without federally certificated air service. As indicated above, the community opposes Air West's application, and we believe that under all the circumstances it is appropriate to consider, on an evidentiary record, the conflicting contentions of the parties:

Accordingly, it is ordered, That:

1. The motion of the city of Tacoma to accept its late-filed answer be and it hereby is granted;

2. The petition of Hughes Air Corp. (Air West) for an order to show cause, be and it hereby is denied;

3. The application of Air West be and it hereby is set for hearing, said hearing to determine whether the public convenience and necessity require that the certificate of Air West for route 76 should be altered, amended, or modified so as to (1) delete Tacoma, Wash., or (2) redesignate Tacoma and Seattle as a hyphenated point to be served through the Seattle-Tacoma International Airport; and

4. This order shall be served on the city of Tacoma; airport manager, Tacoma Industrial Airport; city of Seattle; State of Washington; Postmaster General; and Hughes Air Corp.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-3237 Filed 3-2-72;8:48 am]

[Docket No. 24051]

MODERN AIR TRANSPORT, INC., AND GAC CORP.

Notice of Proposed Approval for Waiver of Jurisdiction or Approval of Corporate Reorganization

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the attached order under delegated authority. This notice supersedes that issued on January 25, 1972 (37 F.R. 1417, January 28, 1972); changes have been made in the conditions to be attached to approval of the subject transaction.

Interested persons are hereby afforded a period of 7 days from the date of this notice within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., February 28, 1972.

[SEAL] A. M. ANDREWS,
Director,
Bureau of Operating Rights.

ORDER OF APPROVAL

GAC Corp. (GAC), GAC Properties, Inc. (Properties) and Modern Air Transport, Inc. (Modern) request that the Board disclaim jurisdiction over or, in the alternative, approve pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act), a corporate reorganization by which Modern will become a direct subsidiary of GAC.

Modern, a supplemental air carrier, is presently owned by Properties,[1] a wholly owned subsidiary of GAC. GAC is a diversified company providing a wide range of products and services through subsidiaries engaged in land sales and development, consumer finance, insurance, savings and loan operations, real estate, mortgage banking, and retail merchandising. Other than Modern, GAC has no affiliates or subsidiaries which are air carriers or persons engaged in a phase of aeronautics,[2] and it has only one subsidiary which is a common carrier: White City Terminal and Utility Co., a terminal railroad which is immediately owned by another GAC subsidiary, Commonwealth, Inc.[3] At December 31, 1970, GAC had assets of $1.7 billion and total stockholders' equity of $296 million. No individual or group of individuals owns 10 percent or more of GAC's common stock.[4]

For administrative purposes, we have carried forward and republished herein the still relevant conditions established by the Board in Order E-23825.

To effectuate the proposed reorganization, GAC intends to issue to Properties, in return for all of the capital stock of Modern, a non-interest bearing demand promissory note in the sum of $4,950,428, representing Properties' investment in Modern at July 1, 1971 to the extent it has not been forgiven or written off, plus Properties' outstanding and reimbursable loans and advances to Modern at the time. The purpose of the transaction is to remove Modern's losses from the financial statements of Properties. In this regard, Modern has been unable to reach profitability since 1967 and has required financial advances from Properties of approximately $14 million in the last three years, distorting the profit and loss statistics regarding Properties' land sales and development activities.

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[1] On Aug. 24, 1971, Tacoma's airport manager filed a letter objecting to Air West's application. However, Tacoma states that when it became aware that its letter did not constitute a formal answer, it filed a formal answer on Dec. 16, 1971, with a motion to authorize the late-filing of the document. We will grant Tacoma's motion.

[1] The Board previously approved the acquisition of Modern by Gulf American Corp. (Now Properties) in 1966 pursuant to Order E-23825. Gulf American was itself acquired by GAC in 1969, the Board disclaiming jurisdiction over the transaction in Order 69-2-110.

[2] In Order 69-2-110, the Board noted GAC's control of Kahr Bearing Corp., a phase of aeronautics. However, GAC has since disposed of the company.

[3] With respect to the railroad operation, applicants request that the Board respect Commonwealth, Inc. as an intervening corporate entity, as was done in Order 69-2-110, thereby recognizing no common control or ownership of Modern and any common carrier.

[4] The largest stock holdings in GAC are held directly and in various trust capacities by Leonard Rosen and the Estate of Julius L. Rosen. The Rosen holdings have a direct voting interest in GAC of 5 percent. However, 1.2 percent of such direct voting stock is voting preference stock which can be converted to provide the Rosen interests a possible 27 percent of GAC's common stock. Applicants assert that such stock holdings are presently below 10 percent and thus are not sufficient to constitute control of Modern. Furthermore, applicants state that an agreement between GAC and the Rosens provides that at such time as the voting powers of the Rosens' stockholdings exceeds 8 percent of the total number of voting shares, the shares representing such excess shall be placed in a voting trust. Beyond the question of stock holdings, GAC has followed the practice of allowing the Rosens to appoint two nominees to GAC's 15-man board of directors.

Following the transfer, all of Modern's officers and directors will be officers either of GAC or of Modern. Properties' management will no longer have participation in the management of Modern. Such guarantees as Properties has made on Modern's behalf will not be disturbed by the transfer.

Modern's transactions with its GAC affiliates have been confined substantially to Properties' purchase of charter airline transportation [5] and to Modern's purchase of aircraft hull and automobile physical damage insurance.[6]

No comments or requests for a hearing have been received.

Notice of intent to dispose of the application without hearing has been published in the FEDERAL REGISTER and a copy of such notice has been furnished by the Board to the Attorney General not later than 1 day following such publication, both in accordance with section 408(b) of the Act.

Subsequent to the issuance of Order 69–2–110, wherein the Board disclaimed jurisdiction over GAC's acquisition of Properties (which owned Modern), Congress amended section 408 of the Act with the passage of Public Law 91–62, effective August 5, 1969, providing for Board approval of the acquisition of control of an air carrier by "any person." The acquisition of Modern, an air carrier, by GAC, a person, therefore comes within the Board's jurisdiction.[7]

The reorganization provides for the transfer of Modern from Properties, a GAC subsidiary, to GAC. As noted previously, all of Modern's officers and directors will be officers either of GAC or of Modern. GAC's control of Modern has been a fact for almost 3 years, and will not be materially affected by this transaction. In this regard, the transfer appears to be in the public interest insofar as GAC has sufficient financial resources to continue to supply needed financial assistance to Modern. It has therefore been determined under the third proviso of section 408(b) that the transaction does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly, and does not tend to restrain competition. Furthermore, no person disclosing a substantial interest is requesting a hearing and it is concluded that the public interest does not require one.[8] Approval of the control relationships is based only on the information of record as of this date. Jurisdiction shall be retained over the proceeding to reexamine the relationship and to impose other appropriate conditions; [9] and conditions pertaining to intercompany transactions shall be imposed.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, and 385.8, it is found that the foregoing control relationships should be approved under section 408(b) of the Act, subject to certain conditions, without hearing:

Accordingly, it is ordered, that:

1. The control of Modern by GAC be and it hereby is approved, subject to conditions described below;

2. GAC Corp., GAC Properties, Inc., or any other company within the existing GAC corporate system of affiliates and subsidiaries shall not in any calendar year, and without prior Board approval, either individually or jointly enter into any intercompany transactions with or affecting Modern which will have an aggregate value of $100,000 or more; *Provided, however*, That for the remainder of 1972 this condition shall not apply to the transactions referenced in note 6, supra; and *Provided further*, That this condition shall not preclude Properties from chartering flights from Modern subject to ordering paragraphs 3 and 4, infra;

3. Any charges assessed a passenger by Properties for ground services must be based on the actual cost to Properties of providing such service;

4. On Schedule P–2 of each quarterly CAB Form 41 report, Modern shall report with respect to charter flights operated by Modern for Properties during the quarter,

(i) The number of revenue aircraft miles flown, by type of aircraft;

(ii) The number of revenue passenger-miles performed;

(iii) The amount of charter revenue received;

5. GAC Corp. shall report to the Board's Bureau of Operating Rights, within 90 days after the close of each calendar year, the amount and a brief description of all financial interests held during the year in Modern by GAC Corp., its subsidiaries and affiliates (except Modern), and by Modern in GAC Corp., its subsidiaries and affiliates (except Modern); and

6. To the extent not granted herein, all other outstanding requests for relief in Docket 24051 be and they hereby are dismissed.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72–3238 Filed 3–2–72;8:48 am]

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[5] Properties' charters from Modern amounted to $4.8 million in calendar 1970 but subsided to $189,700 during the 7 months ending July 31, 1971. The reduction is stated to be brought about by a policy change in the conduct of Properties' land sales and development business. Properties no longer employs long-haul charter flights as a regular part of its sales program. Therefore, GAC has no present intentions of purchasing charter air transportation from Modern.

[6] In 1972, Modern will pay the Stuyvesant Insurance Co., a GAC subsidiary, $234,311 for hull insurance. In 1971, Modern paid premiums of $436 for automobile physical damage insurance to the Southern General Insurance Co., a GAC affiliate.

[7] Cf. The Flying Tiger Line Inc., Order 70–6–119, issued May 5, 1970, involving the corporate reorganization of Flying Tiger.

[8] Cf. The Flying Tiger Line, Order 69–12–121, Dec. 29, 1969.

[9] Although the application states GAC has no present intentions of purchasing charter air transportation from Modern, there is no assertion that such charters will not be conducted in the future. In this respect, we believe conditions are warranted respecting such future activities: Modern shall report quarterly with respect to any flights chartered to Properties; and any charges assessed a passenger by Properties for ground services connected with such flights must be based on the actual cost to Properties of providing them. These conditions are consistent with the objectives and related conditions embodied in Order E–23825 (see footnote 1, supra).

[Docket No. 23954]

POLSKIE LINIE LOTNICZE "LOT" (POLISH AIRLINES)

Notice of Prehearing Conference and Hearing Regarding Application for Foreign Air Carrier Permit Authorizing Service at New York, N.Y., or Chicago, Ill.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on March 15, 1972, at 10 a.m., local time, in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner Merritt Ruhlen.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before March 10, 1972.

Dated at Washington, D.C., February 28, 1972.

[SEAL] RALPH L. WISER,
Chief Examiner.

[FR Doc.72–3239 Filed 3–2–72;8:48 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report 585]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

FEBRUARY 28, 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

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[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).

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.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

200C2-R-72—Harry Tarbell, doing business as Pacific Union (KOP256), Portland, Oreg. For renewal of license expiring Apr. 1, 1972. Terms: Apr. 1, 1972, to Apr. 1, 1974.

5378-C2-R-72—Harry Tarbell, doing business as Pacific Union (KUA287), Portland, Oreg. For renewal of license expiring Apr. 1, 1972. Terms: Apr. 1, 1972, to Apr. 1, 1974 (one-way).

643-C2-R-72—The Allied Cos., Inc. (KAL873), Topeka, Kans. For renewal of license expiring Apr. 1, 1972. Terms: Apr. 1, 1972, to Apr. 1, 1974.

5275-C2-P-(4)-72—Southern Bell Telephone & Telegraph Co. (KIG840), for C.P. to replace transmitters operating on 152.51 MHz and 152.75 MHz, install an additional channel to operate on 152.60 MHz and change antenna system at station located 1645 Hampton Street, Columbia, SC.

5313-C2-P-(2)-72—Vineland Mobile Telephone Co. (New), location: South of Elm Road and West of Orchard Road, Vineland, N.J. Frequencies: 454.100 MHz and 454.275 MHz (two-way).

5314-C2-P-(2)-72—General Telephone Co. of the Southeast (KRS713), for C.P. to add additional transmitters to operate on frequencies 454.425 MHz and 454.575 MHz at station located 214 Freeze Street, Cookeville, TN.

5316-C2-P-(3)-72—Contact-Colorado Springs, Inc. (KAF241), for additional facilities to operate on base frequencies 454.050 MHz, 454.075 MHz, and 454.200 MHz at location No. 2: 1226 North Prairie Road, Colorado Springs, CO.

5477-C2-AL-(3)-72—North Shore Radio-Telephone, Inc. Consent to assignment of license from North Shore Radio-Telephone, Inc., Assignor, to Northern Illinois Radio Phone & Paging Systems, Inc., Assignee. Stations: KSA256, KSB590 (two-way), and KSD316 (one-way), location: Northfield, Ill., and Waukegan, Ill.

5481-C2-P-72—Empire Communications Co. (New), location: 3 miles north-northeast of Klamath Falls, Oreg. Frequency: 152.24 MHz (one-way).

5482-C2-P-72—AAA Answerphone, Inc.—Jackson (KQZ740), for additional facilities to operate on 152.12 MHz at station located at WCBI-TV Tower, Highway No. 12, approximately 4 miles north-northeast of center of Columbus, Miss.

Correction

4370-C2-ML-72—Thomaston Telephone Co. (KIR201), correct entry to read: Change the base frequency from 152.75 MHz to 152.78 MHz. All other terms to remain as listed on public notice dated Feb. 7, 1972, Report No. 582.

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. Frequency 152.24 MHz.

Texas

Don Swindle, doing business as Telecom (New), 883-C2-P-72.
Ralph C. Parker, doing business as Ratel Communications Co. (New), 2166-C2-P-72.

Alabama

Frequency 158.70 MHz:
Robert E. Minton (New), 842-C2-P-72.
Phenix Communications Co. of Georgia, Inc. (New), 2122-C2-P-72.

New Jersey

Frequency 454.05 MHz:
Radiofone Corp. of America (KQZ777), 214-C2-P-71.
Radio Broadcasting Co. (New), 7381-C2-P-70.

RURAL RADIO SERVICE

5317-C1-P/L-72—The Mountain States Telephone & Telegraph Co. (New), for a new rural subscriber station. Location: Blue Ridge Highway Camp, 22.5 miles north-northeast of Pine, Ariz. Frequency: 157.77 MHz.

5483-C1-P-72—Cameron Telephone Co. (New), for a new rural subscriber station. Location: Gulf of Mexico, Block 144, approximately 27 miles southeast of Cameron, La. Frequency: 157.95 MHz.

5284-C1-P-72—Kenneth F. Fischer, doing business as Sierra Communications (New), for a new rural subscriber station. Location: Approximately 5 miles west-northwest of Mule Creek, N. Mex. Frequency: 158.49 MHz.

POINT-TO-POINT MICROWAVE RADIO SERVICE

5271-C1-P-72—Southern Pacific Communications Co. (New), Mount Vaca, Calif. C.P. for a new fixed station to be located 7 miles northwest of Vacaville, Calif., at latitude 38°24'12" N., longitude 122°06'25" W., for frequency 6212.1H on azimuth 69°01' toward Sacramento.

5272-C1-P-72—Southern Pacific Communications Co. (New), San Francisco, Calif. C.P. for a new fixed station to be located at 1 Market Street, San Francisco, CA, at latitude 37°47'38" N., longitude 122°23'37" W., for frequency 6123.1V on azimuth 147°01' toward Loma Prieta.

5273-C1-P-72—Southern Pacific Communications Co. (New), Holiday Hill, Calif. C.P. for a new fixed station to be located 2 miles southwest of Wrightwood, Calif., at latitude 34°21'04" N., longitude 117°40'26" W., for frequency 6123.1H on azimuth 237°32' toward Los Angeles and frequencies 6004.5H and 6123.1H on azimuth 108°38' toward Running Springs.

5274-C1-P-72—Southern Pacific Communications Co. (New), Los Angeles, Calif. C.P. for a new fixed station to be located at 610 South Main Street, Los Angeles, CA, at latitude 34°02'43" N., longitude 118°14'56" W., for frequency 6375.2V on azimuth 57°13' toward Holiday Hill.

INFORMATIVE: The above applications were filed for the purpose of maintaining on file those parts of applicant's proposal at the above sites that have not been cleared with other applicant's and carriers within this area. This separation will permit further consideration by the Commission of those parts complying with Docket 18920.

5276-C1-P-72—Northwestern Bell Telephone Co. (KAK53), 409 First Avenue North, Fargo, ND. C.P. delete frequencies 5935.0V and 6345.0V MHz toward Arthur, N. Dak., and add 6404.8V MHz toward Page R, N. Dak.

5277-C1-P-72—Northwestern Bell Telephone Co. (New), 6 miles southeast of Page, N. Dak. Latitude 47°07'26" N., longitude 97°27'31" W. C.P. to add frequencies 6004.5V MHz toward Fargo, N. Dak., and 6152.8H MHz toward Finley, N. Dak.

5278-C1-P-72—Northwestern Bell Telephone Co. (KAK56), Central Avenue, Third and Fourth Street, Finley, N. Dak. C.P. to change coordinates to latitude 47°30'45" N., longitude 97°50'14" W. Delete frequencies 6015.0V and 6255.0V MHz toward Clifford, N. Dak., and add 6256.5H MHz on azimuth 146°20' toward Page R, N. Dak.

5279-C1-P-72—Northwestern Bell Telephone Co. (KAR88), 4 miles east of Northwood, N. Dak. C.P. to add 6175.0V and 6415.0V MHz toward Finley, N. Dak., and change azimuth to 226°38'.

5280-C1-P-72—The Pacific Telephone & Telegraph Co. (KMX55), Hall Canyon Hill, 1.5 miles northeast of Ventura, Calif. C.P. to change frequency 2112.5V to 2114.6H MHz toward Santa Ynez Peak, Calif.

5281-C1-P-72—The Pacific Telephone & Telegraph Co. (KMX56), Santa Ynez Peak, 5 miles northeast of Capitan, Calif. C.P. to change frequency 2163.0V MHz to 2164.6H MHz toward Hall Canyon Hill, Calif.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

5282–C1–P–72—The Pacific Telephone & Telegraph Co. (KMN91), 95 Almaden Avenue, San Jose, CA. C.P. to add frequency 11,645V MHz toward Sunnyvale, Calif., and replace transmitter.

5283–C1–P–72—The Pacific Telephone & Telegraph Co. (KNK90), 1140 North Mathilda Avenue, Sunnyvale, CA. C.P. to add frequency 10,795H MHz toward San Jose, Calif., and replace transmitter.

5285–C1–P–72—The Mountain States Telephone & Telegraph Co. (KPR48), 16 West Fourth Street, Hardin, MT. C.P. to add frequency 10,835H MHz toward Hardin, Mont., via passive reflector on azimuth 92°58′.

5286–C1–P–72—The Mountain States Telephone & Telegraph Co. (KPZ97), 20 miles southwest of Hardin, Mont. C.P. to add frequency 11,285H toward Hardin, Mont., via passive reflector on azimuth 43°49′.

5318–C1–P–72—General Telephone Co. of the Southeast (KVD70), 369 feet southwest of intersection of Sumter and Weinburg Streets, Manning, S.C. C.P. change frequencies 5937.8V and 6056.4V MHz to 6256.5H and 6375.1H MHz toward Sumter, S.C., and replace transmitters.

5319–C1–P–72—General Telephone Co. of Michigan (KQN87), 860 West State Street, St. Johns, MI. C.P. to add frequency 11,305V MHz toward Alma, Mich.

5320–C1–P–72—General Telephone Co. of Michigan (KQO20), northeast corner of Grover Avenue and Van Buren Road, Alma, Mich. C.P. to add 10,775H MHz toward Mount Pleasant, Mich.

Western Tele-Communications, Inc., proposes a three-station system to provide voice and wideband data services between Yuma Marine Corps Air Station, Yuma, Ariz., and Antelope Hill, Ariz.

5308–C1–P–72—Western Tele-Communications, Inc. (New), K Street, MCAS Yuma, Ariz. C.P. for a new station at Marine Corps Air Station, Yuma, Ariz. Latitude 32°39′33″ N., longitude 114°35′30″ W. Frequency 2178.0H MHz on azimuth 86°19′ toward Telegraph Pass, Ariz.

5309–C1–P–72—Western Tele-Communications, Inc. (New), 16.5 miles east-southeast Yuma, Ariz. Latitude 32°40′22″ N., longitude 114°20′14″ W. Frequency 2128.0H MHz on azimuth 266°27′ toward Yuma and frequency 2115.2V MHz on azimuth 83°24′ toward Antelope Hill.

5310–C1–P–72—Western Tele-Communications, Inc. (New), C.P. for a new station at Antelope Hill, 8 miles east-northeast of Wellton, Ariz. Latitude 32°42′14″ N., longitude 114°00′54″ W. Frequency 2165.2V MHz on azimuth 263°34′ toward Telegraph Pass.

5476–C1–P–72—American Microwave & Comunications, Inc. (KQH75), C.P. at Mount Tom, 4.50 miles west of Fairview, Mich., to transmit frequency 6271.4H MHz, via power-split, toward new point of communication at Lachine, Mich. (latitude 43°03′40″ N., longitude 83°43′05″ W.), on azimuth 43°59′.

INFORMATIVE: Applicant proposes to delivery the television signal of Station WKBD–TV, Detroit, Mich., to Northern Cable TV at Lachine for subsequent delivery, via CARS facilities, to CATV system serving Rogers City, Mich.

5484–C1–P–72—Northwestern Bell Telephone Co. (KAS34), 1 mile north of Cusson, Minn. C.P. to add 10,755V MHz toward Orr, Minn. Latitude 48°07′01″ N., longitude 92°50′04″ W.

5485–C1–P–72—Northwestern Bell Telephone Co. (New), Telephone Building, Orr, Minn. C.P. for a new station to add frequency 11,685V MHz toward Cusson, Minn., on azimuth 357°27′. Latitude 48°03′15″ N., longitude 92°49′49″ W.

5486–C1–P–72—Illinois Bell Telephone Co. (KSN61), 2.8 miles east-southeast of Norway, Ill. C.P. to add frequency 4090V MHz toward Odell, Ill.

5487–C1–P–72—Illinois Bell Telephone Co. (KSO77), 3.5 miles west-northwest of Odell, Ill. C.P. to add 3890V MHz toward Norway, Ill., and 4050V MHz toward Benson, Ill.

5488–C1–P–72—Illinois Bell Telephone Co. (KSO79), 2.2 miles north of Benson, Ill. C.P. to add frequencies 3930V MHz toward Odell, Ill., and 4090V MHz toward Sunnyland, Ill.

5489–C1–P–72—Illinois Bell Telephone Co. (KSO78), 1.8 miles north-northeast of Sunnyland, Ill. C.P. to add frequencies 3890V MHz toward Benson, Ill., and 4050V MHz toward Peoria, Ill.

5490–C1–P–72—Illinois Bell Telephone Co. (KSO76), 320 Fulton Street, Peoria, Ill. C.P. to add frequency 3930V MHz toward Sunnyland, Ill.

POINT-TO-POINT MICROWAVE RADIO SERVICE—continued

5491–C1–P–72—South Central Bell Telephone Co. (KLP20), 201 East George Street, Greenwood, MS. C.P. to add frequency 3730V MHz toward Holcomb, Miss.

5492–C1–P–72—South Central Bell Telephone Co. (WBP43), 3.5 miles southwest of Holcomb, Miss. C.P. to add frequency 3770V MHz toward Greenwood and Hardy, Miss.

5493–C1–P–72—South Central Bell Telephone Co. (WBP42), 1 mile southeast of Hardy, Miss. C.P. to add frequencies 3730V MHz toward Holcomb, Miss., and 3730H MHz toward Water Valley, Miss.

5494–C1–P–72—South Central Bell Telephone Co. (WBP40), 4.3 miles south of Water Valley, Miss. C.P. to add 3770H MHz toward Hardy, Miss., and Oxford, Miss.

5495–C1–P–72—South Central Bell Telephone Co. (WBP39), 2 miles southwest of Oxford, Miss. C.P. to add frequencies 3730H MHz toward Water Valley, Miss., and 3730V MHz toward Toccopola, Miss.

5496–C1–P–72—South Central Bell Telephone Co. (WBP38), 1.4 miles east of Toccopola, Miss. C.P. to add 3770V MHz toward Oxford, and Pontotoc, Miss., and correct azimuth to read 94°04′ toward Pontotoc, Miss.

5497–C1–P–72—South Central Bell Telephone Co. (WBP37), Liberty Street, Pontotoc, Miss. C.P. to add frequency 3730V MHz toward Toccopola and Tupelo, Miss.

5498–C1–P–72—South Central Bell Telephone Co. (KLR71), 337 North Broadway, Tupelo, MS. C.P. to add frequency 3770V MHz toward Pontotoc, Miss.

2559–C1–ML–72—United Video, Inc. (KSV41), modification of license to change the designation of the point of communication at Princeton (KXQ32) from a relay only to a drop and relay point. Applicant proposes to provide signals of television stations of WGN, WFLD, WCIU, and WTTW to Cable TV Service Co., operator of the CATV system in Princeton, Ill.

Major Amendments

5139–C1–P–70—Eastern Microwave, Inc. (KEA64), 4 miles southeast of Cherry Valley, N.Y.; application amended (a) to change location of proposed receive station at Amsterdam, N.Y., to latitude 42°58′39″ N., longitude 72°08′48″ W.; and (b) to delete frequency 6330.7V MHz (WNEW–TV, New York City) toward Amsterdam, N.Y.

7768–C1–P–71—Andrews Tower Rentals, Inc. (KLP96), 1.90 miles west of Brownwood, Tex.; application amended (a) to delete 6404.8 MHz toward Goldthwaite and San Saba, Tex., thereby reducing from four to three the number of video signals proposed toward these points; and (b) to change two of the three remaining signals to KDTV, Dallas, Tex., and KNCT, Belton, Tex. The proposed third signal, KRBC–TV, Abilene, Tex., is unchanged.

6956–C1–P–71—Mountain Microwave Corp. (KZI39), change frequency 6197.2H to 10,995H MHz on azimuth 352°58′ toward Garden City, Kans., station location: Pierceville, 6 miles south-southeast of Garden City, Kans.

Corrections

7033–C1–P–71—The Pacific Telephone & Telegraph Co. (KMZ71), change frequencies from 10,835 and 10,915 MHz to 10,875H and 11,115H MHz toward San Luis Obispo, Calif.

7034–C1–P–71—The Pacific Telephone & Telegraph (KMZ72), 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.

4262–C1–P–72—Bell Telephone Co. of Nevada (KPY31), Murray 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 10,895H and 11,135V MHz toward Ely, Nev.

All other particulars same as reported on Public Notice 579.

LOCAL TELEVISION TRANSMISSION SERVICE Correct to read: POINT-TO-POINT MICROWAVE SERVICE

5234–C1–P–72—The Ohio Bell Telephone Co. (New), correct call sign to read (KQH44). All other terms in exact accordance with Report No. 584 dated Feb. 22, 1972.

5235–C1–P–72—The Ohio Bell Telephone Co. (New), correct to read: C.P. for new station. All other terms in exact accordance with Report No. 584 dated Feb. 22, 1972.

[FR Doc.72–3164 Filed 3–2–72;8:45 am]

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

Modifications and/or Supersedeas Decisions to Area Wage Determination Decisions for Certain Specified Localities

Modification and/or supersedeas decisions to area wage determination decisions for specified localities in Florida, Illinois, Iowa, Kentucky, Louisiana, Maryland, Ohio, Rhode Island, Virginia, Wyoming, and District of Columbia.

Area wage determination decisions published in the FEDERAL REGISTER on the following dates:

Decision No.	*Date*
AM–1603, AM–1604, AM–1605	Aug. 6, 1971
AM–330	Aug. 13, 1971
AM–404, AM–405, AM–406, AM–407, AM–408, AM–409, AM–410, AM–411, AM–412, AM–413, AM–414, AM–415, AM–416, AM–417	Aug. 18, 1971
AM–454, AM–455, AM–479, AM–1842 (9683), AM–1843 (9682)	Aug. 20, 1971
AM–2448, AM–2449, AM–2450, AM–2451, AM–2455, AM–2457, AM–2458, AM–3626, AM–3627, AM–3628, AM–3629	Aug. 25, 1971
AM–2476	Aug. 27, 1971

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 the 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, Employment Standards Administration, 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. No. 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 25th 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–454–36 F.R. 16377, Duval County, Fla., Modification No. 5						
CHANGE: Modification No. 4, WD No. AM–454–37 F.R. 3096, Feb. 11, 1972, to Modification No. 5.						
WD No. AM–455–36 F.R. 16381, Hillsborough County, Fla., Modification No. 7						
CHANGE: Modification No. 5, WD No. AM–455–37 F.R. 3096, Feb. 11, 1972, to Modification No. 7.						
WD No. AM–330–36 F.R. 15155, Cook County, Ill., Modification No. 7						
CHANGE: Ironworkers: Ornamental	$8.625	$0.25	$0.325		$0.05	
WD No. AM–2,448–36 F.R. 16796, Cerro Gordo County (Mason City), Iowa, Modification No. 2						
CHANGE: Building construction: Carpenters: Carpenters	6.15				.01	
Millwrights; piledrivermen	6.40				.01	
Cement masons	6.15					
Electricians: Electricians	6.75	.20	1%		1%	
Cable splicers	7.15	.20	1%		1%	
Laborers: Common laborers; power tools; Barco operator; mortar mixers; concrete saw; sand point setter	4.60	.10	$0.15			
Tenders to the crafts; caissons (after 6' depth); dynamite men; gunniting-nozzlemen; backup man; tile layer (in unprotected narrow ditch 6' in depth or below); swinging stage work, wood hoist tower, scaffolds, or ladders at a height of 35' or over	4.85	.10	.15			
All underground labor (other than compressed air); swinging stage work, wood hoist towers, scaffolds or ladders at a height of 75' or over	5.10	.10	.15			
Painters: Brush	5.10		.10	$0.15		
Tapers	5.20		.10	.15		
Spray	5.60		.10	.15		
Paperhangers	5.70		.10	.15		
Soft floor layers	6.15				$0.01	
OMIT: Building Construction: Truck drivers	4.25					

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-2,449—36 F.R. 16799, Clinton County (Clinton), Iowa, Modification No. 1						
CHANGE:						
County:						
Clinton (city of Clinton and abutting municipalities). Also change:						
Building construction:						
Carpenters:						
Carpenters	6.25	.25	.20			
Piledrivermen	6.65	.25	.20			
Laborers:						
Common laborers	5.25	.10	.10			
Brick tenders	5.40	.10	.10			
Operators on air or power tools; mortar mixer man; work 35' high or over; cement dumper; puddlers; vibrator man; ditch work 8' below ground level	5.50	.10	.10			
Cutting torch burner; caisson; cofferdam	5.55	.10	.10			
Soft floor layers	6.25	.25	.20			
OMIT:						
Building construction:						
Truck drivers	4.60					
WD No. AM-2,450—36 F.R. 16802, Des Moines County (Burlington and Burlington Ordnance Plant), Iowa, Modification No. 1						
CHANGE:						
County:						
Des Moines (city of Burlington and abutting municipalities; and Burlington Ordnance Plant).						
WD No. AM-2,451—36 F.R. 16806, Dubuque County (Dubuque), Iowa, Modification No. 1						
CHANGE:						
County:						
Dubuque (city of Dubuque and abutting municipalities).						
Building construction:						
Bricklayers; stonemasons	6.34	.21				
Electricians	6.88	.25	1%		1%	
Plasterers	6.55					
WD No. AM-2,455—36 F.R. 16820, Pottawattamie County (city of Council Bluffs and the area within 5 miles from the city limits), Iowa, Modification No. 1						
Building construction:						
Carpenters:						
Carpenters	6.42	.25	$0.20		$0.03	
Piledrivermen	6.545	.25	.20		.03	
Millwrights	6.67	.25	.20		.03	
WD No. AM-2, 457—36 F.R. 16826, Story County (Ames), Iowa Modification No. 1						
CHANGE:						
County:						
Story (city of Ames and abutting municipalities). Also change:						
Building construction:						
Bricklayers; stonemasons	6.65		.20			
Cement masons	6.85					
Laborers:						
Common laborers	4.55	.10	.05			
Plasterers' tender	4.75	.10	.05			
Mortar, plaster and grout mixers; jackhammer; paving breaker; rock drill; vibrator operator; motor buggy operators while pouring concrete	4.70	.10	.05			
Concrete saw man	4.80	.10	.05			
Sandblaster	4.90	.10	.05			
Digging of or work within a shaft entering into natural underground cavities or caverns and work within the said shaft or caverns	5.05	.10	.05			
OMIT:						
Building construction:						
Truck drivers	4.15					
WD No. AM-2,458—36 F.R. 16830, Webster County (Fort Dodge), Iowa, Modification No. 1						
CHANGE:						
Building Construction:						
Bricklayers; stonemasons	6.45					
Cement masons	5.65					
Laborers:						
Common laborers	3.70					
Machine and air tool operators; mortar mixer	3.90					
OMIT:						
Building construction:						
Truck drivers	3.45					
WD No. AM-470—36 F.R. 16432, Fayette County, Ky., Modification No. 9						
CHANGE:						
Electricians	7.90	.40	1%	.30	¼ of 1%	
Linemen	7.90	.40	1%	.30	¼ of 1%	
WD No. AM-3,626—36 F.R. 16736, East Baton Rouge Parish, La., Modification No. 3						
CHANGE:						
Electricians:						
Cable splicers	7.65	.25	1%+$0.20		3/10%	
Glaziers	5.30					
Plasterers	5.575				$0.01	

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments: H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-3,627—36 F.R. 16758, Caddo and Bossier Parishes, La., Modification No. 7						
CHANGE:						
Electricians:						
Cable splicers	6.90	.25	1%		0.004%	
Electricians	6.40	.25	1%		.004%	
Power equipment operators:						
Heavy duty operators:						
Asphalt spreader; backhoe; bulldozer, over D–4 and equivalent; cableways; concrete mixer, over 16–s; cranes; derricks; ditching or trenching machines; draglines; fork lifts (setting steel, machinery, or pipe); front-end loaders (except farm-type tractors); grease serviceman; hoist, 1 drum 4 stories or more; hoist, 2 drums and over; hydrolifts; heavy duty mechanic; motor patrols; piledrivers; pump, concrete (6" and over); road pavers; rollers on asphalt or brick; scoopmobiles; scrapers; sideboom cats; shovels; tractorvators; welder, journeyman; well point system; winch cats (hoisting); winch truck, A-frame (handling steel or pipe)	6.35	.10	$0.15			
Light duty operators:						
Air compressor; asphalt plant operator; bulldozers, D–4 and equivalent and under; bull-floats; concrete spreader; finishing machines; concrete mixer (16–s or less); concrete saw; distributors (bitum surface); dowell bar machine; farm-type tractor (with all attachments except backhoe); fireman; fork lifts (other than setting steel, machinery, or pipe); hoist, 1 drum less than 4 stories; Kolum buff machine; pulls cats; pump (3" and over); pump, concrete (under 6"); rollers, except on asphalt or brick; straddle buggies; sweepers on streets and roads (motorized); winch truck, A-frame (other than handling steel or pipe)	5.46	.10	.15			
Scaleman	5.25	.10	.15			
Oiler-driver	5.21	.10	.15			
Mechanic helper	4.99	.10	.15			
Oiler	4.79	.10	.15			
WD No. AM-3,628—36 F.R. 16740, St. Bernard, Plaquemines, Orleans, and Jefferson Parishes, La., Modification No. 6						
CHANGE:						
Bricklayers; stonemasons; cement block layers; cleaners, pointers, caulkers	6.65	.20	.15		.035	
Carpenters:						
Carpenters	6.22	.20	.20		.04	
Piledrivers	6.32	.20	.20		.04	
Millwrights	6.505	.20	.20		.04	
Cement masons:						
Cement masons	5.905	.25	.30		.04	
Machine operator; boatswain chair	6.155	.25	.30		.04	
Electricians:						
Cable splicers	7.425	.20	1%+$0.10		.015	
Ironworkers:						
Structural; ornamental; sheeters; bucker-up	6.70	.15	$0.15		.02	
Reinforcing	6.70	.15	.15		.02	
Painters:						
Sandblaster	6.375	.125				
Structural steel swing stage; spray	5.50	.125				
Plasterers:						
Plasterers	5.90	.30	.10		.03	
Swinging scaffold	6.15	.30	.10		.03	
Plumbers:						
Plumbers; steamfitters; pipefitters; pipe welders; refrigeration mechanic	7.90	.30	.40		.06	
Soft floor layers	6.22	.20	.20		.04	
Marble masons	6.65	.20	.15		.035	
LA. 2-PEO 1 o:						
Power equipment operators:						
Heavy equipment operators:						
A-Frame truck, when working with ironworkers and pipefitters; bulldozers, D–6 and larger; cableways; concrete mixers (over 16–s); paving machines; cranes; derricks, draglines and clam shells; deck winches (2); Gradealls; Hi-Ho, and similar type equipment; hoist, 1 drum, 4 stories and over; hoist, 2 drums or more; hydro cranes; mechanic; Motor Patrols; pile drivers; rollers on brick and asphalt; rubber tired front end loader, with or without blade attachments, 1 cu. yd. capacity or more; scrapers; shovels, backhoes (all types); side boom cats; stabilizers, 3 drums or more; traxcavators; trenching machines; unit operator; welding journeyman; well point systems (gas, diesel, electric, etc.)	6.62	.10	.15			
Light equipment operators:						
A-frame truck, except when working with ironworkers or pipefitters: air compressor; asphalt plane engineers; asphalt finisher, screed men; blade graders; boat operator; bull floats; concrete joining machines; concrete mixers, 16–s and under; concrete spreader; crusher operator; deck winch operator (1); distributors, asphalt "Ditch Witch" and similar equipment; electric elevators (inside); finishing machine; fireman; form graders, fork lifts; hoist, 1 drum, under 4 stories; power subgraders; pugmill operator; pull tractors; pump, pump crete; rollers except on brick and asphalt; rubber tired front end loader (with or without blade attachment) less than 1 cu. yd. capacity; scale operator; scoopmobile; snatch cats; spray machines; stabilizers, less than 3 drums; straddlebuggy; track machines and equivalent machines; tractors or bull-dozers smaller than D–6	5.71	.10	.15			
Batch plant operator	5.32	.10	.15			
Mechanic helpers	5.32	.10	.15			
Oilers (driver)	5.32	.10	.15			
Oilers	5.04	.10	.15			
Master mechanic	7.12	.10	.15			
Assistant master mechanic	6.87	.10	.15			

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments: H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-3,629—36 F.R. 16712, Rapides Parish, La., Modification No. 3						
CHANGE:						
Elevator constructors	5.495	.175	.20	2%+a+b		
Elevator constructors' helpers	70%JR	.175	.20	2%+a+b		
Plumbers—steamfitters	$06.55	.30			$0.05	
Roofers:						
Steep	5.00					
Flat	4.75					
Helper	3.45					
Kettlemen	4.50					
Sheet metal workers	6.22	.30	.25		.05	
Power equipment operators:						
Heavy duty operators:						
Asphalt spreader; backhoe; bulldozer, over D-4 and equivalent; cableways; concrete mixer, over 16-s; cranes; derricks; ditching or trenching machines; draglines; fork lifts (setting steel, machinery, or pipe); front-end loaders (except farm-type tractors); grease serviceman; hoist (1 drum 4 stories or more); hoist, (2 drums and over); hydrolifts; heavy duty mechanic; Motor Patrols; piledrivers; pump, concrete (6" and over); road pavers; rollers on asphalt or brick; scoopmobiles; scrapers; sideboom cats; shovels; tractorvators; welder, journeyman; well point system; winch cats (hoisting); winch truck, A-frame (handling steel or pipe)	6.35	.10	.15			
Light duty operators:						
Air compressor; asphalt plant operator; bulldozers, D-4 and equivalent and under; bull-floats; concrete spreader; finishing machines; concrete mixer (16-s or less); concrete saw; distributors (bitum surface); dowell bar machine; farm-type tractor (with all attachments except backhoe); fireman; forklifts (other than setting steel, machinery or pipe); hoist, 1 drum less than 4 stories; Kolum buff machine; pull cats; pump (3" and over); pump, concrete (under 6"); rollers, except on asphalt or brick; straddle buggies; sweepers on street and roads (motorized); winch truck, A-frame (other than handling steel or pipe)	5.46	.10	.15			
Scaleman	5.25	.10	.15			
Oiler-driver	5.21	.10	.15			
Mechanic helper	4.99	.10	.15			
Oiler	4.79	.10	.15			
WD No. AM-404—36 F.R. 15897, Butler County, Ohio Modification No. 5						
CHANGE:						
Lead burners	6.90	.30		d	.01	
Footnote: d. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holidays, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-405—36 F.R. 15902, Clark County, Ohio, Modification No. 5						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-406—36 F.R. 15906, Cuyahoga County, Ohio, Modification No. 4						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-407—36 F.R. 15911, Franklin and Pickaway Counties, Ohio, Modification No. 6						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holidays, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-408—36 F.R. 15915, Green and Montgomery Counties, Ohio, Modification No. 7						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Terrazzo workers and tile setters	7.76	.40				
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-409—36 F.R. 15920, Hamilton County, Ohio, Modification No. 5						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-410—36 F.R. 15925, Licking County, Ohio, Modification No. 8						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holidays, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-411—36 F.R. 15929, Lucas County, Ohio, Modification No. 8						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-412—36 F.R. 15934, Mahoning County, Ohio, Modification No. 6						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days proir to the holiday, and the regular scheduled work days immediately preceding and following the holiday.						

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-413—36 F.R. 15938, Muskingum County, Ohio, Modification No. 7						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holidays, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-414—36 F.R. 15943, Portage County, Ohio, Modification No. 6						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-415—36 F.R. 15948, Stark County, Ohio, Modification No. 7						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-416—36 F.R. 15953, Summit County, Ohio, Modification No. 6						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holidays, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-417—36 F.R. 15958, Trumbull County, Ohio, Modification No. 4						
CHANGE:						
Lead burners	6.90	.30		c	.01	
Footnote: c. 9 paid holidays, A through F plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.						
WD No. AM-1,603—36 F.R. 14600, Bristol, Kent, and Providence Counties, R.I., Modification No. 1						
CHANGE:						
Building construction:						
Asbestos worker	8.20	.39	.35		.005	
Bricklayers, cement masons plasterers, stone masons, marble, tile and terrazzo workers:						
Bristol and Kent Counties and remainder of Providence County:						
Bricklayers, and stone masons	8.07	.25	.30		.01	
Marble, tile and terrazzo workers	7.55	.25	.35			
Plasterers	7.75	.25	.35			
Carpenters, soft floor layers piledrivermen:						
Burrillville-North Smithfield, Woonsocket Townships	7.67	.25	.25			
Bristol and Kent Counties and remainder of Providence County:						
Carpenters, soft floor layers and piledrivermen	7.975	.25	.25		.005	
Millwrights	8.225	.25	.25		.005	
Electricians	7.70	.18	1%		.02	
Sheet metal workers	7.55	.25	$0.25			
Sprinkler fitter:						
Providence	8.60	.25	.40		.01	
Heavy, Highway and Marine Construction:						
Carpenters, piledrivers	7.96	.25	.25			
Cement masons finishers	6.15	.35				
Electricians:						
Bristol and Kent Counties; and remainder of Providence County	7.70	.18	1%	$0.02		
WD No. AM-1,604—36 F.R. 14665, Newport County, R.I., Modification No. 1						
CHANGE:						
Building Construction:						
Asbestos workers	8.20	.39	$0.35		.005	
Carpenters:						
Little Compton, Tiverton:						
Carpenters and soft floor layers	6.10	.20	.30			
Electricians:						
Remainder of county:	7.70	.18	1%		.02	
Marble setters, terrazzo workers, and tile setters	7.55	.25	$0.35			
CHANGE:						
Plasterers	7.75	.20				
Sheet metal workers	7.55	.25	.25			
Heavy, highway and marine construction:						
Cement masons	6.15	.35				
Electricians:						
Remainder of county	7.70	.18	1%		.02	
WD No. AM-1,605—36 F.R. 14810, Washington County, R.I., Modification No. 1						
CHANGE:						
Building Construction:						
Abestos workers	8.20	.39	$0.35		.005	
Bricklayers and stone masons:						
Exeter, Johnson, North Kingstown, Narragansett (including the pier of Point Judith)	8.07	.25	.30		.01	
Carpenters and soft floor layers:						
North Kingston:						
Carpenters, soft floor layers, and piledrivermen	7.975	.25	.25		.005	
Millwrights	8.225	.25	.25		.005	
Electricians:						
Remainder of county	7.70	.18	1%		.02	
Marble tile and terrazzo workers:						
Exeter, North Kingstown, Narragansett (including the pier of Point Judith)	7.55	.25	$0.35			
Plasterers, Exeter, Narragansett, North Kingston	7.75	.20				
Sheet metal workers	7.55	.25	.25			
Truck drivers, building:						
Low bed trailers (24 tons and over), trailers (I-beam), specialized earth moving equipment (Euclid type)	5.64	.30	.50			
Heavy, highway and marine construction:						
Carpenters, piledrivermen, North Kingstown	7.96	.25	.25			
Cement masons-finishers	6.15	.15				
Electricians:						
Remainder of county	7.70	.18	1%		.02	

MODIFICATIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
WD No. AM-2, 476—36 F.R. 17159, Statewide, Wyoming, Modification No. 1						
CHANGE:						
1-WYO-2-3-c:						
Power equipment operators:						
Group I:						
Auger machine operator (post hole, etc,) batch bin weighman, scissorman or hopperman; beginner operator brakeman and helpers; crusher oiler, utility screed operator; tractor operator, farm,crawler, or wheel type, 60 hp. (drawbar) or less with or without use of power attachments except for use of backhoe or bucket	4.36	.15	$0.20		.01	
Group II:						
Broom operators, self-propelled; cableway signalman (bellboy); concrete saw (self-propelled); fireman; power loader, belt and bucket type	4.41	.15	.20		.01	
Group III:						
Air compressor over 315 cu. ft. capacity; chip spreader operator; form grader; joint machine operator; longitudinal float operator; mixer operator, concrete (under 1 yd.); helper (welder or heavy duty); roller operator, self-propelled (pneumatic, rubber tired, sheep foot, vibratory or combination type); tire repairman	4.46	.15	.20		.01	
Group IV:						
Pump operator (except in tunnels, shafts raises)	4.49	.15	.20		.01	
Group V:						
Conveyor belt operator; fork lift and lumber staker; screening plant operator	4.51	.15	.20		.01	
Group VI:						
A-frame truck; tractor operator, farm, crawler, or wheel type, over 60 hp. drawbar); without use of power attachments	4.56	.15	.20		.01	
Group VII:						
Oiler, lead utility	4.60	.15	.20		.01	
Group VIII:						
Gunnite and grout machine operator; mulching machine operator; oiler distributor	4.61	.15	.20		.01	
Group IX:						
Front end loader (up to and including 1½ cu. yd.); pavement breakers, hydro-tamper and similar type machine; pump, well points	4.71	.15	.20		.01	
Group X:						
Hoist operator (one drum)	4.76	.15	.20		.01	
Group XI:						
Haulage motorman and industrial type motorman; motor patrol operator (all except finish); pump operator (in tunnels, shafts, raises); hydro-type cranes (up to 15 tons)	4.78	.15	.20		.01	
Group XII:						
Air compressor, two or more machines or tunnels, shafts, raises, or plant operator; asphalt plant operator; bituminous laydown machine operator; CMI machine and similar; concrete batch plant; concrete finish machine operator; concrete multiblade span saw (Hunt process or similar); concrete spreader and paver operator; crusher operator; drilling machine, integrated (core, rotary, caisson, diamond); elevating grader; front end loader (over 1½ cu. yd.); jumbo form operator; mixer operator, base course pugmill type; mixer bituminous operator (travel plant); mixer operator concrete (over 1 yd.); motor patrol operator (finish); mucking machine operator (all types); pneumatic guns; pumpcrete operator; roller operator (tandem steel wheel, 3 axle or 3 wheel); scraper equipment (all types); shovels, draglines, cranes, piledrivers, all truck-mounted cranes (manufacturer's rating) up to 3½ yds. all attachments; hydro-type cranes (15 tons and over); shuttle car operator; subgrade machine operator (power); tractor operator (all w/use of power attach. and including pushcat, dozer, tournadozer, etc.); trenching machine operator; wash plant operator	4.93	.15	.20		.01	
Group XIII:						
Welder, machine doctor	4.97	.15	.20		.01	
Group XIV:						
Hoist operator (2 or more drums or shafts or raises); heavy duty mechanics, machine doctor	5.03	.15	.20		.01	
Group XV:						
Cableway operator; mixer, dual drum; cranes (Whirley, gantry, stiffleg, overhead traveling)	5.08	.15	.20		.01	
Group XVI:						
Shovels, draglines, cranes, piledrivers, all truck-mounted cranes (manufacturer's rating) 3½ to 7 cu yd., all attachments; wheel operator	5.23	.15	.20		.01	
Group XVII:						
Shovels, draglines, cranes, piledrivers, all truck-mounted cranes (manufacturer's rating) 7 cu. yd. and over, all attachments	5.53	.15	.20		.01	

SUPERSEDEAS DECISIONS

State: Maryland and Virginia; County: Montgomery and Prince Georges, Md.; and Arlington, Va.; and city of Alexandria; and Dulles International Airport.
Decision No.: AM-9683; Date of decision: Mar. 3, 1972.
Supersedes Decision No. AM-1842 dated Aug. 20, 1971, in 36 F.R. 16238.
Description of work: Building construction (excluding single-family homes and garden-type apartments up to and including 4 stories), and dredging.

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Building construction:						
Asbestos workers	$8.05	$0.25	$0.15		$0.015	
Boilermakers—blacksmiths	7.65	.30	.70	$0.20	.01	
Bricklayers	8.60	.37	.18			
Carpenters	7.44	.20	.24		.07	
Cement masons:						
Cement masons	7.325	.185	.20		.03	
Grinding machine	7.575	.185	.20		.03	
Electricians	8.35	.35	1%+$0.25		.10	
Elevator constructors:						
Elevator constructors	8.58	.195	$0.20	1½%+a+b	.005	
Elevator constructors' helpers	6.01	.195	.20	1½%+a+b	.005	
Elevator constructors' helpers (prob.)	4.29					
Glaziers	6.78	.46	.20			
Ironworkers:						
Structural	7.15	.35	.30		.01	
Ornamental and chain link fence	7.15	.35	.30		.01	
Reinforcing	7.15	.35	.25		.03	

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Building construction—continued						
Laborers:						
Common laborers, landscapers	5.77	.25	.25		.03	
Acetylene burners used on wrecking	6.27	.25	.25		.03	
Air tool operator, scaffold builders, pavement busters, townmasters, buggy mobiles, spaders, mortarmen and scootcretes	5.92	.25	.25		.03	
Pipelayers	5.92	.25	.25		.03	
Plasterers' tenders	6.07	.32			.03	
Plumbers' laborers	5.42	.30	.15		.03	
Powdermen	6.365	.25	.25		.03	
Powersaw, well points	5.44	.25	.25		.03	
Stone carvers	6.355	.175	.20			
Stone trimmers, fitters, and cutters	6.30	.175	.20			
Lathers	7.225	.30	.30		.025	
Lead burners	6.90	.30		c	.01	
Line construction:						
Linemen, cable splicers, equipment operators	8.31	.15	1%		¼ of 1%	
Truck with winch, truck pole or steel handling	6.44	.15	1%		¼ of 1%	
Groundmen (0 to 1 year)	5.02	.15	1%		¼ of 1%	
Groundmen (1 to 2 years)	5.93	.15	1%		¼ of 1%	
Groundmen (over 2 years)	6.18	.15	1%		¼ of 1%	
Marble setters	6.80	.15	$0.25			
Marble setters' helpers	6.60					
Millwrights	7.565	.20	.24		$0.07	
Painters:						
Brush, spray, paperhangers, tapers	7.05	.41	.15		.03	
Steel, sandblasting, swing stage, power brushing	7.38	.41	.15		.03	
Piledrivermen	7.565	.20	.24		.07	
Plasterers	7.215	.30	.25		.06	
Plumbers	7.83	.28	.05			
Roofers:						
Composition	5.80	.20	.20			
Slate, tile mopmen, waterproofers, sprayers, sprandrel and ironite	6.30	.20	.20			
Helpers	4.50	.20	.20			
Sheet metal workers	7.50	.545	.545		.04	
Soft floor layers	7.44	.20	.24		.07	
Sprinkler fitters	8.00	.25	.40		.05	
Steamfitters, refrigeration and air conditioning mechanic	7.93	.23				
Stone masons	6.80	.15	.25			
Terrazzo and mosaic workers	7.35	e	.20			
Terrazzo workers' helpers	6.35	e	.20			
Tile setters	7.35	e	.20			
Tile setters' helpers	6.35	e	.20			
Truck drivers:						
Boom trucks	4.10	$0.22	f	g		
Small dump, water sprinkler, grease and oil	3.85	.22	f	g		
Flat, pickup hauling materials, small Euclids, dump over 8 wheels	3.95	.22	f	g		
Trailers, low-boys, tractor pulls	4.15	.22	f	g		
Helpers	3.70	.22	f	g		
Carryalls, large Euclids, Euclid water sprinkler, tunnel work underground	4.25	.22	f	g		
Mechanics	4.00	.22	f	g		
Concrete mixers	3.20	.12	$0.15	a		
Riggers and welders—receive rates prescribed for crafts performing operations to which rigging and welding are 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% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years service as vacation pay credit.						
c. Holidays: A through F, plus Washington's Birthday and Good Friday (providing employee has worked at least 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. Employer contributes $23.70 per man per month.						
e. Employer contributes $37.92 per man per month.						
f. $6 per week when employee has worked 90 days and works 3 days in a workweek.						
g. Holidays: A–D–E and F (providing the employee works the regularly scheduled workdays immediately preceding and following the holiday).						
2-D.C.-PEO-1-2-K:						
Building construction:						
Power equipment operators:						
35-ton cranes and above, tower and climbing cranes	7.835	.35	.35		.05	
Backhoes, boom cats, cableways, cranes or derricks, draglines, elevating graders, hoists, elevator (permanent) paving mixers, piledriving engines, power shovels, tunnel shovels, mucking machines, batch plants, concrete pumps, locomotives (standard narrow gauge), power-driven wheel scoops and scrapers 50 cu. yd. struck capacity or above, multiple concrete conveyors	7.085	.35	.35		.05	
Hydrocrane, and all other hydraulic cranes 12 tons or under	7.535	.35	.35		.05	
Hydraulic backhoes, under ½ yd., mounted on tractors	7.435	.35	.35		.05	
Frontend loader (over 3½ cu. yd.)	7.585	.35	.35		.05	
Frontend loader (over 2¾ cu. yd. to and including 3½ cu. yd.)	7.435	.35	.35		.05	
Frontend loaders (Hi-lift), fork lifts	7.185	.35	.35		.05	
Air compressors (on steel)	7.255	.35	.35		.05	
Air compressors (except on steel), concrete mixers, mechanics and maintenance men, pumps, tunnel mechanics, tunnel motormen, welding machines, well points	7.005	.35	.35		.05	
Boilers (skeleton), trenching machines, tug boats, well drilling machines	7.175	.35	.35		.05	
Power driven wheel scoops and scrapers under 50 cu. yd. struck capacity blade graders, bulldozers, motor graders	6.985	.35	.35		.05	
Rollers, asphalt spreaders, bull float finishing machines, concrete spreaders, concrete finishing machines, fine graders, form graders, concrete saws	6.785	.35	.35		.05	
Apprentice engineers:						
Firemen	6.125	.35	.35		.05	
Truck crane oilers	6.005	.35	.35		.05	
Oilers	5.955	.35	.35		.05	

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DREDGE-2-ATLANTIC-K:						
Hydraulic dredges 20" and over:						
Leverman and engineer	5.13	.25	.15		a	
Mate	4.51	.25	.15		a	
Welder	4.69	.25	.15		a	
Derrick operator	4.90	.25	.15		a	
Spill barge operator	4.77	.25	.15		a	
Spider barge operator	4.77	.25	.15		a	
Tug master	4.46	.25	.15		a	
Carpenter	4.87	.25	.15		a	
Tug mate	4.20	.25	.15		a	
Electricians	5.00	.25	.15		a	
Mechanist	4.82	.25	.15		a	
Steward	3.75	.25	.15		a	
Oiler and fireman	3.61	.25	.15		a	
Deckhand, tug deckhand	3.29	.25	.15		a	
Shoreman	3.21	.25	.15		a	
Second cook	3.29	.25	.15		a	
Messman	3.21	.25	.15		a	
Hydraulic dredges under 20":						
Leverman	4.65	.25	.15		a	
First engineer	4.37	.25	.15		a	
Second engineer	4.25	.25	.15		a	
Third engineer	4.12	.25	.15		a	
Welder	4.46	.25	.15		a	
Mate	3.84	.25	.15		a	
Oiler and fireman	3.55	.25	.15		a	
Deckhand	3.29	.25	.15		a	
Launchman	3.61	.25	.15		a	
Shoreman	3.21	.25	.15		a	
Spill and spider barge operators	3.97	.25	.15		a	
Cook	3.55	.25	.15		a	
Mess cook	3.27	.25	.15		a	
Messman and janitor	3.18	.25	.15		a	
Dipper and clamshell dredges:						
Operator	5.00	.25	.15		a	
Craneman	4.87	.25	.15		a	
First engineer	4.20	.25	.15		a	
Second engineer	4.09	.25	.15		a	
Third engineer	3.84	.25	.15		a	
Welder	4.46	.25	.15		a	
Mate	4.15	.25	.15		a	
Fireman	3.60	.25	.15		a	
Deckhand	3.29	.25	.15		a	
Launchman	3.61	.25	.15		a	
Scowman	3.37	.25	.15		a	
Tug master	4.57	.25	.15		a	
Mate	4.27	.25	.15		a	
Engineer	4.57	.25	.15		a	
Assistant engineer	4.15	.25	.15		a	
Deckhand	3.24	.25	.15		a	

Paid holidays: A-New Year's Day; B—Memorial Day; C—Independence Day; D—Labor Day; E—Thanksgiving Day; F—Christmas Day.
Footnote: a. Holidays: A through F, plus 5% of straight time pay.

State: Washington, D.C.
Decision No.: AM-9682; Date of decision: Mar. 3, 1972.
Supersedes Decision No. AM-1843 dated Aug. 20, 1971, in 36 F.R. 16241.

Description of work: Building construction (excluding single-family homes and garden-type apartments up to and including 4 stories); highway construction; sewer and water lines; and dredging.

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Building construction:						
Asbestos workers	$8.05	$0.25	$0.15		$0.015	
Boilermakers—blacksmiths	7.65	.30	.70	$0.20	.01	
Bricklayers	8.60	.37	.18			
Carpenters	7.44	.20	.24		.07	
Cement Masons:						
Cement masons	7.325	.185	.20		.03	
Grinding machine	7.575	.185	.20		.03	
Electricians	8.35	.35	1%+$0.25		.10	
Elevator constructors:						
Elevator constructors	8.58	.195	$0.20	½%+a+b	.005	
Elevator constructors' helpers	6.01	.195	.20	½%+a+b	.005	
Elevator constructors' helpers (prob.)	4.29					
Glaziers	6.78	.46	.20			
Ironworkers:						
Structural	7.15	.35	.30		.01	
Ornamental and chain link fence	7.15	.35	.30		.01	
Reinforcing	7.15	.35	.25		.03	
Laborers:						
Common laborers, landscapers	5.77	.25	.25		.03	
Acetylene burners used on wrecking	6.27	.25	.25		.03	
Air tool operator, scaffold builders, pavement busters, townmasters, buggy mobiles, spaders, mortarmen and scootcretes	5.92	.25	.25		.03	
Pipelayers	5.92	.25	.25		.03	
Plasterers' tenders	6.07	.32			.03	
Plumbers' laborers	5.42	.30	.15		.03	
Powdermen	6.365	.25	.25		.03	
Powersaw, well points	5.44	.25	.25		.03	
Stone carvers	6.355	.175	.20			
Stone trimmers, fitters and cutters	6.30	.175	.20			
Lathers	7.225	.30	.30		.025	
Lead burners	6.90	.30		c	.01	

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Line construction:						
Linemen, cable splicers, equipment operators	8.31	.15	1%		¼ of 1%	
Truck with winch, truck pole or steel handling	6.44	.15	1%		¼ of 1%	
Groundmen (0 to 1 year)	5.02	.15	1%		¼ of 1%	
Groundmen (1 to 2 years)	5.93	.15	1%		¼ of 1%	
Groundmen (over 2 years)	6.18	.15	1%		¼ of 1%	
Marble setters	6.80	.15	$0.25			
Marble setters' helpers	6.60					
Millwrights	7.565	.20	.24		$0.07	
Painters:						
Brush, spray, paperhangers, tapers	7.05	.41	.15		.03	
Steel, sandblasting, swing stage, power brushing	7.38	.41	.15		.03	
Piledrivermen	7.565	.20	.24		.07	
Plasterers	7.215	.30	.25		.06	
Plumbers	7.83	.28	.05			
Roofers:						
Composition	5.80	.20	.20			
Slate, tile mopmen, waterproofers, sprayers, sprandrel and ironite	6.30	.20	.20			
Helpers	4.50	.20	.20			
Sheet metal workers	7.50	.545	.545		.04	
Soft floor layers	7.44	.20	.24		.07	
Sprinkler fitters	8.00	.25	.40		.05	
Steamfitters, refrigeration and air conditioning mechanic	7.93	.23				
Stone masons	6.80	.15	.25			
Terrazzo and mosaic workers	7.35	e	.20			
Terrazzo workers' helpers	6.35	e	.20			
Tile setters	7.35	e	.20			
Tile setters' helpers	6.35	e	.20			
Truck drivers:						
Boom trucks	4.10	$0.22	f	g		
Small dump, water sprinkler, grease and oil	3.85	.22	f	g		
Flat, pickup hauling materials, small Euclids, dump over 8 wheels	3.95	.22	f	g		
Trailers, low-boys, tractor pulls	4.15	.22	f	g		
Helpers	3.70	.22	f	g		
Carryalls, large Euclids, Euclid water sprinkler, tunnel work underground	4.25	.22	f	g		
Mechanics	4.60	.22	f	g		
Concrete mixers	3.20	.12	$0.15	a		
Riggers and welders—receive rates prescribed for crafts performing operations to which rigging and welding are 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% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years service as vacation pay credit.						
c. Holidays: A through F, plus Washington's Birthday and Good Friday (providing employee has worked at least 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. Employer contributes $23.70 per man per month.						
e. Employer contributes $37.92 per man per month.						
f. $6 per week when employee has worked 90 days and works 3 days in a workweek.						
g. Holidays: A–D–E and F (providing the employee works the regularly scheduled workdays immediately preceding and following the holiday).						
2-D.C.-PEO-1-2-K:						
Building construction:						
Power equipment operators:						
35 ton cranes and above, tower and climbing cranes	7.835	.35	.35		.05	
Backhoes, boom cats, cableways, cranes or derricks, draglines, elevating graders, hoists, elevator (permanent) paving mixers, piledriving engines, power shovels, tunnel shovels, mucking machines, batch plants, concrete pumps, locomotives (standard narrow gauge), power driven wheel scoops and scrapers 50 cu yd. struck capacity or above, multiple concrete conveyors	7.085	.35	.35		.05	
Hydrocrane, and all other hydraulic cranes 12 tons or under	7.535	.35	.35		.05	
Hydraulic backhoes, under ½ yd., mounted on tractors	7.435	.35	.35		.05	
Front end loader (over 3½ cu. yd.)	7.585	.35	.35		.05	
Front end loader (over 2¾ cu. yd. to and including 3½ cu. yd.)	7.435	.35	.35		.05	
Front end loaders (Hi-lift), fork lifts	7.185	.35	.35		.05	
Air compressors (on steel)	7.255	.35	.35		.05	
Air compressors (except on steel), concrete mixers, mechanics and maintenance men, pumps, tunnel mechanics, tunnel motormen, welding machines, well points	7.005	.35	.35		.05	
Boilers (skeleton), trenching machines, tug boats, well drilling machines	7.175	.35	.35		.05	
Power driven wheel scoops and scrapers under 50 cu. yd. struck capacity blade graders, bulldozers, motor graders	6.985	.35	.35		.05	
Rollers, asphalt spreaders, bull float finishing machines, concrete spreaders, concrete finishing machines, fine graders, form graders, concrete saws	6.785	.35	.35		.05	
Apprentice engineers:						
Firemen	6.125	.35	.35		.05	
Truck crane oilers	6.005	.35	.35		.05	
Oilers	5.955	.35	.35		.05	
5-D.C.-3-K:						
Highway construction:						
Asphalt shoveler	3.95	.22	.10			
Asphalt raker	4.10	.22	.10			
Asphalt tamper	4.00	.22	.10			
Bricklayers	8.60	.37	.18			
Carpenters	7.44	.20	.24		0.07	
Cement masons	4.35	.22	.10			
Concrete saw operator	4.10	.22	.10			
Concrete shoveler	4.00	.22	.10			
Form setter	4.35	.22	.10			
Laborers:						
Laborers	3.85	.22	.10			
Jackhammer	4.05	.22	.10			
Hand burner operator	4.00	.22	.10			
Power equipment operators:						
Concrete spreader operator, finishing machine, roller (rough), compressor, rubber tired loader (1½ cu. yd., or less), asphalt plant mixer	4.10	.22	.10			
Loader operator tracks (2½ cu. yd. or less), burner planer, bulldozer, mechanical welder, rubber tired loader (over 1½ cu. yd.)	4.30	.22	.10			
Asphalt spreader, hydraulic backhoe (⅜ cu. yd., or less), asphalt plant engineer, asphalt roller operator, concrete breaker (machine)	4.35	.22	.10			

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
5-D.C.-3-K—Continued						
Highway construction—Continued						
Power equipment operator—Continued						
Crane operator, concrete paving operator	4.50	.22	.10			
Shovel operator	4.60	.22	.10			
Gradall operator (1½ cu. yd., or less), motor grader, loader operator tracks (over 2½ cu. yd.)	5.25	.22	.10			
G-1000 Gradall operator (over 1½ cu. yd.)	5.50	.22	.10			
Power broom, oiler	4.00	.22	.10			
Sand setter	4.35	.22	.10			
Truck drivers:						
Truck drivers (standard)	3.85	.22	.10			
Tandem	3.97	.22	.10			
Tractor trailer (capable of moving heavy equipment)	4.35	.22	.10			
8-D.C.-4-E:						
Sewer and water lines:						
Bricklayers	8.60	.37	.18			
Carpenters	7.44	.20	.24		.07	
Cement masons	7.325	.185	.20		.03	
Ironworkers, reinforcing	7.15	.35	.25		.03	
Piledrivermen	7.565	.20	.24		.07	
Plumbers	7.83	.28	.05			
Power equipment operators:						
Backhoes, cableways, cranes, draglines, power shovels, tunnel shovels, tunnel mucking machines of 1 cu. yd. or above	6.54	.25	.25		.05	
Backhoes, cableways, cranes, derricks, draglines, power shovels, tunnel mucking machines up to 1 cu. yd. and boom cats, elevating graders, hoists, paving mixers, pile driving engines, batch plant, concrete pumps	6.29	.25	.25		.05	
Trenching machines (above 8'3")	6.09	.25	.25		05	
Backhoes (hydraulic, under ½ cu. yd.)	6.17	.25	25		05	
Trenching machines (up to 8'3"), boilers skeleton, well drilling machines	5.99	.25	.25		.05	
Air compressors, tunnel	5.96	.25	.25		.05	
Front end loaders (high lift)	5.94	.25	25		.05	
Concrete mixers, power wheel scoops and scrapers, motor graders, tunnel motor men	5.84	.25	.25		.05	
Mechanics	5.82	.25	.25		.05	
Bulldozers, hydraulic tampers	5.74	.25	.25		.05	
Roller	5.64	.25	.25		.05	
Air compressors, pumps welding machines, well points	5.565	.25	.25		.05	
Apprentice engineers:						
Firemen	5.10	.25	.25		.05	
Truck crane oilers	4.95	.25	.25		.05	
Oilers	4.90	.25	.25		.05	
Truck drivers:						
Dump trucks	2.75	.12	c			
Dump trucks over 8 wheels	2.85	.12	c			
Flat trucks	2.85	.12	c			
Trailers	2.95	.12	c			
Fuel and oil trucks	2.75	.12	c			
Euclids	3.10	.12	c			
Laborers:						
Open Cut:						
Laborers, probationary (1st 60 days)	4.33	.25	$0.25		.03	
Laborers, jackhammer, rammers, and spaders	5.41	.25	.25		.03	
Timbermen, sheeting-man, shoringman, caulkers, pipelayers' helpers	5.56	.25	.25		.03	
Bottom man	5.46	.25	.25		.03	
Wagon drillers, air track drillers	5.76	.25	.25		.03	
Pipelayers	5.76	.25	.25		.03	
Rock drillers	5.51	.25	.25		.03	
Tunnel:						
Brakeman, bull gang, dumper, trackman, concrete man	6.04	.25	.25		.03	
Chuck tender, powderman in prime house, form setters and movers, nippers, cablemen, housemen, grout men, bell or signal man, top or bottom, vibrator operator, caulkers helpers	6.345	.25	.25		.03	
Miners, rodmen, rebar underground, concrete or gunite, nozzleman, powderman, timberman, wood, steel including liner plate or any other support material, motormen, caulkers, diamond drill, riggers, cement finishers underground, welders and burners, shield driver	6.995	.25	.25		.03	
Mucking machine operator	7.245	.25	.25		.03	
			DAILY RATE			
Compressed air:						
Gauge pressure pounds / *Work period minutes*						
From 1 to 14 — 360	$61.56	a	b			
From 14 to 22 — 360	64.76	a	b			
From 22 to 32 — 268	67.96	a	b			
From 32 to 38 — 240	71.16	a	b			
From 38 to 44 — 240	73.86	a	b			
DREDGE-2—ATLANTIC-K:						
Hydraulic dredges 20" and over:	$5.13	$0.25	$0.15	a		
Leverman and engineer	4.51	.25	.15	a		
Mate	4.69	.25	.15	a		
Welder	4.90	.25	.15	a		
Derrick operator	4.77	.25	.15	a		
Spill barge operator	4.77	.25	.15	a		
Spider barge operator	4.46	.25	.15	a		
Tug master	4.87	.25	.15	a		
Carpenter	4.20	.25	.15	a		
Tug mate	5.00	.25	.15	a		
Electricians	4.82	.25	.15	a		
Mechanist	3.75	.25	.15	a		
Steward	3.61	.25	.15	a		
Oiler and fireman	3.29	.25	.15	a		
Deckhand, tug deckhand	3.21	.25	.15	a		
Shoreman	3.29	.25	.15	a		
Second cook	3.21	.25	.15	a		
Messman						

Footnotes:
a. Employer contributes $2 per day to Health & Welfare.
b. Employer contributes $2 per day to Pension.
c. $4 per week when employee has worked 90 days; and works 3 days in any work week.

SUPERSEDEAS DECISIONS—Continued

Classification	Basic hourly rates	Fringe benefits payments				
		H & W	Pensions	Vacation	App. Tr.	Other
DREDGE–2—ATLANTIC–K—Continued						
Hydraulic dredges under 20":						
Leverman	4.65	.25	.15	a		
First engineer	4.37	.25	.15	a		
Second engineer	4.25	.25	.15	a		
Third engineer	4.12	.25	.15	a		
Welder	4.46	.25	.15	a		
Mate	3.84	.25	.15	a		
Oiler and firemen	3.55	.25	.15	a		
Deckhand	3.29	.25	.15	a		
Launchman	3.61	.25	.15	a		
Shoreman	3.21	.25	.15	a		
Spill and spider barge operators	3.97	.25	.15	a		
Cook	3.55	.25	.15	a		
Mess cook	3.27	.25	.15	a		
Messman and janitor	3.18	.25	.15	a		
Dipper and clamshell dredges:						
Operator	5.00	.25	.15	a		
Craneman	4.87	.25	.15	a		
First engineer	4.20	.25	.15	a		
Second engineer	4.09	.25	.15	a		
Third engineer	3.84	.25	.15	a		
Welder	4.46	.25	.15	a		
Mate	4.15	.25	.15	a		
Fireman	3.60	.25	.15	a		
Deckhand	3.29	.25	.15	a		
Launchman	3.61	.25	.15	a		
Scowman	3.37	.25	.15	a		
Tug master	4.57	.25	.15	a		
Mate	4.27	.25	.15	a		
Engineer	4.57	.25	.15	a		
Asst. engineer	4.15	.25	.15	a		
Deckhand	3.24	.25	.15	a		

Paid Holidays: A—New Year's Day; B—Memorial Day; C—Independence Day; D—Labor Day; E—Thanksgiving Day; F—Christmas Day.
Footnote: a. Holidays: A through F, plus 5% of straight time pay.

[FR Doc.72-3074 Filed 3-2-72;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CI72-518]

AMOCO PRODUCTION CO.

Notice of Application

MARCH 1, 1972.

Take notice that on February 22, 1972, Amoco Production Co. (applicant), Post Office Box 591, Tulsa, OK 74102, filed in Docket No. CI72-518 an application pursuant to section 7(c) 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 to Natural Gas Pipeline Company of America (Natural) from the Katy Field, Harris, Waller, and Fort Bend Counties, Tex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell natural gas to Natural, within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70), for a period of 1 year commencing with the date of initial delivery or until a total of 27,000,000 Mcf of gas have been delivered, whichever occurs first; except that quantities which may be requested by Natural during the year which applicant may be unable to deliver as requested will continue to be deliverable by applicant not later than 18 months after the date of initial delivery. Applicant proposes to sell gas at 35 cents per Mcf at 14.65 p.s.i.a.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before March 10, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest 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. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition 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 this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-3288 Filed 3-2-72;8:50 am]

[Docket No. E-7690]

NEW ENGLAND POWER TOOL (NEPOOL) AGREEMENT

Notice of Extension of Time

FEBRUARY 25, 1972.

On February 25, 1972, Counsel for Northeast Public Power Association filed a request for an extension of time within which to file a protest in the above-designated matter.

Upon consideration, notice is hereby given that the time is extended to and including March 6, 1972, within which petitions to intervene or protests may be filed in the above-designated matter. The time is extended to and including April 5, 1972, within which responses to protests may be filed.

MARY B. KIDD,
Acting Secretary.

[FR Doc.72-3212 Filed 3-2-72;8:46 am]

NATIONAL GAS SURVEY EXECUTIVE ADVISORY COMMITTEE

Order Designating Member

FEBRUARY 25, 1972.

The Federal Power Commission by order issued April 6, 1971, established the Executive Advisory Committee of the National Gas Survey.

1. Membership. Mr. James B. Henderson has resigned his membership in the Executive Advisory Committee. A new member to the Executive Advisory Committee, as selected by the Chairman of the Commission with the approval of the Commission is as follows:

G. Montgomery Mitchell, President and Chief Executive Officer, Transcontinental Gas Pipe Line Corp.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-3213 Filed 3-2-72;8:46 am]

[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 23, 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 17, 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.

MARY B. KIDD, *Acting 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 [1]	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-4071 E 2-10-72	Clinton Oil Co. (successor to Amoco Production Co.), 217 North Water St., Wichita, KS 67202.	Texas Eastern Transmission Corp., South Cottonwood Creek Field, DeWitt County, Tex.	[2] 14.2181	14.65
G-4074 E 2-7-72 [3]	do	Tennessee Gas Pipeline Co., a division of Tenneco Inc., South Crowley Field, Acadia Parish, La.	[4] 22.460	15.025
G-5209 E 2-9-72	do	El Paso Natural Gas Co., West Kutz Pictured Cliffs Field, San Juan County, N. Mex.	[5] 13.2501	15.025
G-5712 E 2-11-72	do	Texas Eastern Transmission Corp., Boyce Field, Goliad County, Tex.	14.5627	14.65
G-6069 E 2-14-72	do	Michigan Wisconsin Pipe Line Co., Savoy Field, St. Landry Parish, La.	[6] 23.675	15.025
G-6070 E 2-14-72	do	Michigan Wisconsin Pipe Line Co., Iowa Field, Jefferson Davis and Calcasieu Parishes, La.	[7] 22.375	15.025
G-6072 E 2-14-72	do	Michigan Wisconsin Pipe Line Co., North Elton Field, Allen Parish, La.	[8] 22.375	15.025
G-7482 E 2-14-72	do	Lone Star Gas Co., Katie Field, Garvin County, Okla.	10.01	14.65
G-7500 E 2-10-72	do	El Paso Natural Gas Co., Sprayberry Field, Reagan, Glasscock and Upton Counties, Tex.	[9] 19.33	14.65
G-8376 E 2-9-72	do	El Paso Natural Gas Co., West Kutz Pictured Cliffs Field, San Juan County, N. Mex.	[10] 13.2501	15.025
G-14639 E 2-10-72	do	El Paso Natural Gas Co., North Pembrook (Sprayberry Trend), Reagan, Tex.	[11] 19.33	14.65
G-16379 D 2-11-72	Mobil Oil Corp., Post Office Box 1774, Houston, TX 77001.	El Paso Natural Gas Co., Bisti Field, San Juan County, N. Mex.	([12])	----
CI61-718 D 2-14-72	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221 (partial abandonment).	Natural Gas Pipeline Co. of America, Northwest Dower Unit, Beaver County, Okla.	Depleted	----
CI63-1392 E 2-9-72	Clinton Oil Co. (successor to Amoco Production Co.), 217 North Water St., Wichita, KS 67202.	El Paso Natural Gas Co., West Kutz Pictured Cliffs Field, San Juan County, N. Mex.	[13] 13.2501	15.025
CI65-781 D 2-11-72	Mobil Oil Corp., Post Office Box 1774, Houston, TX 77001.	Cities Service Gas Co., Northwest Lovedale Field, Harper County, Okla.	Assigned	----
CI61-711 D 2-10-72	Cabot Corp. (SW), Post Office Box 1101, Pampa, TX 79065 (partial abandonment).	Transwestern Pipeline Co., Mahaffey, Anderson, and Howard Units, Beaver County, Okla.	Depleted	----
CI67-1170 E 2-10-72	Clinton Oil Co. (successor to Amoco Production Co.), 217 North Water St., Wichita, KS 67202.	El Paso Natural Gas Co., Sonora Field, Sutton County, Tex.	[14] 17.50	14.65
CI69-1125 D 2-11-72	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221 (partial abandonment).	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Grand Isle Blocks 33 and 34, Offshore Louisiana.	([15])	----
CI72-492 A 2-7-72	Continental Oil Co., Post Office Box 2197, Houston, TX 77001.	Cascade Natural Gas Corp., Lower Horse Draw Area, Rio Blanco County, Colo.	[16] 20.0	15.025
CI72-494 (G-10383) F 2-3-72 [17]	Underwood Oil Co., Inc. (successor to Humble Oil & Refining Co.), Post Office Box 296, Liberal, KS 67901.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Adams A-1 (M) Well, Mocane Field, Beaver County, Okla.	[18] 17.0	14.65
CI72-495 A 2-8-72	Shell Oil Co., 1 Shell Plaza, Post Office Box 2463, Houston, TX 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Vermilion Block 191 Field, Offshore Louisiana.	[16] 28.0	15.025
CI72-496 B 2-3-72	Texas San Juan Oil Corp., 1212 Mercantile Securities Bldg., Dallas, Tex. 75201.	Tennessee Gas Transmission Co., Miller and Fox Field, Jim Wells County, Tex.	Uneconomical	----
CI72-497 (G-3894) F 2-7-72	Duer Wagner & Co. (successor to Atlantic Richfield Co.), 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
CI72-499 A 2-10-72	Texas Pacific Oil Co., Inc., 1700 One Main Place, Dallas, TX 75250.	Cities Service Co., Southeast Nash Area, Grant County, Okla.	[16] 20.3	14.65
CI72-501 2-9-72 [19]	Atlantic Richfield Co., Post Office Box 2819, Dallas, TX 75221.	Southern Natural Gas Co., Lake Campo Field, Plaquemines Parish, La.	22.375	15.025

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.

[1] Application previously noticed Feb. 8, 1972, at a rate of 26.5 cents per Mcf which 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. The application should be noticed at a rate of 26.5 cents per Mcf, plus 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] Rate in effect subject to refund in Docket No. RI69-199.

[3] Application was erroneously assigned Docket No. CI72-498 as a partial succession. Further review of the Commission files reveals that application is a complete succession and will be processed under Docket No. G-4074 as a complete succession. Docket No. CI72-498 is canceled.

[4] Pursuant to Opinion No. 598; however, the contract price is 23.242 cents per Mcf which includes 0.085 cent per Mcf upward B.t.u. adjustment.
[5] Rate in effect subject to refund in Docket No. RI69-324.
[6] Pursuant to Opinion No. 598, rate in effect subject to refund in Docket No. RI71-638; however, the contract price is 27.250 cents per Mcf.
[7] Pursuant to Opinion No. 598; however, the contract price is 27.250 cents per Mcf.
[8] Applicable rate pursuant to Rate Schedule-Quality Statement; however, the contract price is 27.250 cents per Mcf.
[9] Rate in effect subject to refund in Docket No. RI71-455.
[10] Rate in effect subject to refund in Docket No. RI69-374.
[11] Rate in effect subject to refund in Docket No. RI70-781.
[12] Mobil assigned acreage to Skelly Oil Co., assigned acreage is subject to refund in Dockets Nos. RI67-272 and RI69-431 and terminated nonproducing leases.
[13] Rate in effect subject to refund in Docket No. RI69-374.
[14] Rate in effect subject to refund in Docket No. RI69-244.
[15] Acreage is nonproductive.
[16] Subject to upward and downward B.t.u. adjustment.
[17] Applicant, a small producer certificate holder, proposes to sell gas from reserves acquired in place from a large producer.
[18] Subject to upward and downward B.t.u. adjustment. Adjusted for 1971 Oklahoma tax increase reimbursement.
[19] Applicant proposes to continue the sale of natural gas heretofore authorized in Docket No. G-13553 to be made pursuant to the Estate of Wm. G. Helis et al., FPC Gas Rate Schedule No. 2.

[FR Doc.72-3138 Filed 3-2-72;8:45 am]

FEDERAL RESERVE SYSTEM

FIRST TENNESSEE NATIONAL CORP.

Order Approving Acquisition of Bank

First Tennessee National Corp., Memphis, Tenn., 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 100 percent (less directors' qualifying shares) of the voting shares of the successor by merger to The Kingsport National Bank, Kingsport, Tenn. (Bank). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of the shares of the successor organization is treated herein as the proposed acquisition of the shares of 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 controls three banks with total deposits of $811 million, representing 10.4 percent of total commercial deposits in the State. (Banking data are as of June 30, 1971.) Acquisition of bank (deposits of $22.6 million) would not significantly increase applicant's share of total deposits in the State.

Bank operates four offices in the Kingsport banking market which is approximated by the western portion of Sullivan County. Bank controls 21.8 percent of the deposits in the market and is the second largest of three banks in that market. Applicant's subsidiary office closest to Bank is located 7 miles away and is located in the Jonesboro banking market which is approximated by Washington County; there is only nominal existing competition between Bank and applicant's existing subsidiary. Consummation of the proposal would eliminate only a small amount of existing competition and would not adversely affect any competing bank in any relevant area.

The financial and managerial resources of applicant and Bank are generally satisfactory and consistent with approval in that consummation of the proposed transaction will enable applicant to strengthen Bank's capital structure which, in turn, will enable Bank to become a more effective competitor. Consummation of this proposal would have beneficial effects on the convenience and needs of the communities in that Bank's ability to compete for larger industrial and commercial accounts will be enhanced and de novo branch expansion by Bank into the Bristol market (which is located approximately 20 miles east of Kingsport) will be facilitated. Considerations related to the convenience and needs of the communities to be served, therefore, lend some weight for 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 St. Louis pursuant to delegated authority.

By order of the Board of Governors,[1] February 25, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-3214 Filed 3-2-72;8:46 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

PEERLESS EAGLE COAL CO.

Applications for Renewal Permits; Notice of Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard specified in the Federal Coal Mine Health and Safety Act of 1969 have been received as follows:

(1) ICP Docket No. 3062 000, Peerless Eagle Coal Co., Mine No. 2A, USBM ID No. 46 01616 0, Summersville, Nicholas County, W. Va., ICP Permit No. 3062 006-R-2 (Shop Built Coal Drill, Ser. No. Co. No. 5 Coal Drill).

(2) ICP Docket No. 3063 000, Peerless Eagle Coal Co., Mine No. 1, USBM ID No. 46 01476 0, Summersville, Nicholas County, W. Va.:

ICP Permit No. 3063 003-R-1 (Joy Coal Cutter, Ser. No. 15307).
ICP Permit No. 3063 022-R-1 (Shop Built Coal Drill, Ser. No. Co. No. 2 Coal Drill).
ICP Permit No. 3063 023-R-1 (Shop Built Coal Drill, Ser. No. Co. No. 1 Coal Drill).

In accordance with the provisions of section 305(a)(7) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed within 15 days after publication of this notice. Requests for public hearing must be completed in accordance with 30 CFR Part 505 (35 F.R. 11296, July 15, 1970), copies of which may be obtained from the Panel on request.

Copies of renewal applications are available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Eighth Floor, 1730 K Street NW., Washington, DC 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

FEBRUARY 24, 1972.

[FR Doc.72-3215 Filed 3-2-72;8:46 am]

OFFICE OF EMERGENCY PREPAREDNESS

ARKANSAS

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Arkansas, dated January 28, 1972, and published February 2, 1972 (37 F.R. 2543), is hereby amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of January 27, 1972:

The counties of:
Benton. Washington.

Dated: February 28, 1972.

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

[FR Doc.72-3222 Filed 3-2-72;8:47 am]

WEST VIRGINIA

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order

[1] Voting for this action: Chairman Burns and Governors Robertson, Mitchell, Daane, Brimmer, and Sheehan. Absent and not voting: Governor Maisel.

11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on February 27, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of West Virginia from heavy rains and flooding beginning about February 24, 1972, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of West Virginia. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended) I hereby appoint Mr. Francis X. Carney, Regional Director, OEP Region 3, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of West Virginia to have been adversely affected by this declared major disaster:

The counties of:
Logan. Mingo.

Dated: February 28, 1972.

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

[FR Doc.72-3223 Filed 3-2-72;8:47 am]

SECURITIES AND EXCHANGE COMMISSION

[70-5148]

EASTERN UTILITIES ASSOCIATES

Proposed Amendment of Declaration of Trust and Solicitation of Proxies

FEBRUARY 28, 1972.

Notice is hereby given that Eastern Utilities Associates, Post Office Box 2333, Boston, MA 02107 (EUA), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6(a), 7, and 12(e) of the Act and Rule 62 promulgated thereunder as applicable to the following proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

EUA proposes to amend its declaration of trust to modify the preemptive rights of the holders of its common shares to provide that unless the trustees otherwise prescribe, such rights shall not exist in cases where common shares are sold for cash pursuant to a public offering at competitive bidding or to or through underwriters or investment bankers for public sale. If an issue is offered for subscription, the unsubscribed balance shall not, unless offered pursuant to competitive bidding, be sold at a price less than the price at which such shares were offered to shareholders, without an affirmative vote of the holders of at least a majority of the total number of shares outstanding. When an issue of common shares is offered for cash to shareholders for subscription, the trustees may specify that holders of common shares shall not be entitled to receive subscription rights for fractional interests in whole shares. In such event, the holder of subscription rights for fractional interests will be entitled to receive, as determined by the trustees, either (a) cash equal to the value, if any, which said rights would have had, or (b) sufficient subscription rights to enable said holder to subscribe for one whole share.

The favorable vote by the holders of at least two-thirds of the outstanding 2,784,945 common shares is required for passage of the proposed amendment. In connection therewith, EUA proposes to solicit proxies from holders of its common shares to be voted at its annual meeting to be held on April 18, 1972.

A statement of the fees and expenses to be incurred by EUA will be filed by amendment. It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 15, 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 fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-3216 Filed 3-2-72;8:46 am]

[812-3111]

IVY FUND, INC., AND ROBERT D. PATTERSON

Notice of Filing of Application for Exemption

FEBRUARY 25, 1972.

Notice is hereby given that Ivy Fund, Inc., 441 Stuart Street, Boston, MA 02116, an open-end, diversified, management investment company registered under the Investment Company Act of 1940 (Act), and Robert D. Patterson, 54 Fayette Street, Boston, MA 02116 (hereinafter collectively referred to as applicants) have filed an application pursuant to section 6(c) for an order declaring that Patterson shall not be deemed an "interested person" of applicant or the adviser and principal underwriter of Ivy Fund, Inc., as that term is defined under section 2(a)(19) of the Act solely by reason of his status as shareholder, director and officer of Foursquare Corp. (Foursquare). All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Mr. Patterson, a director of Ivy Fund, Inc., is also a director, treasurer and owner of 9 percent of the outstanding voting stock of Foursquare.

Foursquare is the investment adviser to and the sole distributor of the shares of Foursquare Fund, Inc., an open-end, diversified, management investment company registered under the Act. Foursquare is registered as a broker-dealer under the Securities Exchange Act of 1934 and is a member of the National Association of Securities Dealers, Inc., solely for the purpose of selling the shares of Foursquare Fund to the public. Foursquare is not, and does not intend to be, a member of any securities exchange, does not make markets in securities and does not execute or clear security transactions. It is not otherwise engaged in the securities business.

Section 2(a)(19) of the Act defines an interested person of an investment company and its investment adviser and principal underwriter to include any broker or dealer registered under the Securities Exchange Act of 1934 or any affiliated person of such broker or dealer.

Section 2(a)(3) of the Act, in part, defines an affiliated person of another person to include any director or officer of such other person, and any person directly or indirectly owning 5 percent or more of the outstanding voting securities of such other person.

Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Mr. Patterson is a director and treasurer and owner of 9 percent of the stock of Foursquare, a broker-dealer, and is thus an interested person of Ivy Fund,

Inc. and its investment adviser and principal underwriter.

Applicants assert that Mr. Patterson should not be deemed an "interested person" of Ivy Fund, Inc., its investment adviser and principal underwriter because his affiliation with Foursquare does not affect and will not impair his independence in acting on behalf of Ivy Fund, Inc. and its shareholders and the requested exemption is therefore consistent with the provisions of section 6(c).

Notice is further given that any interested person may, not later than March 17, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 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.72-3217 Filed 3-2-72;8:46 am]

[812-3114]

STATE STREET INVESTMENT CORP.

Notice of Filing of Application

FEBRUARY 25, 1972.

Notice is hereby given that State Street Investment Corp., 225 Franklin Street, Boston, Massachusetts 02110 (Applicant), a Massachusetts corporation registered under the Investment Company Act of 1940 (Act) as an open-end diversified management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission for exemption from the provisions of section 22(d) of the Act which, in pertinent part, prohibit a registered investment company from selling any redeemable security issued by it to any person except either to or through a principal underwriter for distribution at a current public offering price described in the prospectus. Section 22(d) would prevent Applicant, which does not have a prospectus describing a current offering price, from acquiring the assets of Chestnut Hill Farm Association (Chestnut) in exchange for the shares of Applicant. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Applicant states that Chestnut, a Massachusetts business trust, was organized in 1919, and was engaged for many years in farming and other real estate operations and holdings. Chestnut has recently divested itself of all operating properties and other real estate and is currently a private investment company holding securities, cash and cash items. At the present time Chestnut has 19 shareholders, is a personal holding company for Federal income tax purposes, and is subject to Federal and Massachusetts corporate income taxes. Applicant asserts that Chestnut is excepted from the definition of an investment company by reason of section 3(c)(1) of the Act.

On January 24, 1972, Applicant and Chestnut entered into an Agreement and Plan of Reorganization (Agreement) whereby substantially all of the assets of Chestnut are to be transferred to Applicant in exchange for shares of Applicant's common stock. Pursuant to the Agreement, the number of Applicant's shares to be delivered to Chestnut shall be determined on the closing date, as defined in the Agreement, by dividing the aggregate value of the gross assets of Chestnut (subject to certain adjustments as set forth in the Agreement) to be transferred to Applicant by the net asset value per share of Applicant.

As of December 31, 1971, the market value of the assets of Chestnut to be delivered to Applicant was approximately $7,500,000. At the present time, Applicant does not intend to sell any Chestnut securities immediately after the closing. Assuming that the closing under the Agreement had taken place on December 31, 1971, 148,589 shares of State Street would have been transferred to Chestnut, or approximately 1.7 percent of the number of State Street shares outstanding immediately after such transfer. When the shares of State Street are received by Chestnut, Chestnut will distribute such shares to its shareholders in liquidation.

Applicant represents that neither Chestnut nor any trustee or shareholder of Chestnut is either an "affiliated person" of State Street or an "affiliated person" of any "affiliated person" of State Street, and that the Agreement was negotiated at arm's length by the principals of Chestnut and State Street.

Section 22(d) of the Act provides that registered open-end investment companies may sell their shares only at the current public offering price as described in the prospectus. Section 6(c) permits the Commission, upon application, to exempt a transaction if it finds that such an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than March 20, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from 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.72-3218 Filed 3-2-72;8:46 am]

[File No. 500-1]

TOPPER CORP.

Order Suspending Trading

FEBRUARY 28, 1972.

The common stock, $1 par value, of Topper Corp. being traded on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Topper Corporation being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned

exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period February 29, 1972 through March 9, 1972.

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-3219 Filed 3-2-72;8:46 am]

TARIFF COMMISSION

[TEA-W-130]

PITTSFIELD SHOE CO.

Workers' Petition for Determination of Eligibility to Apply for Adjustment Assistance; Notice of Investigation

On the basis of an amended petition filed February 28, 1972, under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the workers of the Haverhill, Mass., plant of the Pittsfield Shoe Co., Pittsfield, N.H., the U.S. Tariff Commission instituted an investigation under section 301(c)(2) of the act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with the women's leather shoes of the types produced by the Pittsfield Shoe Co., or an appropriate subdivision thereof, are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or subdivision.

The petitioners have not requested a public hearing. A hearing will be held on request of any other party showing a proper interest in the subject matter of the investigation, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, DC, and at the New York City office of the Tariff Commission located in room 437 of the Customhouse.

Issued: February 29, 1972.

By order of the Commission.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.72-3254 Filed 3-2-72;8:49 am]

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT OF HEARINGS

FEBRUARY 29, 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.

CORRECTION

MC 105881 Sub 11, 19, 21, 23, 25, 26, 30, 32, 35, 40, 41, and 42, M. R. & R. Trucking, heard January 24, through February 4, 1972, at Tallahassee, Fla., has been continued to March 22, 1972, in the Downtown Holiday Inn, Panama City, Fla., instead of March 2, 1972, in the Downtown Holiday Inn, Panama City, Fla.

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

[FR Doc.72-3245 Filed 3-2-72;8:48 am]

ASSIGNMENT OF HEARINGS

FEBRUARY 29, 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 108359 Sub 6, Western New York Motor Lines, Inc., assigned March 6, 1972, at Buffalo, N.Y., canceled transferred to modified procedure.

MC-F-11247, MC 35320 Sub 126, T.I.M.E.-D.C.—Purchase—Ascot Trucking, now assigned March 15, 1972, at Chicago, Ill., will be held at the La Salle Hotel, Madison and La Salle Streets, instead of Everett McKinley Dirksen Building.

FF-359, Auto Trip U.S.A., Inc., Freight Forwarder Application, MC-C-7287, AAAC on Auto Transport, Investigation and Revocation of Certificate, MC-C-7287 Sub 1, AAAC on Transport Petition for Declaratory Order, now assigned March 6, 1972, at New York, N.Y., is postponed to March 20, 1972, in Room E-2222, 26 Federal Plaza, New York, N.Y.

No. 35473, Flour, Arkansas City, Kans., to Memphis, Tenn., continued to March 9, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-F-11312, Montgomery Tank Lines, Inc.—Purchase (Portion)—Milk Transport, Inc., now assigned March 13, 1972, at Chicago, Ill., canceled and transferred to modified procedure.

MC-F-11129, Paramount Movers, Inc.—Purchase (Portion)—Shamrock Van Lines, Inc. (L. E. Creel, III, Trustee in Bankruptcy), MC-F-11130, Towne Services Household Goods Transportation Co., Inc.—Purchase (Portion)—Shamrock Van Lines, Inc. (L. E. Creel, III, Trustee in Bankruptcy), and MC-F-11139 North American Van Lines, Inc.—Purchase (Portion)—Shamrock Van Lines, Inc. (L. E. Creel, III, Trustee in Bankruptcy), continued to March 15, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 135437 Sub 1, Tri-Northeastern Transport, now assigned March 17, 1972, at Buffalo, N.Y., is canceled and application dismissed.

MC-FC-72239, Denny Truck Lines, Inc., Transferee & Stevens Truck Lines, Inc., Internal Revenue Service, Successor in Interest, Transferor, MC-F-11167, H. C. Gabler, Inc.—Purchase (Portion)—Stevens Truck Lines, Inc. (Internal Revenue Service, Successor in Interest), MC-F-11197, Rogers Transfer, Inc.—Purchase (Portion)—Stevens Truck Lines, Inc. (Internal Revenue Service, Successor in Interest), MC-F-11199, Mercury Motor Express, Inc.—Purchase (Portion)—Stevens Truck Lines, Inc. (Internal Revenue Service, Successor in Interest), MC-F-11230, Bowen Trucking, Inc.—Purchase (Portion)—Stevens Truck Lines, Inc., (Internal Revenue Service, Successor in Interest), MC-F-11231, Davis & Randall, Inc.—Purchase (Portion)—Stevens Truck Lines, Inc. (Internal Revenue Service, Successor in Interest) MC-F-11266, Redwing Refrigerated, Inc.—Purchase (Portion)—Stevens Truck Lines, Inc. (Internal Revenue Service, Successor in Interest), and MC 135454 Sub 3, Denny Truck Lines, Inc., now assigned April 4, 1972, at Washington, D.C., postponed to April 18, 1972, same time and place.

I and S 8698, Wine, Pacific Coast to the East, now assigned March 28, 1972, at Washington, D.C., postponed to April 4, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

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

[FR Doc.72-3246 Filed 3-2-72;8:49 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 29, 1972.

Protests to the granting of an application must be prepared in accordance with § 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 42361—*Class and commodity rates between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 654), for interested rail carriers. Rates on asphalt composition paving or flooring planks and various commodities, in carloads and tank carloads, as described in the application, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Intrastate rates and maintenance of rates from and to points in other States not subject to the same competition.

Tariff—Supplement 131 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998. Rates are published to become effective on March 31, 1972.

FSA No. 42363—*Corn and grain sorghums and related articles from Sioux City, Iowa.* Filed by Southwestern Freight Bureau, agent (No. B-293), for interested rail carriers. Rates on corn and grain sorghums, and related articles, in carloads, as described in the application, from Sioux City, Iowa, to points

in Arkansas, Louisiana, Oklahoma, and Texas, also Memphis, Tenn.

Grounds for relief—Market competition.

Tariffs—Supplements 85, 32, 24, and 28, to Southwestern Freight Bureau, agent, tariffs ICC 4901, 4967, 4968, and 4971, respectively. Rates are published to become effective on April 3, 1972.

AGGREGATE-OF-INTERMEDIATES

FSA No. 42362—*Class and commodity rates between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 655), for interested rail carriers. Rates on asphalt composition paving or flooring planks and various commodities, in carloads and tank carloads, as described in the application, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 131 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998. Rates are published to become effective on March 29th and 31st, 1972.

By the Commission.

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

[FR Doc.72-3247 Filed 3-2-72;8:49 am]

[Notice 22]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 29, 1972.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-73337. By order of February 25, 1972, the Motor Carrier Board approved the transfer to Kings-Way Moving & Storage, Inc., Fort Wayne, Ind., of the operating rights in certificates Nos. 9448 and MC-9448 (Sub-No. 7) issued July 27, 1965, and March 3, 1970, respectively to A. C. Borgmann & Son, Division of Wayne Warehousing & Cartage, Inc., Fort Wayne, Ind., authorizing the transportation of various commodities between specified points in Indiana and household goods between a specified area in Indiana on the one hand, and, on the other, points in Illinois, Michigan, Ohio, Pennsylvania, Connecticut, Delaware, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, Rhode Island, Vermont, West Virginia, Wisconsin, New York, and the District of Columbia. Donald W. Smith, 900 Circle Tower Building, Indianapolis, Ind. 46204, attorney for applicants.

No. MC-FC-73393. By order of February 25, 1972, the Motor Carrier Board approved the transfer to South East Transfer Ltd., 340 Main Street, Post Office Box 218, ROA 2AO, Steinbach, MB, Canada, of the operating rights in permit No. MC-135303 issued October 6, 1971, to G. D. T. Coleman and S. T. Coleman, doing business as South East Transfer, 340 Main Street, Post Office Box 218 ROA 2AO, Steinbach, MB, Canada, authorizing the transportation of concrete products, the transportation of which requires by reason of size or weight the use of special equipment, from ports of entry on the United States-Canada boundary line located at Pine Creek, Minn., and Pembina, N. Dak., to points in Minnesota and North Dakota, and restricted to the accounts of Barkman Concrete Co. and Barkman Manufacturing Ltd.

No. MC-FC-73471. By order of February 25, 1972, the Motor Carrier Board approved the transfer to Main Line Movers, Inc., Ardmore, Pa., of the operating rights in certificates Nos. MC-95554 and MC-95554 (Sub-No. 1) issued June 10, 1949, and July 16, 1964, respectively, to George Plank, Jr., Clifton Heights, Pa., authorizing the transportation of household goods, as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, between Philadelphia, Pa., and points in Pennsylvania within 10 miles of Philadelphia, on the one hand, and, on the other, the District of Columbia, Boston, Mass., and points within 20 miles of Boston, points in New Jersey, those in the New York, N.Y., commercial zone, and those in Long Island, N.Y., traversing Maryland, Delaware, Rhode Island, and Connecticut for operating convenience only; and between Philadelphia, Pa., on the one hand, and, on the other, points in New York, New Jersey, Maryland, and Delaware. Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, PA 19102, attorney for applicants.

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

[FR Doc.72-3242 Filed 3-2-72;8:48 am]

[Notice 22-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 29, 1972.

Application filed for temporary authority under section 210(a)(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-73515. By application filed February 24, 1972, SCOTTY'S TRUCK LINE, INC., Mammoth Spring, Ark. 72554, seeks temporary authority to lease the operating rights of B & B LINES, INC., Jonesboro, Ark. 72401, under section 210a(b). The transfer to SCOTTY'S TRUCK LINE, INC., of the operating rights of B & B LINES, INC., is presently pending.

By the Commission.

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

[FR Doc.72-3243 Filed 3-2-72;8:48 am]

[Notice 22-B]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 29, 1972.

Application filed for temporary authority under section 210(a)(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-73516. By application filed February 22, 1972, KENTUCKY WESTERN TRUCK LINES, INC., Post Office Box 623, Hopkinsville, KY 42240, seeks temporary authority to lease the operating rights of W. G. THALMANN, doing business as JONES TRUCK LINE, Route 6, Madisonville Road, Hopkinsville, Ky. 42240, under section 210a(b). The transfer to KENTUCKY WESTERN TRUCK LINES, INC., of the operating rights of W. G. THALMANN, doing business as JONES TRUCK LINE, is presently pending.

By the Commission.

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

[FR Doc. 72-3244 Filed 3-2-72;8:48 am]

[Ex Parte No. MC-1]

PAYMENT OF RATES AND CHARGES OF MOTOR CARRIERS

Extension of Credit to Shippers

FEBRUARY 7, 1972.

Notice is hereby given that, by petition filed December 22, 1971, the American Trucking Associations, Inc., requests the Commission to institute a rule making proceeding, pursuant to the provisions of Rule 44 of the Commission's general rules of practice (49 CFR 1100.44) and the provisions of the Administrative Procedure Act (5 U.S.C.A. section 553), and to reopen the proceeding in Ex Parte No. MC-1, Payments of Rates and Charges of Motor Carrier, 326 ICC 483, to amend section 1322 of the motor common carrier credit regulations (49 CFR Part 1322), governing the extension of credit by motor common carriers to shippers.

As here pertinent, section 223 of the Interstate Commerce Act (49 U.S.C. section 323) provides:

No common carrier by motor vehicle shall deliver or relinquish possession at destination of any freight transported by it in interstate or foreign commerce until all tariff rates and charges thereon have been paid, except under such rules and regulations as the Commission may from time to time prescribe to

govern the settlement of all such rates and charges, including rules and regulations for weekly or monthly settlement, and to prevent unjust discrimination or undue preference or prejudice.

Pursuant thereto, the Commission prescribed regulations whereby motor common carriers could, under certain conditions, extend credit to shippers, and those regulations, as modified and amended, are presently in effect.

The petitioner now seeks to extend the regulations to shippers by the addition of the following section to Part 1322:

§ 1322.6 *Required payment by shippers within prescribed period.*

Shippers to whom credit has been extended under the provisions of this part must pay the required transportation charges within the credit period prescribed herein.

In support of the petition, the petitioner alleges that (1) an economically sound and viable transportation industry must maintain an optimum cash flow, (2) motor carriers comply with the regulations by submitting their bills to the shippers within the prescribed periods, (3) the shippers fail to pay their bills within the required periods, (4) the shippers threaten to utilize other carriers' services when advised by the carriers that the regulations require payment within 7 days, (5) economic survival impels carriers not to alienate valued shipper-customers, (6) inadequate action has been taken to prosecute shippers where warranted, and (7) the Commission has the authority delegated by Congress to prescribe rules and regulations which apply to both parties to the transportation contract, governing the settlement of all rates and charges.

A copy of this notice will be served upon the petitioner, and notice of the filing of the petition will be given to the general public by depositing a copy of this notice in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal-Register, for publication therein. Copies of any future notices, orders, etc., herein will be served only on petitioner and those responding to this notice.

Any persons interested in the matter which is the subject of the petition, and desiring to participate in any subsequent proceedings may, on or before 30 days from the publication of this notice in the FEDERAL REGISTER, file a statement indicating merely whether they support or oppose the determination sought. An original and 15 copies of such replies must be filed with the Office of Proceedings of this Commission (Room 5334), and must show service of 2 copies thereof upon petitioner's attorneys, Peter T. Beardsley, Nelson J. Cooney, and Richard A. Mehley, 1616 P Street NW., Washington, DC 20036. Thereafter, the nature of further proceedings herein, if any, will be designated.

Written material or suggestions submitted will be available for public inspection at the offices of the Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, D.C., during regular business hours.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-3249 Filed 3-2-72;8:49 am]

CUMULATIVE LIST OF PARTS AFFECTED—MARCH

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 March.

5 CFR

	Page
213	4325
316	4256
930	4325

7 CFR

	Page
907	4342
908	4342
993	4245
1046	4343
1137	4343
PROPOSED RULES:	
301	4443
319	4443
911	4345
929	4443
946	4444
987	4263
1065	4352
1133	4264
1804	4267
1823	4267

9 CFR

	Page
97	4246
PROPOSED RULES:	
318	4356

12 CFR

	Page
PROPOSED RULES:	
225	4359

13 CFR

	Page
PROPOSED RULES:	
120	4365

14 CFR

	Page
21	4325
71	4325, 4326
73	4326
75	4326
91	4326
PROPOSED RULES:	
71	4357
121	4358
373	4452

15 CFR

	Page
701	4325

16 CFR

	Page
13	4246–4255
501	4429

17 CFR

	Page
230	4327
231	4327
239	4329
240	4329, 4330
249	4330, 4331
PROPOSED RULES:	
230	4359
239	4359, 4365
240	4454
249	4365

21 CFR

	Page
121	4331, 4332
135	4332, 4333, 4429
135b	4332, 4333
135c	4333, 4430
135e	4429
141	4431
145	4431
148w	4334
149u	4431
PROPOSED RULES:	
148e	4357

24 CFR

	Page
201	4256
215	4256
1914	4434
1915	4435

29 CFR

	Page
55	4436

32 CFR

	Page
70	4257
301	4334

32A CFR

	Page
Ch. X:	
OI Reg. 1	4259, 4260

33 CFR

	Page
117	4432, 4433
207	4337
PROPOSED RULES:	
80	4292
95	4292
117	4451, 4452

40 CFR

	Page
180	4338
PROPOSED RULES:	
164	4298

41 CFR

	Page
8–52	4257
114–35	4257

43 CFR

PROPOSED RULES:

	Page
1720	4262
4110	4262, 4263
4120	4262, 4263
4130	4262, 4263

46 CFR

PROPOSED RULES:

	Page
10	4292
25	4292
30	4292
31	4292

46 CFR—Continued

PROPOSED RULES—Continued

	Page
32	4292
33	4292
34	4292
61	4292
70	4292
71	4292
72	4357
75	4292
90	4292
91	4292
92	4292, 4357
93	4292
94	4292
112	4292
146	4294
180	4292
187	4292
188	4292
190	4292, 4357
192	4292

47 CFR

	Page
73	4339
81	4441
83	4441
PROPOSED RULES:	
2	4454

49 CFR

	Page
393	4340
1005	4257
1033	4429
PROPOSED RULES:	
172	4295
173	4295
174	4295
177	4295
178	4295
179	4295

50 CFR

	Page
33	4342

LIST OF FEDERAL REGISTER PAGES AND DATES—MARCH

Pages	*Date*
4239–4318	Mar. 1
4319–4424	2
4425–4692	3

federal register

FRIDAY, MARCH 3, 1972
WASHINGTON, D.C.

Volume 37 ■ Number 43

PART II

Guide to Record Retention Requirements

(Title 1, Appendix A)

No. 43—Pt. II——1

GUIDE TO RECORD RETENTION REQUIREMENTS

(1 CFR, Appendix A)

REVISION AS OF JANUARY 1, 1972

This is a Guide in digest form to the provisions of Federal laws and regulations relating to the keeping of records by the public. It tells the user (1) what records must be kept, (2) who must keep them, and (3) how long they must be kept.

The Guide is derived from the laws published in the United States Code, as amended by laws enacted during 1971, and from the regulations published in the Code of Federal Regulations, as amended in the daily issues of the FEDERAL REGISTER through December 31, 1971.

The Guide is prepared by the Office of the Federal Register, National Archives and Records Service, General Services Administration.

Coverage

In preparing the Guide it was necessary to establish boundaries in order to keep it from going beyond its intended purpose. The nature of these boundaries is outlined below.

As indicated by its name, the Guide adheres strictly to the retention of records. It does not cover such matters as the furnishing of reports to Government agencies, the filing of tax returns, or the submission of supporting evidence with applications or claims.

The Guide is limited to provisions which apply to a class. Requirements applying only to named individuals or bodies have been omitted.

The Guide is confined to requirements which have been expressly stated. In many laws and regulations there is an implied responsibility to keep copies of reports and other papers furnished to Federal agencies, and to keep related working papers. Such implied requirements have not been included in the Guide.

The following types of requirements have also been excluded from the Guide:

(1) Requirements as to the keeping of papers furnished by the Government, such as passports, licenses, permits, etc., unless they are closely related to other records which must be kept.

(2) Requirements as to the display of posters, notices, or other signs in places of business.

(3) Requirements contained in individual Government contracts, unless the contracts are incorporated in the Code of Federal Regulations.

Arrangement

The digests of recordkeeping provisions comprising the Guide are grouped under the Departments or independent agencies which impose or administer them (see "Contents"). Individual items are numbered to simplify indexing.

In general, the items retain their original numbers from year to year. Renumbering occurs only after a major revision of the material and is so indicated in brackets after the name of the agency involved. In the Department of Labor, the material under the Bureau of Employees Compensation, Division of Public Contracts, and the Wage and Hour Division, and certain items under the Bureau of Labor Standards was reorganized under the Employment Standards Administration. The remaining items in the Bureau of Labor Standards were transferred to the Occupational Safety and Health Administration. The Independent Agencies, beginning with XIII, have been renumbered. Individual items revised, amended, deleted, or added are shown in brackets following the item heading.

Two supplements to the Guide contain generalized information about certain requirements under the Second War Powers Act of 1942 and detailed information on requirements imposed by the Civil Aeronautics Board relative to the availability of credentials for inspection.

An index to the Guide follows the last supplement.

NOTICE

The Guide to Record Retention Requirements does not have the effect of law, regulation, or ruling. It is published as a guide to legal requirements that appear to be in effect as of January 1, 1972.

CONTENTS

Page

I. Department of Agriculture

1. Foreign Agricultural Service 4604
2. Consumer and Marketing Service 4604
3. Animal and Plant Health Service (formerly Agricultural Research Service) 4606
4. Agricultural Stabilization and Conservation Service 4606
5. Commodity Credit Corporation 4608
6. Commodity Exchange Authority 4609
7. Farmers Home Administration 4610
8. Federal Crop Insurance Corporation 4610
9. Packers and Stockyards Administration 4610
10. Office of the Secretary 4611
11. Export Marketing Service 4611
12. Food and Nutrition Service 4611

II. Department of Commerce

1. Economic Development Administration 4612
2. Bureau of Domestic Commerce 4612
3. Assistant Secretary of Science and Technology 4613
4. International Commerce, Bureau of 4613
5. Maritime Administration
6. Foreign Direct Investments, Office of 4615
7. Assistant Secretary for Domestic and International Business 4616
8. National Oceanic and Atmospheric Administration 4616
9. Regional Action Planning Commissions 4616
10. United States Travel Service [Added] 4616
11. Bureau of the Census [Added] 4616

III. Department of Defense (Departments of Army, Navy, Air Force)

1. Department of the Air Force [Renumbered] 4616
2. Department of the Army [Renumbered] 4616

IV. Department of Health, Education, and Welfare

1. Education, Office of 4617
2. Food and Drug Administration 4620
3. Public Health Service 4622
4. Social Security Administration 4624
5. Social and Rehabilitation Service 4625
6. General Administration 4626

V. Department of Housing and Urban Development

1. Office of the Secretary 4626
2. Federal Housing Administration 4627
3. Office of Assistant Secretary for Research and Technology 4627

Page

VI. Department of the Interior

1. Office of the Secretary 4628
2. Fish and Wildlife Service 4628
3. Geological Survey 4628
4. Indian Affairs, Bureau of 4628
5. and 6. [Reserved]
7. Mines, Bureau of 4629
8. National Park Service 4629
9. Water Resources Research, Office of 4629
10. [Reserved]
11. Office of Oil and Gas 4629

VII. Department of Justice 4629

VIII. Department of Labor

1. Office of the Secretary 4629
2. Employment Standards Administration 4630
3. Labor-Management Services Administration (Formerly Office of Labor-Management Services and Welfare-Pension Reports) 4632
4. Occupational Safety and Health Administration 4633
5. [Combined with 2.]
6. [Reserved]
7. [See 2. and 4.]

IX. [Transferred to XL]

X. Department of State

1. Munitions Control, Office of 4634
2. Agency for International Development 4634

XI. Department of the Treasury

1. Accounts, Bureau of 4634
2. Comptroller of the Currency 4634
3. Customs, Bureau of 4634
4. Internal Revenue Service 4635
5. Foreign Assets Control, Office of 4655
6. Domestic Gold and Silver Operations, Office of 4655
7. [Reserved]
8. [Deleted]

XII. Department of Transportation

1. Federal Aviation Administration 4655
2. Federal Highway Administration 4658
3. United States Coast Guard 4658
4. Federal Railroad Administration 4660
5. National Transportation Safety Board 4660
6. Office of the Secretary 4660
7. National Highway Traffic Safety Administration [Revised] 4661

XIII. ACTION [Added] 4661

XIV. Appalachian Regional Commission 4661

XV. Atomic Energy Commission 4661

XVI. Civil Aeronautics Board 4662

XVII. Committee for Purchases of Products and Services of the Blind and Other Severely Handicapped [Amended] 4663

Page

XVIII. Environmental Protection Agency [Revised] 4664

XIX. Equal Employment Opportunity Commission 4664

XX. Farm Credit Administration [Added] 4664

XXI. Federal Communications Commission 4664

XXII. Federal Deposit Insurance Corporation 4667

XXIII. Federal Home Loan Bank Board

1. Federal Savings and Loan System 4667
2. Federal Savings and Loan Insurance Corporation 4668
3. Federal Home Loan Bank System 4668

XXIV. Federal Maritime Commission 4668

XXV. Federal Power Commission 4668

XXVI. Federal Reserve System 4668

XXVII. Federal Trade Commission 4669

XXVIII. General Accounting Office 4670

XXIX. General Services Administration 4670

XXX. Interstate Commerce Commission 4671

XXXI. National Aeronautics and Space Administration 4671

XXXII. National Credit Union Administration 4673

XXXIII. National Science Foundation 4673

XXXIV. Office of Economic Opportunity 4673

XXXV. Panama Canal Company and Canal Zone Government 4673

XXXVI. Price Commission [Added] 4673

XXXVII. Railroad Retirement Board 4673

XXXVIII. Securities and Exchange Commission 4673

XXXIX. Small Business Administration 4675

XL. United States Postal Service 4675

XLI. Veterans Administration 4675

XLII. Water Resources Council [Added] 4676

Supplements:

I—Requirements under the Second War Powers Act of 1942 4676

II—Aeronautics and Space Requirements on Availability of Credentials for Inspection 4676

Index 4676

I. DEPARTMENT OF AGRICULTURE

1. Foreign Agricultural Service

1.1 Persons importing certain dairy commodities.

To keep records of importations and of the transactions relating to the procurement and disposition of such commodities.

Retention period: Not less than 2 years subsequent to the end of the quota period during which the importation was made. 7 CFR 6.28

2. Consumer and Marketing Service

2.1 Orange and grapefruit handlers.

To maintain records of fruit received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 906.51

2.2 Central marketing organizations.

To keep records regarding allotment transactions for lemon handlers.

Retention period: 3 years. 7 CFR 910.62

2.3 Lime handlers.

To maintain records of limes received and disposed of in order to verify reports submitted to the Florida Lime Administrative Committee.

Retention period: At least 2 succeeding fiscal years. 7 CFR 911.60

2.4 Nectarine handlers.

To keep records of nectarines received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding fiscal years. 7 CFR 916.60

2.4a Pear, plum, and peach handlers in California.

To maintain records of fruits received and disposed of as necessary to verify reports submitted to the Control Committee.

Retention period: 2 fiscal years. 7 CFR 917.50

2.5 Peach handlers.

To maintain records of peaches received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 921.60

2.6 Apricot handlers.

To maintain records of apricots received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 922.60

2.7 Cherry handlers. [Amended]

To maintain records of cherries received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 923.60, 930.63

2.8 Fresh prune handlers.

To maintain records of prunes received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 924.60, 925.60

2.9 Potato handlers.

To keep records of potatoes received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 947.80, 948.80, 950.80, 953.75

2.10 Onion handlers.

To maintain records of onions received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 958.65, 959.80

2.11 Tomato handlers.

To maintain records of tomatoes received and disposed of as may be necessary to verify the reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 965.80, 966.80

2.12 Papaya handlers. [Added]

To maintain records of papayas received and disposed of by handler as may be necessary to verify reports requested.

Retention period: 2 years. 7 CFR 928.60

2.13 Lettuce handlers.

To maintain records of lettuce received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 971.80

2.13a Celery producers and handlers in Florida.

To maintain records to substantiate the reports required by the Florida Celery Committee.

Retention period: Not less than 1 year after end of season. 7 CFR 967.71

2.14 Almond handlers.

To keep records showing details of receipt of almonds, withholdings, sales, shipments, inventories, reserve disposition, and other pertinent information in respect to operations.

Retention period: 2 years after end of crop year to which such records apply. 7 CFR 981.70

2.15 Almond handlers.

To keep copies of receipts they have issued for almonds received for their own accounts.

Retention period: 2 years after end of crop year to which such records apply. 7 CFR 981.71 (retention: 981.70)

2.16 Filbert handlers.

To keep records of shelled and in-shell filberts received and disposed of as prescribed by Filbert Control Board.

Retention period: 2 years after end of fiscal year in which transaction occurred. 7 CFR 982.71

2.17 Walnut handlers.

To keep records of shelled and in-shell walnuts and walnut material received, held, and disposed of.

Retention period: 2 years after end of marketing year in which transactions are completed. 7 CFR 984.80, 984.464, 984.480

2.18 Date handlers.

To maintain records of the receipt, holding, handling, withholding, and disposition of dates.

Retention period: At least 2 years subsequent to termination of each crop year. 7 CFR 987.68, 987.168

2.19 Raisin handlers.

To keep records as prescribed by the Raisin Administrative Committee, of raisins received, acquired, stored, sold, and otherwise disposed.

Retention period: At least 2 years after the termination of the crop year in which the transactions occurred. 7 CFR 989.76, 989.77, 989.176

2.20 Olive handlers.

To maintain records of olives acquired, held, and disposed of as may be prescribed by the Olive Administrative Committee and needed by it to perform its functions.

Retention period: At least 2 years beyond the crop year in which the transaction occurred. 7 CFR 932.61

2.21 Prune handlers.

To keep records of prunes received, held, and disposed of as prescribed by the Prune Administrative Committee.

Retention period: At least 2 years after the end of the crop year in which the transaction occurred. 7 CFR 993.74, 993.174

2.21a Cranberry handlers.

To maintain records of all cranberries acquired, withheld from handling, handled or otherwise disposed of as will substantiate the required reports.

Retention period: Not less than 3 years after termination of the crop year in which the transaction occurred or for such lesser period as the committee may direct. 7 CFR 929.61

2.21b Pear handlers.

To maintain records of pears received and disposed of as may be necessary to verify reports submitted thereon.

Retention period: At least 2 succeeding years. 7 CFR 931.60

2.21c Hops handlers.

To maintain such records of hops handled or held as will substantiate the required reports.

Retention period: At least 2 years after end of marketing year. 7 CFR 991.61

2.21d Handlers (including each subsidiary and affiliate thereof) of Type 62 Shade Tobacco.

To keep such books and records as will clearly show the details of the respective person's handling of tobacco, including, but not limited to, identification of the grower of the tobacco and the field in which produced.

Retention period: 5 years. 7 CFR 1201.60, 1201.130

2.22 Shippers handling fruits and vegetables covered by exemption certificates under marketing order programs. [Amended]

To keep records of such shipments.

Retention period: Not specified, except for tomatoes (at least 2 succeeding years). 7 CFR 917.141, 951.180, 966.80

(Certificate (record) returned after shipment of commodities (pears, grapes).) 7 CFR 926.122, 927.125

2.23 Commission merchants, dealers, and brokers of fruits and vegetables subject to the Perishable Agricultural Commodities Act of 1930.

(a) To keep accounts, records, memoranda, and documents which disclose all business transactions.

Retention period: 2 years. 7 CFR 46.14, 46.15, 46.17–46.19, 46.21–46.24, 46.28, 46.29, 46.31, 46.32

(b) To preserve records and memoranda which disclose the true ownership and management of the business.

Retention period: 4 years. 7 CFR 46.14

2.24 Date and prune importers. [Added]

To maintain records of transactions.

Retention period: 2 years subsequent to calendar year of acquisition. 7 CFR 999.1, 999.200

2.25–2.26 [Reserved]

2.27 Transporters, shippers, and handlers of eggs. [Added]

To maintain records (a) showing receipt, delivery, sale, movement, and disposition of eggs and egg products and (b) of dates of shipment, sale, inventories, class and quantities of product, production, as needed for shell egg handlers and egg processing operations.

Retention period: 2 years. 7 CFR 59.200

2.28 Persons processing, transporting, shipping, or receiving poultry slaughtered for human consumption or poultry products in commerce, or holding such products.

To maintain detailed records of such transactions as specified in the regulations.

Retention period: 2 years. 7 CFR 81.152

2.29 Dairy plants approved for USDA inspection and grading service.

To maintain (a) records of quality tests made on raw milk and cream received from each producer, seller, or shipper and of plant and laboratory tests and analyses of raw materials and finished products, (b) pasteurization recorder charts and water supply test certificates, and (c) most recent copy of employee health certificate.

Retention period: (a) 1 year, (b) 6 months, (c) until employee no longer employed. 7 CFR 58.148, 58.322

2.30—2.37 [Reserved]

2.38 Licensed agricultural products warehousemen.

To keep copies of all receipts issued.

Retention period: 1 year after December 31 of the year in which the corresponding original receipt is canceled. 7 CFR 101.17, 102.20, 103.17, 104.17, 105.17, 106.17, 107.17, 108.17, 111.18

2.39 Licensed agricultural products warehousemen.

To retain each canceled receipt.

Retention period: 6 years after December 31 of the year in which receipt is canceled and for such longer period as may be necessary for the purpose of any litigation which the warehouseman knows to be pending, or as may be required by the Administrator in particular cases to carry out the purposes of the act. 7 CFR 101.28, 102.34, 103.28, 104.28, 105.29, 103.30, 107.31, 108.29, 111.33.

2.40 Licensed agricultural products warehousemen.

To keep a copy of his current rules and schedule of charges exposed conspicuously in a place accessible to the public.

Retention period: Required to expose current copy only. 7 CFR 101.29, 102.35, 103.29, 104.31, 105.30, 106.31, 107.32, 108.30, 111.34

2.41 Licensed agricultural products warehousemen.

Shall use for his licensed warehouse a system of accounts approved for the purpose by the Service, and maintain such records as are specified.

Retention period: 6 years after December 31 of the year in which created and for such longer period as may be necessary for the purposes of any litigation which the warehouseman knows to be pending, or as may be required by the Administrator in particular cases to carry out the purposes of the act. 7 CFR 101.33, 102.37, 103.40, 104.28, 105.33, 106.37, 107.39, 108.33, 111.41

2.42 Licensed agricultural products warehousemen.

Shall keep on file an exact copy of each report required to be submitted by such warehouseman.

Retention period: 3 years after December 31 of the year in which submitted. 7 CFR 101.36, 102.38, 103.41, 104.29, 105.35, 106.39, 107.42, 108.35, 111.44

2.43 Licensed cotton warehousemen.

To keep copies of certificates covering cotton stored, and copies of Form A memorandums and Form C certificates issued by a board of cotton examiners which forms a basis of any receipt issued.

Retention period: 1 year after December 31 of the year in which the receipt based on such certificates or memoranda is canceled. 7 CFR 101.47

2.44 Licensed cotton warehousemen.

To keep records of cotton sampling including the written request, if any.

Retention period: 1 year after December 31 of the year in which such cotton is removed from the warehouse. 7 CFR 101.49

2.45 Licensed classifiers, inspectors, graders, and weighers of agricultural commodities.

To keep copies of certificates issued by them.

Retention period: 1 year. 7 CFR 101.61, 102.69, 104.57, 105.59, 106.66, 107.68, 108.59, 111.70

2.46 Licensed agricultural products warehousemen.

To keep either copies of, or the original inspection, grade and/or weight, certificates covering lots of commodities stored.

Retention period: 3 years after December 31 of the year in which issued. 7 CFR 102.29, 103.24, 105.46, 106.54, 107.55, 108.47, 111.56

2.47 Licensed grain warehousemen.

To keep records of weights, kinds, and grades of all lots of nonstorage grain received into and delivered from warehouses.

Retention period: 1 year after December 31 of the year in which the lot of nonstorage grain is delivered from the warehouse. 7 CFR 102.30

2.48 Licensed agricultural products warehousemen.

To keep as a record notices of the condition of commodities stored in the warehouse.

Retention period: 6 years after December 31 of the year in which created, and for such longer period as may be necessary for the purposes of litigation which the warehouseman knows is pending, or as may be required by the Administrator in particular cases to carry out the purposes of the act. 7 CFR 102.54, 103.39, 106.48, 107.51, 108.42, 111.52

2.49 Persons shipping agricultural and vegetable seeds subject to the Federal Seed Act regulations.

To keep complete records of each lot of agricultural and vegetable seeds transported or delivered for transportation in interstate commerce, including records necessary to disclose the name of any substance used in the treatment of such seed.

Retention period: 3 years for documents, 1 year for seed samples, including separate samples of the treated seed portion of any lot of seed. 7 CFR 201.4–201.7a

2.50 Country shippers of agricultural seeds subject to the Federal Seed Act regulations.

To keep copies of origin declarations they have issued and records showing names and addresses of growers or country shippers from whom seeds were purchased, quantity, and date of delivery.

Retention period: 3 years. 7 CFR 201.5 (retention: 201.4)

2.51 Procurers of seeds from growers subject to the Federal Seed Act regulations.

To obtain and keep the grower's declaration.

Retention period: 3 years. 7 CFR 201.7 (retention: 201.4)

2.52 Growers of seeds subject to the Federal Seed Act regulations.

To keep copy of the grower's declaration and a sample of the seed.

Retention period: 3 years for documents, 1 year for seed samples. 7 CFR 201.7 (retention: 201.4)

2.53 Cotton handlers.

To maintain books and records necessary to carry out the provisions of the Cotton Research and Promotion Act and to verify required reports.

Retention period: At least 2 years beyond the marketing year of their applicability. 7 CFR 1205.335, 1205.531, 1205.532

2.54 Licensed cottonseed chemists.

To keep records of the analysis of each individual sample of cottonseed graded as well as books, papers, records, and accounts relating to the performance of their duties under the Agricultural Marketing Act of 1946 and the regulations made under the act by the Secretary of Agriculture.

Retention period: At least 1 year after date of analysis. 7 CFR 61.15

2.55 Grain inspection agencies and licensees. [Amended]

To maintain complete records of each inspection activity performed.

Retention period: 2 years after inspection (other than file samples). 7 CFR 26.55

2.56 Accredited turpentine and rosin processors for naval stores.

To keep such records as may be necessary to submit correct reports.

Retention period: Not specified. 7 CFR 160.50

2.57 Diverters participating in fresh Irish potatoes-livestock feed diversion program.

To keep records and accounts showing the details relative to the diversion and disposition of such potatoes.

Retention period: 3 years after date of last payment or 2 years after date of audit by USDA, whichever is later. 7 CFR 208.18

2.58–2.59 [Reserved]

2.60 Milk handlers. [Amended]

To maintain records pertaining to receipt and use of milk and milk products, including records of production, processing, and distribution, and financial records relating thereto.

Retention period: 3 years, but can be extended by the market administrator by written notice. 7 CFR 1000.5 (For specific marketing area, see Parts 1001–1159.)

2.61 Carriers transporting meat.

To keep original certificates delivered to a carrier separate and apart from all its other papers and records or identified in some acceptable manner so as to be readily accessible for review.

Retention period: 2 years after end of year in which transaction occurred. 9 CFR 325.14

2.62 Meatbrokers, renderers, and other persons dealing in animal carcasses for use as human or animal food.

To keep records as specified in section cited.

Retention period: 2 years after end of year in which the transaction occurred, or longer if directed by the Administrator. 9 CFR 320.1 (retention: 320.3)

2.63 Custom slaughter operators claiming exemption.

To keep records as specified in section cited or by the Administrator.

Retention period: 2 years after end of year in which the transaction occurred or longer if directed by the Administrator. 9 CFR 303.1 (retention 320.3)

2.64 Transporters of undenatured livestock lungs. [Added]

To keep shipper's certificate.

Retention period: 2 years after end of year in which transaction occurred. 9 CFR 325.8 (retention: 320.3)

3. Animal and Plant Health Service [Revised]

3.1 Licensed manufacturers (domestic and foreign), distributors, and importers of biological products. [Amended]

To keep detailed (a) production records including reports of all tests for purity, safety, and potency for each serial of biological product manufactured in or offered for importation into the United States, and (b) disposition records showing the sale, shipment, or other disposition made of the biological products handled.

Retention period: 2 years after expiration date of the product involved, or longer if requested by the Deputy Administrator, Veterinary Services. 9 CFR 116.1 (retention: 116.2)

3.2 [Reserved]

3.3 Distributors of biological products marketed under special license.

To keep complete records showing the name and address of each purchaser of the product and the name, serial number, and quantity of the product sold to such purchaser when the maintenance of records of distribution of biological products marketed under special license is a condition of the issuance of the special license.

Retention period: Not specified. 9 CFR 102.6(b)(3)

3.4 [Deleted]

3.5 [Reserved]

3.6 Research investigators or research sponsors administering experimental biological products to animals.

To maintain adequate records relative to the disposition of each animal administered experimental biological products. Such records include name and address of owner, pertinent data about animals and their location, and, if sold, name and address of purchaser.

Retention period: At least 2 years from the date that an experimental product was administered to such animal. 9 CFR 103.2

3.7 [Reserved]

3.8 Research facilities, exhibitors, operators of auction sales, and dealers engaged in transportation, sale, and handling of certain warm blooded animals used for research, exhibition, or pet purposes. [Amended]

To keep records with respect to the purchase, sale, transportation, identification, and previous ownership.

Retention period: 2 years or longer as may be required by any Federal, State, or local law. 9 CFR 2.75–2.78 (retention: 2.79)

3.9 Operators of specifically approved stockyards and livestock markets.

To maintain records of origin and destination of all swine handled through markets, and records of identification of certain classes of swine.

Retention period: 1 year after transaction. 9 CFR 76.16(b)

4. Agricultural Stabilization and Conservation Service

4.1 [Reserved]

4.2 Producers of gum naval stores from turpentine trees.

To keep records of faces by tracts and drifts in connection with the Naval Stores and Agricultural Conservation Programs.

Retention period: 2 years following close of applicable program year. 1969—7 CFR 706.706; 1970—7 CFR 706.806 (retention: 7 CFR 708.1)

4.2a Food processors participating in the wheat marketing allocation program.

To maintain records and documents for each processing plant of all wheat processed into food products and of all sales and removals of food products from processing plants.

Retention period: 3 years. 7 CFR 777.15

4.2b [Reserved]

4.2c Handlers under milk indemnity program. [Amended]

To keep existing books, records, and accounts supporting any information furnished in connection with the program.

Retention period: 3 years following the end of the year during which application for payment was filed. 7 CFR 760.21

4.3 Ginners of cotton.

To keep for each bale of cotton or lot less than a bale ginned by him records showing (a) date of ginning; (b) name of operator of farm on which cotton produced; (c) name of producer of cotton; (d) county and State in which farm located; (e) gin bale number or mark; (f) name and address of person deliver-

ing cotton to gin; and (g) gross weight of each bale and net weight of each lot of lint cotton less than a bale.

Retention period: [1] Until December 31 of second year following year in which cotton is planted. 7 CFR 722.89 (retention: 722.92)

4.4 Buyers of cotton.

To keep for each bale of cotton or lot less than a bale purchased from a producer records showing (a) name and address of the producer; (b) date purchased; (c) original gin bale number or equivalent; (d) number of pounds of lint cotton in each bale and lot; and (e) amount of penalties to be collected, if any.

Retention period: [1] Until December 31 of second year following year in which cotton is planted. 7 CFR 722.90 (retention: 722.92)

4.5–4.6 [Reserved]

4.7 Warehousemen, ginners, buyers, processors, common carriers, and other persons handling cotton from, for, or on behalf of the producer.

To keep records concerning such cotton so that the accuracy of any reports or other records that may be required can be checked.

Retention period: [1] Until December 31 of second year following year in which cotton is planted. 7 CFR 722.91 (retention: 722.92)

4.8 Producers of cotton.

To keep records of cotton marketed; and a copy of certificate showing name and address of buyer or transferee if marketed to persons not within the United States.

Retention period: [1] Until December 31 of second year following year in which cotton is planted. 7 CFR 722.94

4.9 Producers and producer-manufacturers of burley, fire-cured, dark air-cured, Virginia sun-cured, cigar-binder, cigar-filler and binder, and Maryland tobacco.

To keep copies of reports with respect to disposition of tobacco marketed and (a) number of acres harvested, (b) total production, (c) amount on hand and its location, and (d) for each lot marketed, name and address of person to or through whom marketed, gross price, number of pounds marketed, and date of marketing.

Retention period: [1] 1968–69 and succeeding marketing years—3 years after end of marketing year. 7 CFR 724.95 (retention: 724.109)

4.10 Producers of flue-cured tobacco.

To keep copies of reports with respect to disposition of tobacco marketed and (a) number of acres harvested, (b) total production, (c) amount on hand and its location, and (d) for each lot marketed name and address of person to or through whom marketed, gross price, number of pounds marketed, and date of marketing, (e) details of tobacco disposed of other than by sale.

Retention period: [1] 1970–71 and succeeding marketing years—3 years after end of marketing year. 7 CFR 725.98 (retention: 725.108)

4.11 Buyers of cigar-filler tobacco, cigar-filler and binder tobacco, and cigar-binder tobacco under marketing quota regulations.

To keep records with respect to each sale of tobacco made by producer to buyer, and to furnish the name of the farm operator and the amount of each grade of tobacco obtained from the grading of tobacco from each farm; also to record other specified information and maintain records of sale and disposition of tobacco; and to keep copies of required reports.

Retention period: [1] 1968–69 and succeeding marketing years—3 years after end of marketing year. 7 CFR 724.101, 724.109

4.12 Truckers and persons redrying, prizing, or stemming burley, fire-cured, dark air-cured, Virginia sun-cured, cigar-binder, cigar-filler and binder, and Maryland tobacco.

To keep complete and detailed records containing specified information concerning each lot of tobacco received and copies of required reports.

Retention period: [1] 1968–69 and succeeding marketing years—3 years after end of marketing year. 7 CFR 724.103 (retention: 724.109)

4.13 Truckers and persons redrying, prizing, or stemming flue-cured tobacco.

To keep complete and detailed records containing specified information concerning each lot of tobacco received and copies of required reports.

Retention period: [1] 1970–71 and succeeding marketing years—3 years after end of marketing year. 7 CFR 725.102 (retention: 725.108)

4.14 Warehousemen handling burley, fire-cured, dark air-cured, Virginia sun-cured, cigar-binder, cigar-filler and binder, and Maryland tobacco.

To keep records that will permit furnishing detailed information of all transactions.

Retention period: [1] 1968–69 and succeeding marketing years—3 years after end of marketing year. 7 CFR 724.96–724.98 (retention: 724.109)

4.15 Warehousemen handling flue-cured tobacco. [Amended]

To keep records that will permit furnishing detailed information of all transactions.

Retention period: [1] 1970–71 and succeeding marketing years—3 years after end of marketing year. 7 CFR 725.99, 725.112 (retention: 725.108)

4.16 Dealers handling burley, fire-cured, dark air-cured, Virginia sun-cured, cigar-binder, cigar-filler and binder, and Maryland tobacco.

To keep records that will permit furnishing detailed information of all transactions.

Retention period: [1] 1968–69 and succeeding marketing years—3 years after end of marketing year. 7 CFR 724.99 (retention: 724.109)

4.17 Dealers handling flue-cured tobacco.

To keep records that will permit furnishing detailed information of all transactions.

Retention period: [1] 1970–71 and succeeding marketing years—3 years after end of marketing year. 7 CFR 725.100 (retention: 725.108)

4.18–4.26 [Reserved]

4.27 Wheat producers, warehousemen, elevator operators, feeders, processors or transferees, and buyers.

To keep records of wheat transactions (as specified in the regulations).

Retention period: 2 calendar years beyond the calendar year in which the marketing year ends. 7 CFR 728.1173, 728.1174, 728.1177

4.27a Industrial users of flour second clears.

To maintain accurate records and documents supporting information shown on Form CCC–161 (Industrial Users Production Report and Claim for Refund).

Retention period: 3 years. 7 CFR 777.19

4.27b Distributors of flour second clears.

To maintain accurate records and documents, including Forms CCC–165 (Processor Certification) and CCC–165–1 (Flour Second Clears), relating to the sale of flour second clears to industrial users.

Retention period: 3 years. 7 CFR 777.20

4.28 Peanut producers.

To keep copies of specified reports on disposition of peanuts produced and marketed.

Retention period: [1] 3 years following end of pertinent marketing year. 7 CFR 729.52 (retention: 729.66)

4.29 Peanut buyers.

To keep detailed records of peanuts marketed and sales memoranda with respect to farmers stock peanuts and shelled peanuts purchased from producers.

Retention period: [1] 3 years following end of pertinent marketing year. 7 CFR 729.57 (retention: 729.66)

4.30 Peanut shellers.

To maintain detailed records and keep copies of reports pertaining to the shelling of each lot of peanuts (including record of peanuts retained by the sheller) as specified in the regulations.

Retention period: [1] 3 years following end of pertinent marketing year. 7 CFR 729.62 (retention: 729.66)

4.30a Driers of farmers stock peanuts.

To maintain records as specified in the regulations.

Retention period: [1] 3 years following end of pertinent marketing year. 7 CFR 729.60, 729.61 (retention: 729.66)

[1] For such longer period of time as may be requested in writing by the State Executive Director or the Director.

4.31 Rice producers, warehousemen, mill or elevator operators, other processors or transferees, and buyers.

To keep records of rice transactions as prescribed.

Retention period: 2 calendar years beyond the calendar year in which the marketing year ends. 7 CFR 730.34, 730.35, 730.38

4.32 Importers or persons bringing sugar and liquid sugar into the continental United States from domestic offshore areas and foreign countries.

To keep records of operations and transactions pertaining to sugar and liquid sugar including detailed information for each unit of sugar tested and for each processing facility.

Retention period: 2 years following end of calendar year in which sugar is imported or brought into the United States. 7 CFR 810.9

4.33 Persons marketing sugar and liquid sugar produced from sugar beets and sugarcane grown in the continental United States and marketing sugar for consumption in Territory of Hawaii and in Puerto Rico.

To keep records of processings, receipts, inventories, and marketings of sugar and liquid sugar.

Retention period: 2 years following the end of the calendar year in which sugar is marketed. 7 CFR 816.8

4.34 Persons importing sugar and liquid sugar into the continental United States (including importers, mainland refiners, allottees of offshore domestic sugar quotas, shipping companies, persons engaged in the movement of sugar in interstate and foreign commerce, and surety companies undertaking obligations with respect to imported sugar).

To keep records of receipt, processing, and movement of sugar and liquid sugar and of tests, gallonages, and weights pertaining thereto.

Retention period: 2 years following end of calendar year in which sugar is imported or disposed of. 7 CFR 817.11

4.35 [Reserved]

4.36 Employers of Virgin Islands apprentice operators of mechanical loaders and tractors in the sugar industry.

To maintain complete wage records of person employed.

Retention period: 2 years following date on which application for Sugar Act payment is filed. 7 CFR Part 868

4.37 Employers of Virgin Islands handicapped workers in the sugar industry.

To maintain complete wage records of persons employed.

Retention period: 2 years following date on which his application for Sugar Act payment is filed. 7 CFR Part 868

4.37a Producers of sugar beets and sugarcane. [Amended]

To maintain complete wage records of persons employed in the production, cultivation, or harvesting of sugar beets and sugarcane.

Retention period: 3 years from date of filing application for Sugar Act payment. 7 CFR Parts 862, 863, 864

4.37b Farm operators participating in the Sugar Act payment program.

To maintain a record of excess acreage in each field or parts of fields and the method and purpose of disposal of sugarcane grown in excess of acreage in each such case.

Retention period: Until receipt of Sugar Act payment for the applicable crop year. 7 CFR Part 855

5. Commodity Credit Corporation

5.1 Warehousemen handling storage agreements for bulk oils.

To maintain inventory and operating records.

Retention period: Not specified. 7 CFR 1424.2

5.2 Cottonseed crushers participating in the cottonseed oil and meal purchase program.

To keep complete and detailed records as specified with respect to all purchases of cottonseed and other specified transactions.

Retention period: At least 3 years from the last date any of the products tendered by the crusher have been delivered. 7 CFR 1443.67

5.3 Cooperative marketing associations of producers participating in the Tung Nut Price Support program.

To maintain detailed records as specified pertaining to quantities of tung nuts and tung nut oil obtained and processed.

Retention period: 1963 and succeeding crop years—3 years after December 31 of the crop year to which they pertain. 7 CFR 1443.333

5.4 Peanut shellers participating in the Peanut Price Support program.

To keep accounts with respect to the purchase and sale of crop peanuts, including types, grades, quality, weight, names and addresses of producers and purchasers, and date and place of each transaction.

Retention period: 3 years after final delivery of peanuts to CCC. 7 CFR 1446.19 (1967 and subsequent years)

5.5 Mohair producers participating in the Payment Program for Mohair, and their marketing agencies. [Amended]

To maintain books, records, and accounts showing the marketing of mohair on which an application for payment is based.

Retention period: 3 years. 7 CFR 1468.22, 1468.272

5.6 Wool producers participating in the Incentive Payment Program for Shorn Wool, and their marketing agencies. [Amended]

To maintain books, records, and accounts showing: purchases of lambs on and after April 1, 1956, and marketing of wool or lambs on which application is based.

Retention period: 3 years after end of specified marketing year. 7 CFR 1472.1251, 1472.1351

5.7 Lamb and yearling producers participating in the Payment Program for Lambs and Yearlings (Pulled Wool), and persons furnishing evidence to an applicant to enable him to receive payment under the program. [Amended]

To maintain books, records, and accounts showing purchases of unshorn lambs on or after April 1, 1956, and marketing of unshorn lambs on which application for payment is based.

Retention period: 3 years after end of specified marketing year. 7 CFR 1472.1251, 1472.1351

5.8 Persons purchasing farmers stock peanuts from producers for sale to shellers.

To keep accounts of the quality and prices paid to them for each lot of farmers stock peanuts sold to a sheller participating in the price support program.

Retention period: 1967 and subsequent years—until December 31 of the third year following date of purchase. 7 CFR 1446.19

5.9 Handlers, dealers, and warehousemen performing transactions with regard to delivery orders under the Livestock Feed Program.

To maintain books and records which will permit verification of all transactions with regard to delivery orders.

Retention period: At least 3 full years following deliveries against delivery orders (or to be kept longer if requested by the Commodity Credit Corporation). 7 CFR 1475.213.

5.10 Dealers participating in the Puerto Rican Tobacco Purchase Program.

To keep records with respect to all transactions relating to the tobacco of any crop year during which tobacco is sold to CCC.

Retention period: 3 years after delivery of tobacco to CCC. 7 CFR 1464.60

5.11 [Reserved]

5.12 Crushers of castor beans participating in the castor oil purchase program.

To maintain books, records, and accounts including name of sellers, date of receipt, and the gross and clean weight, quality and price of each lot of castor bean purchased.

Retention period: At least 3 years. 7 CFR 1443.108

5.13—5.16 [Reserved]

5.17 Producers participating in the honey price support program.

To maintain (1) records of quantity of eligible honey for price support and (2) record of honey purchased or acquired which is ineligible for price support showing source and disposition.

Retention period: 5 years. 7 CFR 1434.50

5.18 Cotton ginners participating in the cottonseed purchase program.

To keep books, records, and accounts for all purchases of cottonseed (including name of producer, date of receipt, weight, and purchase price of each lot) and other transactions.

Retention period: 3 years from last day any cottonseed is tendered to CCC for purchase under the applicable Participating Ginner's Agreement. 7 CFR 1443.13

5.19 Cooperative marketing associations participating in the price support program.

To maintain records showing quantity, quality, and disposition of commodities (cotton, dry edible beans, honey, rice, soybeans, tung oil) eligible for price support received from each member. The same records to be kept for commodities received from nonmembers which are ineligible for price support.

Retention period: Through end of the 5th marketing year following the marketing year for which approval is obtained. 7 CFR 1425.17, 1425.18

5.20 Exporters participating in the tobacco export program.

To maintain accurate records (including contracts of purchase, sale, and storage) establishing eligibility of tobacco for export payments made to exporters under the program.

Retention period: 3 years after date of export. 7 CFR 1490.10

6. Commodity Exchange Authority

6.1 Futures commission merchants and clearing organizations of contract markets depositing customers' money, securities, and property.

To maintain an acknowledgment from a bank, trust company, clearing organization of a contract market, or futures commission merchant that it was informed that the money, securities, and property deposited therein are those of commodity customers and are being held in accord with the provisions of the Commodity Exchange Act.

Retention period: 5 years from date of closing of such bank account.[2] 17 CFR 1.20 (retention: 1.31)

6.2 Futures commission merchants and clearing organizations of contract markets depositing obligations purchased with customers' funds.

To maintain an acknowledgment from a bank, trust company, clearing organization of a contract market, or futures commission merchant that it was informed that the obligations belong to commodity customers and are being held in accord with the provisions of the Commodity Exchange Act.

Retention period: 5 years from date of closing of account.[2] 17 CFR 1.26 (retention: 1.31)

6.3 Futures commission merchants and clearing organizations of contract markets.

To keep the following records of obligations and investment securities, date investments made, name of person from or through whom obligations bought, amount of money paid, description of obligations or securities, identity of depositories or other places where such obligations are segregated, date disposition made and amount received therefor, name of person to or through whom sold.

Clearing organizations receiving documents from members representing investment of customers' funds shall also keep a record showing separately for each member the date on which documents were received from member, description of documents, date on which documents were returned to member, or details of disposition by other means.

Retention period: 5 years after investment liquidated or load paid.[2] 17 CFR 1.27 (retention: 1.31)

6.4 Futures commission merchants.

To keep a record of the daily computation of money, securities and property which must be segregated for customers.

Retention period: 5 years.[2] 17 CFR 1.32 (retention: 1.31)

6.5 Futures commission merchants.

To keep records furnished customers as of close of last business day of each calendar month, or as of any regular monthly date selected showing customer's position in each future.

Retention period: 5 years.[2] 17 CFR 1.33 (retention: 1.31)

6.6 Futures commission merchants.

To keep copy of confirmation of the execution of any trade originated by controller of accounts.

Retention period: 5 years.[2] 17 CFR 1.33a (retention: 1.31)

6.7 Futures commission merchants.

To keep a "point balance" record of all open trades or contracts of customers as of last day of business of each calendar month or any regular monthly date selected.

Retention period: 5 years.[2] 17 CFR 1.34 (retention: 1.31)

6.8 [Reserved]

6.9 Futures commission merchants and members of contract markets.

To keep full and complete record of all futures and cash transactions including all orders, trading cards, signature cards, street books, journals, ledgers, canceled checks, copies of confirmations, statements of purchase and sale, together with all other data and memoranda and records of every sort pertaining to cash and future transactions.

Retention period: 5 years.[2] 17 CFR 1.35 (retention: 1.31)

6.10 Futures commission merchants and clearing members of contract markets.

To prepare and keep in permanent form the following: (a) a financial ledger record showing all charges against and credits to each customer's account; (b) a record of transactions showing for each account all commodity futures transactions executed for such account, including date, price, quantity, market, commodity, and future; (c) a record or journal showing for each day complete details of all commodity futures transactions executed, including date, price, quantity, market, commodity, future, and the person for whom such transaction was made (in the case of clearing members, the record or journal should also show the floor broker or floor trader executing each transaction, a symbol indicating the customer type, the opposite broker or floor trader, and the opposite clearing member with whom it was made).

Retention period: 5 years.[2] 17 CFR 1.35 (retention: 1.31)

6.11 Futures commission merchants and clearing organizations of contract markets.

To keep record of all securities and property (other than money) received from customers to margin, guarantee or secure trades and contracts including description of securities and property, name and address of customer, identity of depositories or other places where such securities or property are segregated, date received and returned or otherwise disposed of, including authorization therefor.

Retention period: 5 years from date of return of property.[2] 17 CFR 1.36 (retention: 1.31)

6.12 Futures commission merchants and members of contract markets.

To keep record showing for each futures account name, address and principal occupation or business of person for whom account is carried and names of persons guaranteeing account or exercising trading control over account.

Retention period: 5 years from date account closed.[2] 17 CFR 1.37 (retention: 1.31)

6.13 Contract markets.

To keep record of each transaction wherein a member acts for both a buyer and a seller, including the date, price, quantity, kind of commodity, delivery month, by whom executed, and the exact time of execution.

Retention period: 5 years.[2] 17 CFR 1.39 (retention: 1.31)

6.14 Contract markets.

Must require warehouse operators whose receipts are deliverable in satisfaction of futures contracts made on or

[2] After 3 years the person required to keep such books and records may at his option substitute photographic reproductions thereof on film, together with facilities for the projection of such film in a manner which will permit it to be readily inspected or examined.

subject to the rules of the contract market to keep records showing stocks traded for future delivery on such contract markets, in store by kind, class, and grade, including lots and parcels stored specially or separately.

Retention period: 5 years.[2] 17 CFR 1.44 (retention: 1.31)

6.15 Persons having or controlling a reportable position in commodity futures.

To keep books and records showing all details of all positions and transactions for future delivery in the commodity on all contract markets and all positions and transactions in the cash commodity, its products, and byproducts.

Retention period: 5 years.[2] 17 CFR 18.05 (retention: 1.31)

7. Farmers Home Administration

7.1 Individual borrowers, organization borrowers, and grant recipients of FHA loans. [Revised]

To maintain records of the operation to meet requirements of State and local regulations and terms of agreement with FHA and other creditors.

Retention period: Not specified. 7 CFR 1802.21–1802.24, 1802.77

7.2 Local organizations obtaining watershed loans and advances under the Watershed Protection and Flood Prevention Act.

To maintain accounts and records relating to the installation, operations, and maintenance of works of improvement.

Retention period: 3 years after the year to which such records pertain. 7 CFR 1823.359

7.3 Rural communities and other associations of farmers and rural residents obtaining loans and grants for central domestic water systems, waste disposal systems, shift-in-land-use projects and related facilities, soil and water conservation practices, and recreational facilities.

To maintain records of its operation, maintenance, and management of its facility including the establishment and maintenance of financial accounts and records.

Retention period: Until summarized and reflected in the agency's official records and until the requirements of State and local laws and regulations are met. Number of years after this point not specified. 7 CFR 1823.31, 1823.59, 1823.117

8. Federal Crop Insurance Corporation

8.1 Insured under Federal Crop Insurance Corporation.

To keep records of harvesting, storage, shipments, sale, or other disposition of all barley, dry beans, combined crops, corn, cotton, flax, grain sorghum, oats, peanuts, potatoes, canning and freezing peas, dry peas, rice, rye, soybeans, sugar beets, sugarcane, tobacco, tomatoes, and wheat produced on each insurance unit covered by the contract, and separate records showing the same information for production on any uninsured acreage of the insured crop in the county in which he has an interest.

Retention period: 2 years after time of loss. 7 CFR 401.111, sec. 17

9. Packers and Stockyards Administration

9.1 Stockyard owners, market agencies, and licensees under Packers and Stockyards Act regulations.

To keep open for public inspection (and post in the case of licensees) duplicate copies of all schedules of rates and charges and rules or regulations and amendments or supplements thereto.

Retention period: Not specified; however, required to post and keep open for inspection currently effective schedules only. 9 CFR 201.22

9.2 Market agencies or licensees selling or buying livestock or live poultry on a commission or agency basis.

To keep accounts and records in regard to the Custodial Account for Shippers' Proceeds and the Custodial Account for Buyers' Funds.

Retention period: 2 years. 9 CFR 201.42 (retention: 201.50)

9.3 Market agencies or licensees selling or buying livestock or live poultry on a commission or agency basis.

To keep available for inspection by owners or consignors or purchasers copies of bills covering charges paid for or on behalf of the owner or consignor which were deducted from the gross proceeds of the sale or added to the purchase price thereof when accounting for the sale or purchase.

Retention period: 2 years. 9 CFR 201.45 (retention: 201.50)

9.4 Stockyard owners, registrants buying or selling livestock, and licensees buying or selling live poultry.

To keep (in addition to other necessary records) daily accurate records of purchases, sales, shipments, prices, etc.

Retention period: 2 years. 9 CFR 201.46 (retention: 201.50)

9.5 Sellers of live poultry under Packers and Stockyards Act regulations.

To keep copy of ticket prepared by seller at time of sale showing the name of the designated market, the date of the transaction, the names of the seller and buyer, the number of coops, kinds of poultry, price per pound, and such terms and conditions as the parties may agree upon.

Retention period: 2 years. 9 CFR 201.48 (retention: 201.50)

9.6 Stockyard owners, market agencies, or licensees weighing livestock or live poultry for purposes of purchase or sale under Packers and Stockyards Act regulations.

To keep copy of scale ticket of weighing showing for both livestock and live poultry, name of agency performing the service, date of weighing, number of the scale or other information identifying the scale, name of seller, name of buyer, name of consignor, or understandable abbreviations of such names; in case of livestock, also, the number of head, kind, and actual weight, the amount of dockage and name or initials of person weighing it; and, in case of live poultry, also, number of coops weighed, the gross, tare, and net weights, and the name or initials of person operating scale at time of weighing.

Retention period: 2 years. 9 CFR 201.49 (retention: 201.50)

9.7 Stockyard owners, market agencies, or licensees who weigh livestock or live poultry for purposes of purchase and sale under Packers and Stockyards Act regulations.

To keep one copy of form report of tests and inspections of scales and shall cause one copy to be kept by the agency conducting the test and inspection of the scales (a third copy to the Area Supervisor of the Service).

Retention period: 2 years. 9 CFR 201.74 (retention: 201.50)

9.8 Authorized State agencies and livestock associations under Packers and Stockyards Act regulations.

To keep adequate records showing in detail the income derived from the collection of authorized fees, the disbursement of such funds as expenses for conducting the services, the inspections performed and the results thereof, including records showing a full description of brands, marks, and other identifying characteristics of inspected livestock; and currently maintain records of the brands, marks, and other identifying characteristics of livestock located in the State from which such agency or association will operate and with reference to which the authorization has been granted.

Retention period: Not specified.[2] 9 CFR 201.89

9.9 Packers subject to the provisions of the Packers and Stockyards Act.

To retain for the specified period of time the following records:

(a) Cutting tests; departmental transfers; buyers' estimates; drive sheets; scale tickets received from others; inventory and products in storage; receiving records; trial balances; departmental overhead or expense recapitulations; bank statements, reconciliations and deposit slips; production or sale tonnage reports (including recapitulations and summaries of routes, branches, plants, etc.); buying or selling pricing instructions and price lists; correspondence, telegrams, teletype communications and memoranda relating to matters other than contracts, agreements, purchase or

[2] After 3 years the person required to keep such books and records may at his option substitute photographic reproductions thereof on film, together with facilities for the projection of such film in a manner which will permit it to be readily inspected or examined.

[2] Records shall not be destroyed or disposed of without the consent in writing of the Administrator, Packers and Stockyards Administration, Department of Agriculture. 9 CFR 201.50.

sales invoices, or claims or credit memoranda.

(b) Kill sheets, lot sheets or carcass graded cost sheets; carcass hot weight sheets and carcass test cost sheets by lots for purchases of livestock on a grade and yield or grade or yield basis; contracts and agreements; purchase invoices; sales invoices; freight bills, bills of lading or shipping tickets; scale tickets and weight records issued or prepared by the packer; cash sales receipts and memoranda; claims and credit memoranda; canceled checks and drafts; check stubs or vouchers; correspondence, telegrams, teletype communications, and memoranda relating to contracts, agreements, purchase or sales invoices, or claims or credit memoranda.

(c) Departmental statements and summaries; balance sheets and profit and loss or operating statements.

Retention period: (a) 1 year; (b) 2 years; (c) 3 years. 9 CFR 203.4

9.10 Stockyard owners, market agencies, dealers and licensees subject to the provisions of the Packers and Stockyards Act.

To maintain records of items listed in section cited.

Retention period: 2 full calendar years, or longer if directed by the Administrator. 9 CFR 201.50

9.11 Packers and dealers of live poultry under the Packers and Stockyards Act. [Added]

To keep records listed in the section cited.

Retention period: 2 years. 9 CFR 201.101

10. Office of the Secretary

10.1 Educational institutions having negotiated research agreements with the Department of Agriculture.

To maintain records with respect to status of project, expenditures, separate records of expenditures for funds provided or other sources, and accounting records, all to be compatible with the Department's and institutions' administrative and fiscal processes.

Retention period: 3 years after final payment under the agreement. 41 CFR 4–3.5108, 4–7.5101–9 (retention: 4–7.5101–10

10.2 State agencies having contracts or agreements for relocation assistance projects. [Added]

To maintain records as specified in section cited.

Retention period: 3 years. 7 CFR 21.710

11. Export Marketing Service

11.1 Exporters participating in the Rice Export Program.

To maintain records showing milled rice or brown rice exported or to be exported in connection with program.

Retention period: 3 years after date of export. 7 CFR 1481.184

11.2 Feed grain exporters participating in the Feed Grain Export Program.

To keep records, accounts, and other documents relating to transactions under the program.

Retention period: 3 years after date of export. 7 CFR 1484.137

11.3 [Reserved]

11.4 Private organizations or individuals which enter the private trade agreements pursuant to title IV of Public Law 480.

Maintain books and records as well as pertinent documents, correspondence, and memoranda covering all transactions relating to the private trade agreement.

Retention period: Not specified (subject to examination by the Administrator at all reasonable times until the entire amount due under the agreement has been paid CCC). 7 CFR 14.66

11.5 Suppliers who sell agricultural commodities under a title IV credit purchase authorization (including ocean transportation).

Maintain pertinent books, documents, papers, and records related to the supplier and the importer.

Retention period: 3 years after final payment under such contracts. 7 CFR 14.17

11.6 Exporters or purchasers participating in the flaxseed and linseed oil export payment-in-kind program.

To maintain records of flaxseed or linseed oil exported or to be exported and any documents relating to any transaction in connection with this program.

Retention period: 3 years after date of export. 7 CFR 1486.137

11.7 Exporters of agricultural commodities under CCC export credit sales program.

To keep books, documents, papers, and records involving transactions relating to contracts between the exporter and the importer.

Retention period: 3 years after maturity of related credit arrangement. 7 CFR 1488.18

11.8 Importers and suppliers involved in sales of agricultural commodities.

(a) Importers—to maintain a record of all offers received from suppliers as a result of public tenders or negotiation.

(b) Suppliers—to maintain accurate books, records, and accounts with respect to all contracts entered into hereunder.

Retention period: Until expiration of 3 years after final payment under such contracts. 7 CFR 11.6, 11.17, 17.6, 17.17

11.9 Exporters of wheat. [Amended]

To maintain records (including export sales contracts or agreements, bills of lading or delivery documents, inspection and weight certificates) of all exportations of wheat (Part 778 temporarily suspended, June 30, 1971 to June 30, 1974).

Retention period: 3 years after date of export. 7 CFR 778.13

11.10 Exporters and purchasers participating in the Commodity Credit Corporations wheat and wheat flour export payment programs under the International Grains Arrangement. [Amended]

To keep accurate records showing sales and deliveries of wheat or flour exported or to be exported in connection with the programs.

Retention period: 3 years after date of export or final payment. 7 CFR 1483.184, 1483.284

12. Food and Nutrition Service

12.1 Cooperating State agencies, school food authorities, and food service management companies participating in the National School Lunch program or receiving federally donated commodities for school lunch programs.

To maintain records as specified in the regulations.

Retention period: 3 years after the end of the Federal fiscal year to which they pertain. 7 CFR 210.8, 210.14, 210.15, 210.16

12.2 Cooperating State agencies, service institutions, and food service management companies participating in the Special Food Service Program for Children.

To maintain records as specified in the regulations.

Retention period: 3 years and 3 months after the end of the Federal fiscal year to which they pertain. 7 CFR 225.7, 225.18

12.3 Cooperating State agencies, school food authorities, child care institutions, and food service management companies participating in the Special Milk program.

To maintain records as specified in the regulations.

Retention period: 3 years after the end of the Federal fiscal year to which they pertain. 7 CFR 215.7, 215.11, 215.12

12.4 Distributing, subdistributing, and recipient agencies distributing food commodities donated for use in school lunch programs, for training students in home economics, in summer camps for children, by needy Indians on reservations, in institutions, and management companies pertaining to the feeding operations of the institutions, in State correctional institutions for minors, and in assistance of other needy persons.

To maintain records relating to receipt, disposal, and inventory of commodities, including records with respect to the receipt, and disbursement of funds arising from, or federally disbursed for, operation of the distributing program; also, to maintain records on all activities under the Supplemental Food Program.

Retention period: 3 years from the close of the Federal fiscal year to which the records pertain. 7 CFR 250.6, 250.8, 250.14, 250.15, 251.9

12.5 Cooperating State agencies, school food authorities, and food service management companies participating in the school breakfast program.

To maintain accounts and records as specified in sections cited.

Retention period: 3 years after the end of the Federal fiscal year to which they pertain. 7 CFR 220.7, 220.24, 220.25

12.6 State agencies participating in the food stamp program. [Amended]

To keep such records, microfilms, or approved lists in lieu of records, and submit such reports and other information as may from time to time be required by FNS.

Retention period: (a) For unlisted records, microfilms, or lists in lieu of records, 3 years from month of origin of such records, or longer if instructed in writing by FNS or the Department; (b) for records which have been microfilmed, no retention period after required reconciliation and microfilming; (c) for records covered by an approved list, 1 year after month of execution, or longer if instructed in writing by FNS or the Department. 7 CFR 271.1

12.7 States participating in emergency food assistance for victims of major disasters.

To keep records of information as required by the Food and Nutrition Service.

Retention period: Not specified. 7 CFR 274.7

12.8 School food authorities participating in the National School Lunch program or receiving federally donated commodities for school lunch programs.

To keep records of hearings on applications which families make for free or reduced price lunches for children.

Retention period: 3 years. 7 CFR 245.7

12.9 Cooperating State agencies, school food authorities, and service institutions participating in the nonfood assistance program.

To maintain records as specified in the regulations.

Retention period: 3 years to 5 years after the end of the Federal fiscal year to which they pertain. 7 CFR 220.16, 220.24, 225.15, 225.17

12.10 States participating in temporary emergency food assistance for victims of other than major disasters. [Added]

To keep records of information as required by the Food and Nutrition Service.

Retention period: Not specified. 7 CFR 274.14

II. DEPARTMENT OF COMMERCE

1. Economic Development Administration

1.1 Recipients of loans and grants—project control records.

To keep and preserve, and to require each contractor and subcontractor to keep and preserve, on account of any loan under section 201, 202, or 403, Public Law 89–136, August 26, 1965, or section 6 or 7, Public Law 87–27, May 1, 1961, or on account of any grant under section 101, 102, 301, 403, or 505, Public Law 89–136, August 26, 1965, or section 8, Public Law 87–27, May 1, 1961, detailed records reflecting acquisitions, work progress, expenditures and commitments, and to indicate their relationship to estimated costs and schedules.

Retention period: Until completion of all work performed or acquisitions made in connection with the project and at least 3 years thereafter. 13 CFR 301.54

1.2 Recipients of loans and grants—financial records.

To keep and preserve so long as any sum shall be due and unpaid to the Government on account of any loan under section 201, 202, or 403, Public Law 89–136, August 26, 1965, or section 6 or 7, Public Law 87–27, May 1, 1961, or on account of any grant under section 101, 102, 301, 403, or 505, Public Law 89–136, August 26, 1965, or section 8, Public Law 87–27, May 1, 1961, full written records, accurately disclosing the amount and the disposition by such recipients of the proceeds of any such assistance, together with the amounts and dispositions of other funds applied to the project, all as shall adequately establish a compliance with the requirements of the Act or Acts involved and the terms and conditions upon which such financial assistance was made.

Retention period: For loans, until final payment has been made to the Government, and at least 3 years thereafter; for grants, until completion of all work performed in connection with the project, or until final disbursement has been made by the Government, whichever is later, and at least 3 years thereafter. 13 CFR 301.54

2. Bureau of Domestic Commerce

ADJUSTMENT ASSISTANCE

2.1 Recipients of adjustment assistance under Chapter 2 of title III of the Trade Expansion Act of 1962.

To keep records which fully disclose the amount and disposition of the proceeds of adjustment assistance and which will facilitate an effective audit.

Retention period: At least 3 years. 15 CFR 610.7

INDUSTRIAL MOBILIZATION

2.2 Persons in the United States participating in transactions covered by DPS Regulation 2.

To keep records of receipts and deliveries in sufficient detail to permit the determination, after audit, of compliance of each transaction with provisions of DPS Regulation 2 (Operations of the Priorities and Allocations Systems between Canada and the United States).

Retention period: At least 3 years. 32A CFR Ch. VI, DPS Reg. 2, sec. 7(a)

2.3 Individuals, corporations, partnerships, associations, or any other organized groups of persons participating in any transaction covered by Defense Materials System Regulation 1, as amended December 1, 1959.

To keep accurate and complete records of each such transaction, including all rated orders, ACM orders and directives received by such persons, copies of all rated orders and ACM orders placed by such persons, records of purchases, receipts, inventories, production, use, sales, and deliveries of all materials acquired by means of priority, allotment or directive assistance, and records of sales and deliveries of all materials sold or delivered by such persons pursuant to rated orders, ACM orders and directives. Records shall be maintained in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of DMS Reg. 1, as amended December 1, 1959.

Retention period: For at least 3 years. 32A CFR Ch. VI, DMS Reg. 1, sec. 14

2.4 Individuals, corporations, partnerships, associations, or any other organized groups of persons participating in any transaction covered by DPS Regulation 1 and DMS Order 1 and DMS Order 3.

To keep accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of DPS Reg. 1—Basic Rules of the Priorities System; DMS Order 1—Iron and Steel; and DMS Order 3—Aluminum, as applicable to such transaction.

Retention period: For at least 3 years. 32A CFR Ch. VI, DPS Reg. 1, sec. 24(a); DMS Order 1, sec. 17(a); DMS Order 3, sec. 15(a)

2.5 Individuals, corporations, partnerships, associations, or any other organized groups of persons participating in any transaction covered by DPS Order 1.

To keep accurate and complete records of rated orders and directives received and monthly records of production, production schedules and deliveries in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of DPS Order 1—Metalworking Machines.

Retention period: For at least 3 years. 32A CFR Ch. VI, DPS Order 1, sec. 8(a)

2.6 [Reserved]

2.7 Individuals, corporations, partnerships, associations, or any other organized groups of persons participating in transactions covered by DMS Order 2—Nickel Alloys.

To keep accurate and complete records of receipts and deliveries in sufficient detail to permit the determination, after audit, of compliance of each transaction with the provisions of DMS Order 2—Nickel Alloys.

Retention period: At least 3 years. 32A CFR Ch. VI, DMS Order 2, sec. 13(a)

2.8 Producers, distributors, and users of copper controlled materials, intermediate shapes, and copper raw materials. (DMS Order 4—Copper and Copper-base Alloys).

To keep accurate and complete records of purchases, receipts, inventories, pro-

duction, use, sales and deliveries of copper controlled materials, intermediate shapes, and copper raw materials in sufficient detail to permit the determination, after audit, whether each such transaction complies with the provisions of DMS Order 4—Copper and Copper-base Alloys. Such records shall include, but shall not be limited to, all authorized controlled material orders (ACM), rated orders and directives received by such persons, and copies of all authorized controlled material orders (ACM), and rated orders placed by such persons.

Retention period: At least 3 years. 32A CFR Ch. VI, DMS Order 4, sec. 9

3. Assistant Secretary for Science and Technology

3.1 State agencies or institutions receiving financial assistance under the State Technical Services Act of 1965.

To maintain records and documentation (e.g., vouchers, payrolls, invoices, contracts) relating to grant and amount, nature, and identification of funds supplied from non-Federal sources.

Retention period: 3 years after end of grant period or until audit has been conducted by the Department and all questions arising therefrom are resolved. 15 CFR 700.11

4. Bureau of International Commerce

4.1 Holders of International Import Certificates selling or transferring commodities covered by such certificates.

To secure and retain a written acceptance by the purchaser or transferee of all obligations imposed under the export regulations of the United States.

Retention period: 2 years.[4] 15 CFR 368.2 (retention: 387.11)

4.2 Executors of International Import Certificates where resale or transfer of commodities covered by Import Certificate occurs before delivery. [Amended]

To secure and retain written acceptance by purchaser or transferee of obligation to provide delivery verification.

Retention period: 2 years.[4] 15 CFR 368.3 (retention: 387.11)

4.3 Exporter of commodities related to nuclear weapons, nuclear explosive devices, or nuclear testing.

To keep copies of exporter's letter of inquiry and manufacturer's reply regarding use of commodities.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 378.2 (retention: 387.11)

4.4 Applicants for export licenses.

To keep documents constituting evidence of an order and of facts relating to the purchase transaction as specified in section cited.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 372.6 (retention: 387.11)

4.5 Applicants for export licenses.

To keep the originals and any copies of documents submitted in support of applications.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 372.6 (retention: 387.11)

4.6 Foreign importers of aircraft or vessel repair parts.

To keep records of commodities imported from the U.S. and supplied abroad to vessels or aircraft.

Retention period: 2 years from, date the commodities are supplied to a vessel or aircraft.[4] 15 CFR 373.8 (retention: 387.11)

4.7 Exporter to a foreign distributor. [Amended]

(a) To retain copies of validated or rejected Forms FC–143 and 243, and (b) to retain all other forms, documents, correspondence, memoranda, books, and other records relating to exports under the Form FC–243 procedure.

Retention period: 2 years (a) from date of validated or rejected forms, and (b) from whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 373.4 (retention: 387.11)

4.8 Applicants for a Periodic Requirements License.

To keep records of the documentary evidence of the prescribed relationship with each consignee.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 373.5 (retention: 387.11)

4.9 Applicants for a Time Limit License.

To keep records of the documentary evidence of the prescribed relationship with each consignee.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 373.6 (retention: 387.11)

4.10 Forwarding agents receiving copies of commercial invoices not containing notice of prohibition against diversion.

To keep record of notification to exporter of obligation and exporter's reply of compliance therewith.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 386.6 (retention: 387.11)

4.11 Transferors and transferees of export licenses.

To keep records of all documents evidencing the order covered by these licenses.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 372.13 (retention: 387.11)

4.12 Exporters or agents.

To keep records of export transactions, exports and reexports.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 387.11

4.13 Foreign distributors.

To keep records of distribution, sale, or reexportation from a foreign-based stock under the Form FC–243 Procedure.

Retention period: 2 years from date of distribution.[4] 15 CFR 373.4 (retention: 387.11)

4.14 Loan or sale of commodities by airlines.

To keep records of commodities imported from the U.S. and lent, or sold to another airline without profit.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 376.8 (retention: 387.11)

4.15 Carriers releasing shipment without receiving a bill of lading containing notice of prohibition against diversion.

To secure a receipted copy of the written notice omitted from the bill of lading from party taking custody of the shipment.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 386.6 (retention: 387.11)

4.16 Exporters of certain kinds of technical data.

To secure and retain a written assurance from the consignee regarding use of the data and its direct product.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 379.4 (retention: 387.11)

4.16a Exporters and distributors of commodities under distribution licenses. [Amended]

To keep (a) one copy of each validated or rejected Form FC 1143; (b) all other forms, documents, correspondence, memoranda, books, and other records relating to any export from the United States under a distribution license; (c) all records regarding a sale or reexport by a distributor who is an approved consignee; (d) the original of Swiss Blue Import Certificate and reproduced copies of the original of the Yugoslav End Use Certificates.

[4] Complete and accurate reproductions may be substituted for documents required to be retained under Export Control Regulations after 12 months from beginning of required retention period, provided facilities for location and inspection are available at the place of retention. 15 CFR 387.11

Retention period: 2 years (a) from date of validation or rejection; (b) from whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction; (c) from date of sale or reexport; and (d) from the date the commodities are distributed.[4] 15 CFR 373.3 (retention: 387.11)

4.16b U.S. exporters, foreign-based service facilities, and foreign manufacturers operating under the Service Supply Procedure. [Amended]

To keep records of all exports and reexports under the Service Supply Procedure.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 373.7 (retention: 387.11)

4.16c Carriers operating under alternate procedure for filing declarations.

To keep letter from Bureau of the Census acknowledging carrier's willingness to accept unauthenticated declarations under the alternate procedure.

Retention period: 2 years from date of last action taken by carrier under the alternate procedure.[4] 15 CFR 386.3 (retention: 387.11)

4.16d Exporters of commodities to be returned to the United States.

To keep records of temporary exports of commodities to be returned to the United States.

Retention period: 2 years from, whichever is later, date of exportation, reexportation, transshipment, diversion, or other termination of the transaction.[4] 15 CFR 371.22 (retention: 387.11)

Foreign Trade Zones Board

4.17 Grantees of foreign trade zones. [Amended]

To keep books, records, and accounts in the form and manner prescribed in "Uniform System of Accounts, Records and Reports," approved February 6, 1939.

Retention period: 5 years. 15 CFR 400.1002a, 400.1014

5. Maritime Administration

5.1 General agents (shipping companies) or their subcontractors and berth agents.

To keep books, records, documents and accounts (which shall be the property of the U.S.), relating to the activities, maintenance and business of vessels covered by or involving transactions related to Service Agreements as prescribed in AGE–1—General Agents, Agents and Berth Agents.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, AGE–1, sec. 2(a), General Agency Agreement, Art. 3 (g)(1) and Art. 14; sec. 2(b) Berth Agency Agreement, Art. 3(e)(1) and Art. 14

5.2 Agents entering into service agreements.

To keep separate sets of books of accounts to record the various transactions in connection with procedural rules for financial transactions under agency agreements.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, FIS–1, sec. 1

5.3 Agents entering into service agreements.

To keep the originals of all documents, at his principal office, including authorizations, for facilities, services and supplies and complete tariffs and port schedules covering charges at domestic and foreign ports incident to the operation of the vessels assigned under the procedural rules for financial transactions under agency agreements.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, FIS–1, secs. 9 and 12

5.4 General agents.

To prepare monthly invoices for husbanding and other compensation earned during preceding month under the applicable provisions of NSA Order No. 47 (AGE–4) and record amounts of compensation paid in agency account books.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, FIS–2, sec. 3(a)(1) and sec. 5

5.5 General agents.

To keep originals of statements or credit memoranda for return premiums for all vessels insured with Underwriters pursuant to INS–1–Maritime Protection and Indemnity Insurance Instructions Under General Agency and Berth Agency Agreements.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, INS–1, sec. 7(b)

5.6 General agents.

To keep records to account, if required, for the purchase, delivery to the Master, receipts from sales, condemnations, transfers and all other transactions in connection with slop chests.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, OPR–1, sec. 2(e)

5.7 Masters.

To keep records and logs disclosing receipts for the quantities of slop chest items delivered aboard ship and for losses sustained due to fire, water, or other damage which renders articles unsaleable.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, OPR–1, sec. 3 (d) and (e)

5.8 General agents.

To keep a copy of each Job Order, Supplemental Job Order or Worksmalrep Contracts for the maintenance and repair of vessels when work awarded by General Agents.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, SRM–5

5.9 General agents.

To keep records and supporting documents pertaining to repairs and equipment purchased for repairs to ships so that reports may be made to the Maritime Administration.

Retention period: Until completion of audit.[5] 32A CFR Ch. XVIII, SRM–2, sec. 4; SRM–3, sec. 3(d); SRM–4, sec. 2; SRM–5, sec. 3(a) and sec. 19

5.10 Charterers of Government-owned dry-cargo vessels.

To keep books, records, and accounts, required under Clause 37(1), Part II, of Form 705 charter; section 705 of the Merchant Marine Act, 1936.

Retention period: 3 years after a release or final settlement is completed between the Maritime Administration and the charterer. 46 CFR 221.13

5.11 [Reserved]

5.12 Operators of operating-differential subsidized vessels.

To keep copy of Form MA–140, Repair Summary (together with the letter and documents pertinent thereto) for each terminated voyage.

Retention period: Not less than 6 years after audit and approval by the Maritime Administration and Maritime Subsidy Board of a final accounting for the last year of a recapture period and settlement of such a recapture period. 46 CFR 272.7

5.13 Operating-differential subsidy contractors, and such affiliates, domestic agents, subsidiaries, or holding companies connected with, or directly or indirectly controlling or controlled by, such contractors.

To keep its books, records, and accounts, as the Maritime Administration shall require, relating to the maintenance, operation, and servicing of the vessels, services, routes, and lines.

Retention period: In accordance with the provisions of 46 CFR 380.24. 46 CFR 282.00, 282.01, 292.3

5.14 Operating-differential subsidy contractors.

To keep records supporting entries to notes and accounts receivable from officers and employees and subsidiary accounts.

Retention period: In accordance with the provisions of 46 CFR 380.24. 46 CFR 282.364

5.15 Contractors and subcontractors.

To keep accounts, books, documents, memoranda, minutes and records of every kind involving cost of performing a contract or subcontract subject to inspection and audit by the Administration.

Retention period: 2 years after the final determination by the Maritime Administration. 46 CFR 285.5

5.16 Contractors and subcontractors.

To keep books and records in such manner that a proper determination of profit can be made therefrom.

Retention period: 2 years after the contractor or subcontractor has made payment of excess profits as determined by the Maritime Administration. 46 CFR 285.35

See footnote 4, page 113.

[5] After audit by the General Accounting Office, the Maritime Administration will take custody of the records.

5.17 Operators of operating-differential subsidy agreements and depositories.

To keep certified copies of resolutions authorizing the establishment of special and capital reserve funds and such other accounts established in connection therewith.

Retention period: In accordance with the provisions of 46 CFR 380.24. 46 CFR 286.2

5.18 Taxpayers establishing construction reserve funds.

To keep records and make such additional reports as the Commissioner of Internal Revenue or the Maritime Administration may require.

Retention period: 6 months after the termination or closing out of the reserve fund. 46 CFR 287.26

5.18a Taxpayers establishing construction reserve funds; depositories.

To keep resolutions in connection with the establishment and maintenance of the construction reserve fund under agreement with the depository.

Retention period: 2 years after a final release or settlement agreement is completed between the Maritime Administration/Maritime Subsidy Board and the taxpayer. 46 CFR 287.6

5.19 Operators of operating-differential subsidy agreements.

To keep all working papers (irrespective of by whom prepared) in support of the various statements comprising annual and final accountings.

Retention period: In accordance with the provisions of 46 CFR 380.24. 46 CFR 292.8

5.20 Citizen applicants to purchase or charter a war-built vessel.

To keep books, records, and accounts available for examination as deemed necessary by the Maritime Administration to verify financial statements submitted.

Retention period: Purchase—10 years after completion of contract requirements; charter—5 years after settlement of company charters by the Maritime Administration. 46 CFR 299.8

5.21 Purchasers of war-built vessels.

To keep books, records and accounts available for examination and audit as may be required by the Maritime Administration.

Retention period: Until a final release or settlement agreement is completed between the Maritime Administration and the purchaser. 46 CFR 299.21

5.22 Charterers of war-built vessels.

To keep books, records and accounts relating to the vessel in such form as the Maritime Administration may prescribe available for examination and audit.

Retention period: 2 years after final release or settlement agreement is completed between the Maritime Administration and the charterer. 46 CFR 299.31

5.23 Charterers of war-built vessels, Government-owned dry-cargo vessels, and war-built dry-cargo vessels.

To keep books, records and accounts relating to the management, operations, conduct of the business of and maintenance of the vessels covered by the agreement in accordance with the "Uniform System of Accounts" and under such regulations as may be prescribed by the owner: *Provided*, That if the Charterer is subject to the jurisdiction of the Interstate Commerce Commission, the Administration will not require the duplication of books, records and accounts required to be kept in some other form by the Interstate Commerce Commission.

Retention period: 2 years after final release or settlement agreement is completed between the Maritime Administration and the charterer. 46 CFR 299.39, 299.130. 299.202

5.24 Charterers of war-built vessels.

To keep cost records or other sound accounting evidence for purpose of supporting claims, if any, for post-redelivery overhead expenses.

Retention period: 2 years after final release or settlement agreement is completed between the Maritime Administration and the charterer. 46 CFR 299.48, 299.52, 299.53

5.25 Underwriting agents under war risk insurance program for hull, P & I and second seamen.

To keep a full and complete record of all applications, binders and policies, and also record all premiums, charges or deposits required by the terms of the binders or policies; and books, records and accounts covering the operations and activities under the Underwriting Agency Agreement, which shall be the property of the United States represented by the Maritime Administrator.

Retention period: Until a release is granted by the Maritime Administration, at which time the Maritime Administration will take custody of the records. 46 CFR 308.8

5.26 Those assured under war risk cargo insurance program.

To keep books, records and accounts in such form and manner that all information available to the assured as to the amounts at risk and the amounts of losses incurred and premiums due can be readily ascertained therefrom by the Maritime Administrator.

Retention period: Until a release is granted by the Maritime Administration, at which time the Maritime Administration will take custody of the records. 46 CFR 308.517

5.27 Underwriting agents under war risk cargo insurance program.

To keep a full and complete record of all applications, binders, and policies, and also record all premiums, charges, collateral deposit funds and surety bonds required by the terms of the binders and policies; and books, records and accounts covering the operations and activities under the Underwriting Agency Agreement, which shall be the property of the United States represented by the Maritime Administrator.

Retention period: Until a release is granted by the Maritime Administration, at which time the Maritime Administration will take custody of the records. 46 CFR 308.548

5.28 State maritime schools.

To keep records pertaining to the schools, its officers, instructors, crew, cadets, training vessels and shore bases. The schools shall also maintain records of cadet enrollments, reenrollments, absences with or without leave, hospitalizations, disenrollments, graduations, and other analogous data.

Retention period: Not specified. 46 CFR 310.3

5.29 Clearing agents under war risk cargo insurance programs.

To keep a complete, separate system of books, records and accounts covering its operation and activities under this agreement, including a record of all statements, vouchers and other information received by it from the underwriting agents which shall be the property of the United States represented by the Maritime Administrator.

Retention period: During the period of the agreement and up to 36 months after its termination and thereafter until final settlement of any outstanding claims against the Administrator by holders of policies issued by the underwriting agents. 46 CFR 308.551

5.30 Operators under title VI and VII, Merchant Marine Act, 1936.

To keep varied records created while under contract with the Maritime Administration/Maritime Subsidy Board.

Retention period: In accordance with the provisions of sections cited. 46 CFR 380.20–380.24

6. Office of Foreign Direct Investments

6.1 Persons in the United States making foreign direct investments.

To keep within the United States a full and accurate record of each transaction subject to the provisions of 15 CFR Part 1000, whether effected pursuant to authorization or otherwise, and of every other transaction with an affiliated foreign national.

Retention period: 3 years. 15 CFR 1000.601

6.2 Persons required to make reports and persons aiding in preparing such reports. [Amended]

To preserve all working papers (irrespective of by whom prepared) used in preparation of reports required under 15 CFR 1020.121(a) or 1000.602(b), all exhibits, all schedules, and all attachments to such papers, and all books and all records related to such reports or to such other papers, that were prepared in the ordinary course of business.

Retention period: 3 years. 15 CFR 1020.121(b)

7. Assistant Secretary for Domestic and International Business

7.1 Ship and aircraft owners, masters, officers, employees and agents participating in transportation.

To retain records of voyages and/or shipments in sufficient detail to permit an audit to determine if the provisions of orders T–1 and T–2 (Shipping restrictions) to Country groups X, Y, or Z (these include Soviet bloc countries (excluding Rumania and Poland), Hong Kong, Macao, China, North Korea, North Vietnam, and Cuba), as set forth in the Export Schedule (15 CFR Part 370, Supp. 1), have been carried out. No changes in the records customarily maintained are required provided such records supply an adequate basis for audit. Records may be retained in microfilm or other photographic copies instead of the originals.

Retention period: At least 2 years. 32A CFR Ch. VII, T–1, sec. 4; T–2, sec. 5

7.2 Persons transporting commodities to and from Southern Rhodesia.

To retain records of shipments in sufficient detail to permit an audit that will determine, for each transaction, that the provisions of 15 CFR Part 11 have been met. Records may be microfilmed or photographic copies made.

Retention period: At least 2 years. 15 CFR 11.5

8. National Oceanic and Atmospheric Administration

8.1 Licensees on whale catchers and factory ships, and at land stations.

To maintain records of detailed information of the killing, capturing, and delivery of whales and a detailed record of whales received and processed.

Retention period: 6 months following the end of the calendar year to which the records apply. 50 CFR 230.30, 230.31, 230.32 (retention: 230.34)

8.2 [Deleted]

8.3 Recipients of fishing vessel mortgage insurance.

To maintain books of account and submit periodic reports as required by the Secretary of Commerce.

Retention period: End of period during which insurance is in force. 50 CFR 255.4

8.4–8.6 [Deleted]

8.7 Masters of shipping vessels engaged in yellow-fin tuna fishing.

To keep an accurate log of all fishing operations, including the date, locality, and estimated quantity of tuna fish and other marketable fish, by species, which are taken on board.

Retention period: Not specified. 50 CFR 280.10

8.8 State fishery agencies or other non-Federal interests receiving Federal assistance under the Anadromous Fish Act of 1965.

To maintain records of accounts and reports, with supporting documentation thereto.

Retention period: 3 years following final payment. 50 CFR 401.15

8.9 [Deleted]

8.10 Purchasers of haddock, yellowtail flounder, or other finfish from U.S. fishing vessels. [Amended]

To keep records of each purchase of haddock, yellowtail flounder, or any other species of finfish taken within convention area by a U.S. fishing vessel.

Retention period: Not specified. 50 CFR 240.10

8.11 Masters or operators of fishing vessels engaged in haddock or yellowtail flounder fishing. [Amended]

To keep an accurate log of all fishing operations, including details of type of gear used, locality and duration of fishing, and estimated poundage of each species taken at each retrieval of gear.

Retention period: Not specified. 50 CFR 240.10

8.12 Masters or operators of vessels holding Pacific halibut fisheries license or permit.

To keep an accurate log of all fishing operations, including the date, locality, amount of gear used, and amount of halibut taken daily in each locality.

Retention period: 2 years. 50 CFR 301.7

8.13 Halibut dealers.

To keep records of each purchase or receipt of halibut, showing date, locality, name of vessel, firm or corporation purchased or received from and amount in pounds according to trade categories of the halibut and other species landed therewith.

Retention period: 2 years. 50 CFR 301.8

8.14 Factory whaling ships and land stations.

To enter immediately in a permanent record the information reported by radio on whales taken by whale catchers, as prescribed in 50 CFR 351.13 (c), and other data, as prescribed in paragraph (d), when it becomes available.

Retention period: Permanent. 50 CFR 351.13

9. Regional Action Planing Commissions

9.1 Recipients of grants—financial records.

To keep and preserve on account of any grant under secs. 505 and 509 of the Public Works and Economic Development Act of 1965, as amended, full written records, accurately disclosing the amount and the disposition by such recipients of the proceeds of any such assistance, together with the amounts and dispositions of other funds applied to the project, all as shall adequately establish a compliance with the requirements of the act or acts involved and the terms and conditions upon which such financial assistance was made.

Retention period: Until completion of all work performed in connection with the project, or until final disbursement has been made by the Government, whichever is later, and at least 3 years thereafter. 13 CFR 307.62(10)(d)

10. United States Travel Service [Added]

10.1 States or private or nonprofit organizations receiving Federal grants for travel promotion projects.

To maintain all books, documents, papers, and records relating to the project.

Retention period: 3 years unless extended by the Assistant Secretary for Tourism. 15 CFR 1200.5 (retention: 1200.7)

11. Bureau of the Census [Added]

11.1 Exporters, their agents, and owners and operators of exporting carriers.

To retain all shipping documents, invoices, orders, packing lists, correspondence, and other documentation as required by 15 CFR 30.7 and 30.8.

Retention period: 3 years subsequent to exportation. 15 CFR 30.11

III. DEPARTMENT OF DEFENSE

1. Department of the Air Force [Renumbered]

1.1 Contractors' flight operating procedures and flight crews.

To keep records of each flight crew member and policy and flight operating procedures.

Retention period: Not specified. 32 CFR 860.8

2. Department of the Army [Renumbered]

2.1 Contractors with federally assisted contracts.

To maintain payroll and other related records during the course of the work for all laborers and mechanics working at the site of the work.

Retention period: 3 years. 32 CFR 1808.4

2.2 State or State agencies receiving Federal contributions for civil defense equipment.

To maintain books, records, and documents relating to such contributions.

Retention period: 3 years following completion of the approved project. 32 CFR 1801.6

2.3 State or State agencies receiving financial contributions for personnel and administrative expenses under the Federal Civil Defense Act of 1950, as amended.

To keep books, records, papers, and other pertinent supporting material including those relating to procurement of administrative equipment and to merit system operations showing receipt and disbursement of Federal funds received.

Retention period: 3 years after payment unless advised by OCD to maintain such records for a longer period. 32 CFR 1807.6

2.4 Persons holding permits for discharging or depositing into navigable waters. [Added]

To keep records as to the nature and frequency of all discharges and deposits from plant or other facility and such other information requested by the District Engineer.

Retention period: Not specified. 33 CFR 209.131

IV. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

1. Office of Education

1.1 Local educational agencies receiving Federal grants for construction of minimum school facilities in areas affected by Federal activities under Public Law 81–815, as amended.

To keep all records supporting claims for Federal grants.

Retention period: (1) Until 5 years after the date of final payment under the application involved, or (2) until notified that such records are not needed for administrative review, whichever occurs earlier.* 45 CFR 114.61

1.2 Local educational agencies receiving Federal grants to cover current expenditures in areas affected by Federal activities under Public Law 81–874, as amended.

To keep all records supporting claims for Federal grants.

Retention period: (1) Until completion of fiscal audit and/or administrative reviews which are conducted regularly by Federal agencies, or (2) for 3 years following fiscal year to which the claim relates, whichever is earlier.* 45 CFR 115.42

1.3 State and local agencies receiving financial assistance for vocational education programs under the Vocational Education Act of 1963, as amended.

(a) To maintain records supporting claims for Federal grants or relating to the accountability by the grantee for the expenditure of such grants and matching funds, and records supporting compliance and maintenance of effort and other requirements.

Retention period: 3 years after close of fiscal year in which expenditure was made or, if Federal audit has not occurred, 5 years after close of fiscal year in which expenditure was made or until notified of completion of Federal audit, whichever is earlier.* 45 CFR 102.129

(b) To maintain inventories of items of equipment acquired with funds under the act, and costing more than $200 per unit.

Retention period: Until depreciation of such equipment results in a fair market value of less than $200 per unit or until its disposition. Inventory records are subject to retention requirements for accountability of Federal funds. 45 CFR 102.131

1.4 Institutions of higher learning receiving grants for librarianship training under the Higher Education Act of 1965. [Added]

To maintain records relating to the receipt and expenditure of Federal grant funds and to the expenditure of grantee's contribution to the cost of the training program.

Retention period: 3 years after end of budget period; or if Federal audit has not occurred, until notified of completion of audit or 5 years following end of budget period, whichever is earlier. 45 CFR 132.16

1.5 State and local agencies and any other entities participating in the library services and construction program, interlibrary cooperation or specialized State library services under the Library Services and Construction Act, as amended.

(a) To keep all records identified as to individual program allotments supporting claims for Federal grants or relating to the accountability of the State agency or any participant for expenditures of such grants and of matching funds and records supporting maintenance of effort.

Retention period: Until State agency is notified that they are not needed for program administration review and that the Department's fiscal audit is completed.* 45 CFR 130.85

(b) To keep inventories and records of each item initially costing $100 or more, in which cost the Federal Government has participated, or which was purchased with State or local matching funds.

Retention period: Not specified. 45 CFR 130.80

1.6 State agencies and training facilities receiving payments for training under the Manpower Development and Training Act of 1962, as amended.

(a) To keep all records supporting claims for Federal funds or relating to the accountability of a State agency or training facility for expenditure of such funds and relating to the expenditure of its share of the costs of providing training under the act.

Retention period: (1) For 5 years after the close of the fiscal year in which the expenditure was made by the State agency or any public or private training facility; or (2) until the State agency or training facility is notified of the completion of the Federal fiscal audit, whichever is earlier.* 45 CFR 160.16

(b) To maintain an up-to-date inventory on all equipment acquired (1) as a part of the training projects approved under the act, (2) for use in State direction and supervision of training, and (3) for use in program development by other agencies.

Retention period: Until the expiration of the useful life of such equipment, or until notified of the completion of the audit covering the disposition of such equipment. 45 CFR 160.17

1.7 Recipients of Federal financial assistance for noncommercial broadcasting facilities pursuant to part IV of title III of the Communications Act of 1934, as amended.

(a) To maintain all records relating to the receipt and expenditure of the Federal grant funds and to the expenditure of non-Federal share of the cost of the project.

Retention period: For 5 years after the close of the fiscal year in which the expenditure was made; or until the applicant is notified of the completion of the Secretary's fiscal audit, whichever is earlier.* 45 CFR 60.19

(b) To maintain adequate descriptive inventories and other records supporting accountability of all transmission apparatus acquired and installed in the project and costing, or in the case of donations, having a fair market value of $100 or more except that when depreciation of such apparatus results in a fair market value of less than $100 per unit such apparatus may be deleted from such inventory.

Retention period: 10 years after completion of the project. 45 CFR 60.19

1.8 State or local educational agencies receiving grants for education of handicapped children.

(a) To maintain all records supporting claims for Federal funds or relating to accountability of the grantee for expenditures of such funds.

Retention period: (1) 3 years after close of fiscal year in which expenditure was made, or (2) until State educational agency is notified that such records are not needed for administrative review, whichever is the later.* 45 CFR 121.32

(b) To maintain an inventory (1) of all equipment placed in temporary custody of persons in a private school and (2) of all other equipment costing $100 or more per unit.

Retention period: (1) Until the equipment is discharged from such custody and if costing $100 or more per unit, for the expected useful life of the equipment or until its disposition or (2) for expected useful life of the equipment or until its disposition. Inventory records are subject to retention requirements for accountability of Federal funds. 45 CFR 121.33

1.9 State commissions receiving financial assistance under section 105 and institutions receiving financial assistance for construction of higher education facilities under the Higher Education Facilities Act of 1963, as amended.

(a) *State commissions.* To maintain (1) accounts and documents supporting expenditures for expenses, (2) inventories and other records supporting accountability for purchase of equipment items costing $50 or more per unit, (3) records of each application received, and (4) records of all hearings on appeals and all proceedings by which it establishes relative priorities and recommended Federal shares for eligible projects considered.

*The records involved in any claim or expenditure which has been questioned shall be further maintained until necessary adjustments have been reviewed and cleared.

(b) *Institutions, cooperative graduate center boards, and higher education building agencies.* To maintain all accounting records relating to approved projects, including bank deposit slips, canceled checks, etc. (or microfilm copies), for audit and inspection by the Federal Government.

Retention period: (a) (1) Until notified of completion of Federal audits for the Federal fiscal year concerned, (2) until notified of the completion of review and audit by HEW covering disposition of such equipment, (3) at least 2 years after final action is taken, and (4) at least 3 years; (b) 3 years after the completion of the project or until the applicant is notified of completion of the Government's audit, whichever is later. 45 CFR 170.6

1.10 Local educational agencies and public and private nonprofit agencies receiving financial assistance for adult education programs under section 309 of the Adult Education Act of 1966, as amended.

(a) To maintain all records pertaining to the expenditure of the Federal grant and non-Federal contribution.

Retention period: (1) 3 years after close of fiscal year in which expenditure was liquidated, (2) until grantee is notified that such records are no longer needed for program administrative review, or (3) until notified of completion of Federal fiscal audit, whichever is the latest.[6] 45 CFR 166.76

(b) To keep inventory and records of all items of equipment costing $100 or more in which cost the Federal Government has participated.

Retention period: Not specified. 45 CFR 166.77

1.11 State and local educational agencies receiving financial assistance under title III of the National Defense Education Act for strengthening academic subjects in public schools. [Revised]

(a) To keep all records supporting claims for Federal grants or relating to the accountability of the grantee for expenditures of Federal grants and matching funds.

Retention period: (1) 3 years after the end of the period for which funds were made available for expenditure; (2) if audit has not occurred, until completion of audit or 5 years following the end of period for which funds were made available, whichever is earlier.[6] 45 CFR 141.17

(b) To keep continuing inventories and records supporting accountability for nonconsumable equipment costing $300 or more per unit.

Retention period: Until equipment is no longer useful; until residual value of equipment is less than $100; or until equipment is disposed of or accountability to United States is waived. 45 CFR 141.17.

See footnote 6, page 117.

1.12 Private nonprofit elementary and secondary schools receiving loans under title III of the National Defense Education Act for acquisition of equipment for strengthening instruction in science, mathematics, modern foreign language, other critical subjects, and the humanities and the arts.

To keep all records supporting the use of loan funds accessible and intact.

Retention period: Until the loan has been paid in full or until 3 years after receipt of loan funds, whichever is later. 45 CFR 142.9

1.13 Institutes of higher education receiving financial assistance for graduate fellowship programs under title IV of the National Defense Education Act.

To keep all records supporting claims for Federal payments.

Retention period: (1) For 3 years after the close of the fiscal year to which such records relate; or (2) until they are notified that such records are not needed for program administration review; or (3) until they are notified of the completion of the Department's fiscal audit, whichever is the latest.[6] 45 CFR 145.5

1.14 State and local educational agencies receiving financial assistance for guidance and counseling and testing programs under title V of the National Defense Education Act.

(a) To keep all records supporting claims for Federal grants or relating to the accountability of the grantee agency for expenditures of Federal grants and matching funds.

Retention period: (1) For 3 years after the close of the fiscal year in which the expenditure was made; or (2) until the State agency is notified that such records are not needed for program administration review; or (3) until the State agency is notified of the completion of the Department's fiscal audit, whichever is the latest.[6] 45 CFR 143.18

(b) To keep records supporting accountability for nonconsumable equipment purchased under the program with Federal financial participation and costing $50.00 or more per unit.

Retention period: Until the State agency is notified of the completion of the review and audit covering the disposition of such equipment. 45 CFR 143.18

1.15 [Deleted]

1.16 State and local educational agencies receiving financial assistance for the education of children of low-income families, pursuant to title I of the Elementary and Secondary Education Act of 1965, which amended Public Law 81-874, as amended.

(a) To keep intact and accessible all records supporting claims for Federal grants or relating to the accountability of the grantee for expenditure of such grants.

Retention period: (1) 5 years after close of fiscal year in which expenditure was made; or (2) until State educational agency is notified that such records are not needed for administrative review, whichever is the earliest.[6] 45 CFR 116.54

(b) To maintain inventory records on equipment acquired with Federal funds and placed in the temporary custody of persons in a private school.

Retention period: 1 year following period inventories must be kept, i.e., until the equipment is discharged from such custody and, if costing $100 or more per unit, for the expected useful life of the equipment or until its disposition. 45 CFR 116.55.

1.17 State and local educational agencies receiving financial assistance for school library resources, textbooks, and other instructional materials, under title II of the Elementary and Secondary Education Act of 1965, as amended. [Amended]

(a) To keep records supporting claims for Federal funds or relating to the accountability of the grantee or funded agency for expenditure of such funds.

Retention period: (1) 3 years after the end of the period for which funds were made available for expenditure; (2) if audit has not occurred, until completion of audit or 5 years following the end of the period for which funds were made available, whichever is earlier.[6] 45 CFR 117.39.

(b) To maintain continuing inventories and other supporting accountability records for equipment costing $300 or more.

Retention period: Until equipment is no longer useful; until residual value is less than $100; or until accountability to U.S. has been waived. 45 CFR 117.39.

1.18 State and local educational agencies receiving financial assistance under title III of Elementary and Secondary Education Act of 1965 for supplementary educational centers and services.

(a) To keep all records supporting claims for Federal grants or relating to the accountability for expenditure of such grants.

Retention period: (1) 5 years after close of fiscal year in which expenditure was made, or (2) until State agency is notified that such records are not needed for administrative review, whichever occurs first. 45 CFR 118.11, 118.64

(b) To keep inventories of all equipment acquired with funds under title III of the act and costing $100 per unit.

Retention period: 3 years following the period for which such inventories are required to be made, i.e., for the expected useful life of such equipment or until its disposition, whichever is earlier. 45 CFR 118.11, 118.64

1.19 Recipients of Federal financial assistance for research and research related activities in the field of education and for construction of national and regional research facilities under the Cooperative Research Act.

(a) To keep all records supporting claims under Federal grants or relating to the accountability of Federal funds.

Retention period: (1) Until audit by or on behalf of the Department, or (2) 5 years after the close of the budget period, whichever is the lesser.[6] 45 CFR 151.18

(b) To keep inventories and other records supporting accountability of nonconsumable equipment costing $250 or more per unit purchased, in whole or in part, with Federal funds.

Retention period: Until grantee is notified of the completion of the Department's review and audit covering disposition of such equipment. 45 CFR 151.18

1.20 State educational agencies receiving financial assistance under title V of the Elementary and Secondary Education Act of 1965 to strengthen State departments of education. [Amended]

(a) To keep all records supporting claims for Federal grants or relating to the accountability of such grantee for expenditure of such grants.

Retention period: (1) 3 years after the end of the period for which funds were made available. for expenditure; (2) if audit has not occurred, until completion of audit or 5 years following end of period for which funds were made available, whichever is earlier.[6] 45 CFR 119.49

(b) To keep inventories and other records supporting accountability of equipment, which costs $100 or more per unit, purchased by the grantee with Federal financial participation.

Retention period: Until the grantee is notified of the completion of the Department's review and audit covering the disposition of such equipment. 45 CFR 119.49

1.21 Local educational agencies receiving financial assistance for construction of public elementary and secondary schools in areas affected by major disasters.

To keep records supporting claims for such assistance.

Retention period: 5 years following date of final payment under the application or until grantee is notified that such records are not needed for program administrative review, whichever is the earlier. 45 CFR 112.16

1.22 Local educational agencies receiving financial assistance for current expenditures in areas affected by major disasters.

To keep all records supporting claims for such Federal funds.

Retention period: 5 years following the fiscal year to which the claim relates, or until grantee is notified that such records are not needed for program administrative review, whichever is the earlier. 45 CFR 113.19

1.23 State commissions and institutions receiving financial assistance for acquisition of equipment to improve undergraduate instruction in institutions of higher education under the Higher Education Act of 1965.

(a) *State commissions.* To maintain (1) records supporting expenditures for expenses of State commission, (2) a complete case file on each application received, and (3) records of all proceedings by which it establishes relative priorities and recommended Federal shares for eligible projects considered.

Retention period: (1) Until notification of completion of Federal audits for fiscal year concerned, or 5 years following such fiscal year, whichever is sooner; [6] (2) at least 2 years after final action on the application by the State commission; and (3) at least 2 years after closing date for receipt of such projects. 45 CFR 171.8

(b) *Institutions.* To maintain all accounting records relating to approval of projects and to verification of the applicant's maintenance of effort, including bank deposits, canceled checks, etc.

Retention period: 3 years after completion of the project or until applicant is notified of the Government's audit, whichever is later. 45 CFR 171.8

1.24 Federal, State, and private programs of low-interest loans to vocational students and students in institutions of higher education.

(a) *Guarantee agencies.* To keep records on status of its student loan insurance reserve fund and the operation of its loan insurance program.

(b) *Lenders.* To keep complete and accurate records on all federally insured loan accounts reflecting each transaction.

Retention period: (a) Not specified; (b) until Commissioner has no further need for such records, but for not less than 3 years from date loan either has been repaid in full or defaulted with reimbursement of the lender by the guarantee agency or the Commissioner. 45 CFR 177.8

1.25 State agencies or institutions receiving financial assistance for community service and continuing education programs under the Higher Education Act of 1965.

(a) To maintain all records supporting claims for Federal grants or relating to accountability of State agency or participating institutions for expenditure of such grants or of matching funds.

Retention period: 5 years after close of fiscal year in which expenditure was made or until notified that such records are not needed for program administration review or of completion of Department's fiscal audit, whichever is sooner.[6] 45 CFR 173.20

(b) To keep inventories and records of all items of equipment initially costing $100 or more in which the Federal Government has participated.

Retention period: Not specified. 45 CFR 173.30(b)

1.26 Institutions of higher education participating in the national defense student loan program under title II of the National Defense Education Act of 1958.

To maintain records of all transactions with respect to the fund, general ledger control accounts and subsidiary accounts as required, pertinent records of fund activities including individual oaths, and promissory notes.

Retention period: Until agreed upon with the Commissioner that there is no further need for retention. 45 CFR 144.11

1.27 State agencies receiving financial assistance for Adult Basic Education Programs under the Adult Education Act of 1966, as amended.

(a) To maintain all records pertaining to the expenditure of the Federal grant and non-Federal contribution.

Retention period: (1) 3 years after close of fiscal year in which expenditure was liquidated, (2) until grantee is notified that such records are no longer needed for program administrative review, or (3) until notified of completion of Federal fiscal audit, whichever is the latest.[6] 45 CFR 166.40

(b) To keep inventory and records of all items of equipment costing $100 or more in which cost the Federal Government has participated.

Retention period: Not specified. 45 CFR 166.35

1.28 Local educational agencies and institutions of higher education receiving financial assistance for bilingual education programs under title VII of the Elementary and Secondary Education Act of 1965.

(a) To maintain all records pertaining to such Federal grant or to the expenditure of grant funds.

Retention period: 5 years after close of fiscal year in which the expenditure is liquidated or until notified that such records are not needed for program administrative review, whichever occurs first.[6] 45 CFR 123.26

(b) To maintain inventories and other records supporting accountability on equipment costing $100 or more per item under an approved project.

Retention period: 1 year after the end of expected useful life of equipment or disposition of the equipment. 45 CFR 123.37

1.29 Local educational agencies receiving financial assistance for demonstration projects for reducing school dropouts.

(a) To maintain all records relating to Federal funds and to the expenditure of such funds.

Retention period: 5 years after close of fiscal year in which the expenditure is liquidated or until notified that such records are not needed for program administrative review, whichever is earlier.[6] 45 CFR 124.25

(b) To maintain records on inventories of all equipment costing $100 or more per unit acquired with Federal funds.

Retention period: 1 year after the end of the expected useful life of the equipment or after disposition of such equipment. 45 CFR 124.28

1.30 Institutions of higher education receiving financial assistance for college library resources under title II–A of the Higher Education Act of 1965, as amended.

To maintain all records supporting claims for Federal funds and relating to the accountability of the grantee for expenditure of matching funds.

Retention period: 5 years after close of fiscal year or until notified of completion of fiscal audit, whichever is earlier.[6] 45 CFR 131.16

1.31 Public and private agencies receiving financial assistance for research and training, exemplary, and curriculum development programs in vocational education under the Vocational Education Act of 1963, as amended.

(a) To keep all records supporting claims for Federal funds and relating to the accountability of the grantee for expenditure of such funds and its contribution to the cost of the program or project.

Retention period: 3 years after close of budget period in which expenditures were made by the grantee; or, if a Federal audit has not occurred, (1) 5 years after close of budget period in which expenditures were made, or (2) until the grantee is notified of completion of the Federal audit, whichever is earlier.[6] 45 CFR 103.48

(b) To keep records on all equipment procured or fabricated under the grant and costing more than $300 or having a residual value of more than $100.

Retention period: Not specified. 45 CFR 103.53

1.32 Institutions of higher learning receiving grants under the Upward Bound project. [Amended]

To maintain all records showing progress of project in achieving objectives, and all accounting records necessary for audit.

Retention period: 3 years after completion of the project or until notification of the Federal audit, whichever is later; but in no case more than 5 years after completion of the project. 45 CFR 155.14

1.33 State educational agencies receiving Federal financial assistance for planning and evaluation under section 402 of the General Education Provisions Act.

(a) To keep all records supporting claims for Federal funds or relating to the accountability for expenditure of such funds.

Retention period: 3 years after the end of the period for which such funds were made available for expenditure or if there has been no audit by that time, until such audit or 5 years following the end of the budget period, whichever is earlier. 45 CFR 107.8(a)

(b) To keep records on inventories of all equipment acquired under section 402 of the act and costing $100 or more per unit.

Retention period: 3 years following the period for which such inventories are required to be made; or if there has been no audit by that time, until such audit or until 5 years following the end of the budget period, whichever is earlier. 45 CFR 107.8(b)

1.34 State or local educational agencies receiving grants under the Emergency School Assistance Program.

To maintain all records pertaining to expenditure of Federal grant.

Retention period: 3 years after end of budget period, or if Federal audit has not occurred in 3 years, 5 years following the end of the budget period. 45 CFR Part 181, App. A, Sec. 5

1.35 State and local educational agencies receiving financial assistance for educational programs on environmental quality. [Amended]

To maintain such records as the Secretary may find necessary.

Retention period: Not specified. 20 U.S.C. 1532

1.36 Area vocational schools and institutions of higher learning participating in the college work study program. [Added]

To maintain records reflecting all activities of the program including student employment applications.

Retention period: 3 years following end of fiscal year or until completion of Federal audit, whichever is later, but no longer than 5 years. 45 CFR 175.16

2. Food and Drug Administration

2.1 Persons introducing shipment or delivery of unlabeled food into interstate commerce and operators of establishments processing, labeling, and repacking.

Persons shipping unlabeled food interstate and operators of establishments processing, labeling, or repacking such food, where such persons and such operator are not the same person, shall keep written agreements containing such specifications as will insure that such food will not be adulterated or misbranded upon completion of such processing, labeling, or repacking.

Retention period: 2 years after final shipment or delivery of such food from such establishment. 21 CFR 5.2

2.2 Persons introducing shipment or delivery of unlabeled drugs and devices into interstate commerce and operators of establishments processing, labeling, and repacking.

Persons shipping unlabeled drugs and devices into interstate commerce and operators of establishments processing, labeling, or repacking such drugs and devices, where such persons and such operator are not the same person, shall keep written agreements containing such specifications as will insure that such drugs or devices will not be adulterated or misbranded upon completion of such processing, labeling, or repacking.

Retention period: 2 years after final shipment or delivery of such drugs or devices from such establishment. 21 CFR 1.107

2.3 Persons introducing shipment or delivery of unlabeled cosmetics into interstate commerce and operators of establishments processing, labeling, and repacking.

Persons shipping unlabeled cosmetics interstate and operators of establishments processing, labeling, or repacking such cosmetics, where such persons and such operator are not the same person, shall keep written agreements containing such specifications as will insure that such cosmetics will not be adulterated or misbranded upon completion of such processing, labeling, or repacking.

Retention period: 2 years after final shipment or delivery of such cosmetics from such establishment. 21 CFR 1.204

2.4 Persons introducing shipment or delivery of unlabeled hazardous substances into interstate commerce and operators of establishments receiving and labeling such substances.

Persons shipping unlabeled household containers of hazardous substances interstate and operators of establishments receiving and labeling such hazardous substances, where the person and the operator are not the same person, shall keep written agreements containing such specifications as will insure that such hazardous substances will not be misbranded upon completion of such labeling.

Retention period: 2 years after final shipment or delivery of such hazardous substance from such establishment. 21 CFR 191.64

2.5 Packers of processed shrimp and canned oysters operating under the seafood inspection service.

Shall keep shipping records covering shipments from each lot of inspected seafood.

Retention period: At least 2 years. 21 CFR 85.9, 85.24

2.6 Sponsors and investigators of new drugs and antibiotic drugs for investigational use; persons shipping new drugs and antibiotic drugs for laboratory study or for clinical investigation in animals; sponsors of clinical investigations in animals; institutional review committees; applicants for new animal drug approvals. [Amended]

(a) Sponsors of new drugs and antibiotic drugs for investigational use shall keep and maintain: (1) complete records of each shipment and delivery to an investigator and (2) accurate progress reports of the investigation and significant findings, together with any significant changes in the informational material supplied to investigators.

Retention period: 2 years after a new-drug application or an antibiotic form 5 is approved for the drug or, if unapproved, 2 years after shipment and delivery for investigational use is dis-

[6] See footnote 6, page 117.

continued and the Food and Drug Administration is so notified. 21 CFR 130.3, 130.3b, 144.8

(b) Investigators of new drugs and antibiotic drugs shall maintain: (1) complete records of disposition of the drug, and (2) case histories and other data pertinent to the investigation of each individual treated with the drug.

Retention period: 2 years after a new-drug application or an antibiotic form 5 is approved for the drug or, if unapproved, 2 years after the investigation is discontinued. 21 CFR 130.3, 130.3b, 144.8

(c) Persons introducing a shipment or other delivery interstate of a new drug or an antibiotic drug for laboratory study or for clinical investigation in animals shall keep and maintain complete records of each shipment and delivery including the name and post office address of the expert or investigator to whom the drug is shipped and the date, quantity, and batch or code mark of each shipment and delivery.

Retention period: 2 years after such shipment and delivery. 21 CFR 130.3, 130.3a, 130.3b, 135.3, 144.8

(d) Sponsors of clinical investigations in animals shall keep and maintain all reports received from investigators.

Retention period: 2 years after the termination of the investigation or approval of a new-drug application. 21 CFR 130.3, 130.3a, 130.3b, 135.3, 144.8

(e) Institutional review committees to maintain all documents relating to membership, study discussions, resolutions, recommendations, etc.

Retention period: 3 years past completion or discontinuance of study. 21 CFR 130.3, 130.3b

2.6a Manufacturers, processors, packers, and holders of finished pharmaceuticals. [Amended]

To maintain records of all written or verbal complaints for each product and the investigation of complaints.

Retention period: 2 years after distribution of drug has been completed or 1 year after expiration date of the drug, whichever is longer. 21 CFR 133.15

2.7 Persons requesting certification of antibiotic drugs; persons introducing shipment or delivery of antibiotic drugs into interstate commerce and operators of establishments processing, labeling, storing, repacking, and manufacturing.

(a) Persons requesting certification of antibiotic drugs shall keep complete records of all shipments and deliveries of each batch or part thereof.

(b) Persons shipping antibiotic drugs interstate for processing, labeling, storing, repacking, and manufacturing, and operators of such establishments, whether or not the shipper, shall keep complete records of all shipments and deliveries of each batch or part thereof.

(c) Persons engaged in manufacturing, compounding, processing, packing, or labeling an antibiotic drug for which a certificate or release has been issued or whose name appears on the labeling of an antibiotic drug as its manufacturer, packer, or shipper shall maintain such records and make such reports as are necessary to facilitate a determination whether any such certification or release should be rescinded or whether any regulation should be amended or repealed.

Retention period: (a) and (b) 3 years from date of shipment or delivery and/or receipt of same; (c) Not specified. (a) 21 CFR 146.5; (b) 21 CFR 144.3—144.7; (c) 21 CFR 146.14(d)

Photostatic or other permanent reproductions may be used as substitutes for records identified in this section after the first 2 years of retention. 21 CFR 144.23, 146.7

2.8 Persons petitioning for exemption from certification for antibiotic drugs intended for local or topical use.

Shall keep records of all laboratory tests and assays required as a condition for certification on each batch produced and of all shipments and deliveries of each batch or part thereof.

Retention period: 3 years after date of shipment or delivery. 21 CFR 144.1

2.9 Insulin distribution to whom certifications have been issued by the Food and Drug Administration.

Shall keep records of shipments and deliveries.

Retention period: 2 years after disposal of all the batch covered by the certificate. 21 CFR 164.8

2.10 Dairy farms and plants at which any milk or cream is pasteurized for shipment or transportation into the United States.

Shall keep all thermograph charts.

Retention period: 2 years, unless within that period the charts are examined and released by authorized agent of the Secretary. 21 CFR 290.17

2.11 Persons manufacturing, processing, packing, or holding finished pharmaceuticals. [Amended]

Shall keep and maintain (1) batch production and control records for each batch of drugs; (2) complete records of all data concerning laboratory tests performed; and (3) complete records of the distribution of each batch of drug in a manner that will facilitate its recall if necessary.

Retention period: 2 years after the distribution of the drug has been completed or 1 year after the expiration of the drug, whichever is longer. 21 CFR 133.7, 133.11, 133.12

2.12 Persons to whom color-additive certificates have been issued by the Food and Drug Administration.

Shall keep complete and separate records showing the disposal of all the color additive from the batch covered by such certificates.

Retention period: At least 2 years after disposal of all such color additive. 21 CFR 8.26

2.13 Persons delivering for introduction or introducing into interstate commerce a color additive or a food, drug, or cosmetic containing such an additive, for investigational use.

Shall maintain complete records of each shipment and delivery.

Retention period: 2 years after such shipment and delivery. 21 CFR 8.33

2.14 Manufacturers or distributors shipping new drug substances intended for hypersensitivity testing. [Added]

To maintain records of all shipments for this purpose.

Retention period: 2 years after shipment. 21 CFR 130.41

2.15 Persons treating food with low dose electron beam radiation.

To keep a record of the radiation intensity and power used by means of recorders coupled to the election accelerator. The record shall identify the food that has been subjected to the radiation.

Retention period: 1 year. 21 CFR 121.3007

2.16 [Transferred to XVIII 1.2]

2.17 Persons holding approved new-drug applications.

Shall, upon receiving notification that an application for a new drug is approved, establish and maintain such records and make such reports as are necessary to facilitate a determination whether there may be grounds for invoking section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) to suspend or withdraw approval of the application.

Retention period: Not specified. 21 CFR 130.13(d)

2.18 Persons manufacturing, processing, packing, or holding medicated feeds.

(a) Shall keep and maintain appropriate receipt and inventory records on any drug components used and a production record of each batch or run produced.

Retention period: At least 1 year. 21 CFR 133.104, 133.105(b)

(b) Shall prepare, check, and maintain a master formula record or card for each medicated feed.

Retention period: At least 1 year after production of the last batch. 21 CFR 133.105(a)

(c) Shall provide for the maintenance of the results of any assays together with records of analyses reported by any State feed control official.

Retention period: At least 1 year after distribution of the medicated feed has been completed. 21 CFR 133.108(e)

(d) Shall maintain complete records of distribution for each shipment of medicated feed in a manner that will facilitate the recall, diversion, or destruction of the feed, if necessary.

Retention period: At least 6 months after the date of the shipment. 21 CFR 133.109

(e) Shall maintain a record of complaints and the action taken relating to such complaints.

Retention period: 2 years. 21 CFR 133.110

2.19 Manufacturers, processors, packers, and holders of smoked and smoke-flavored fish.

To maintain records providing positive identification of the process procedures used for the manufacture of hot-process smoked or hot-process smoke-flavored fish and of the distribution of the finished product.

Retention period: Not specified. 21 CFR 128a.7(e) (5)

2.20 Persons manufacturing, processing, packing, or holding medicated premixes for use in the manufacture of medicated feeds.

(a) To maintain appropriate receipt and inventory records on any drug components used.

Retention period: 2 years. 21 CFR 133.204(a)

(b) To maintain a separate batch-production and control record for each batch or run of medicated premix produced.

Retention period: At least 2 years after distribution by the manufacturer has been completed. 21 CFR 133.205(b)

(c) To maintain records of any assays required to assure that the drug components and the medicated premixes conform to appropriate standards of identity, strength, quality, and purity.

Retention period: At least 2 years after distribution by the manufacturer of the medicated premix has been completed. 21 CFR 133.208(f)

(d) To maintain complete records of distribution for each shipment of medicated premixes in a manner that will facilitate the recall, diversion, or destruction of the medicated premix, if necessary.

Retention period: At least 2 years after the date of the shipment by the manufacturer. 21 CFR 133.209

(e) To maintain a record of all written or verbal complaints concerning the safety or efficacy of each medicated premix.

Retention period: 2 years. 21 CFR 133.210

2.21 Persons manufacturing, processing, packing, or repacking human foods.

To maintain records of coding of food products.

Retention period: The shelf life of the product, except not longer than 2 years. 21 CFR 128.7(i)

2.22 Manufacturers, importers, or retailers of agricultural fireworks.

To maintain complete records of production, distribution, and receipt of all such fireworks, and the name and address of the consignee.

Retention period: 3 years after distribution is completed. 21 CFR 191.9

2.23 State and local educational agencies receiving grants for educational programs on drug abuse. [Amended]

To maintain such records as the Secretary may find necessary.

Retention period: Not specified. 21 U.S.C. 1002

2.24 Sponsors of methadone maintenance programs for narcotic addicts. [Added]

To keep records of (a) observations on each aspect of the treatment for each person treated and (b) date, quantity, and batch or code of the drug used.

Retention period: (a) Not specified; (b) duration of the investigation. 21 CFR 130.44

2.25 Manufacturers of impact-resistant lenses for glasses and sunglasses. [Added]

To maintain records of sale, distribution, and results of tests conducted on impact-resistant lenses.

Retention period: 3 years. 21 CFR 3.84

2.26 Manufacturers and importers of clacker balls, baby bouncers and walkers, or similar articles. [Added]

To maintain records of sale, distribution, and results of inspections and tests conducted.

Retention: 3 years. 21 CFR 191.65a

2.27 Manufacturers of poison prevention packaging. [Added]

To maintain records of tests and results of both children and adults required under the Poison Prevention Packaging Act of 1970.

Retention period: Not specified. 21 CFR 295.10

3. Public Health Service [7]

3.1 State health authorities and cooperating agencies using grant funds for training under section 314 of the Public Health Service Act.

To maintain records of funds for each authorized personnel training grant for health work under the act.

Retention period: Not specified. 42 CFR 51.11, 51.13, 51.15

3.2 Institutions receiving grants for research projects.

To maintain such progress and fiscal records as the Surgeon General may prescribe.

Retention period: 3 years after end of budget period; or if audit on behalf of HEW has not occurred, 5 years following end of budget period, or until audit occurs, whichever is earlier; or until resolution of all audit questions. 42 CFR 52.24

3.3 State and State agencies receiving Federal funds for hospital and medical facilities survey and construction projects.

To maintain (a) separate fiscal and accounting records of Federal and/or State funds reflecting the receipt or expenditure of such funds and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) 5 years after final payment or until completion of a Federal audit and resolution of all questions arising therefrom, whichever occurs first; (b) 3 years after completion of the contract. 42 CFR 53.128, 53.131

[7] For Food, Drug and Cosmetic Act regulations applicable to products licensed under the Public Health Service Act, see Food and Drug Administration, Items 2.6, 2.11, 2.13.

3.4 [Reserved]

3.5 Applicants receiving grants for initial cost of professional and technical personnel of community mental health centers.

To maintain such records, books, documents, and papers that are pertinent to assistance under the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963.

Retention period: Not specified. 42 CFR 54.308

3.6 [Transferred to XVIII 1.1]

3.7 Institutions receiving Federal grants for the construction of health research facilities (including mental retardation facilities).

To maintain (a) all fiscal or other records relating to the construction and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 42 CFR 57.8

3.8 Applicants receiving Federal grants for the construction of teaching facilities for health professions.

To maintain (a) adequate and separate accounting and fiscal records for all funds provided from any source to pay the cost of the project and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 42 CFR 57.106

3.9 Institutions participating in the health professions and the nursing student loan programs. [Amended]

To keep records reflecting all transactions with respect to the student loan fund, recording Federal capital contributions and Federal capital loans separately.

Retention period: Not specified. 42 CFR 57.215, 57.315

3.10 Public or nonprofit private schools of nursing receiving Federal funds for scholarship grants and for construction of nurse training facilities.

To maintain (a) records relating to the use of such scholarship grant funds, (b) accounting and fiscal records and accounts for all funds provided from any source to pay cost of construction project, and (c) payroll records and kickback statements for all laborers and mechanics working at the project site.

Retention period: (a) 5 years or until audit has been completed and any questions arising therefrom have been resolved, whichever is sooner; (b) not specified; (c) 3 years after completion of the project. 42 CFR 57.406, 57.910

3.11 Schools of medicine, dentistry, osteopathy, optometry, pharmacy, and podiatry, and training centers for allied health professions receiving Federal funds for scholarship grants and for improving quality of such schools and centers.

To maintain (a) records relating to use of such scholarship grant funds, and (b)

progress and fiscal records relating to improving quality of such schools and centers.

Retention period: 5 years or until audit has been completed and any questions arising therefrom have been resolved, whichever is sooner. 42 CFR 57.511, 57.610, 57.715

3.12 Schools of public health receiving grants for provision of public health training.

To maintain records, documents, and information that relate to the grants.

Retention period: Until completion of the fiscal audit and resolution of all questions arising therefrom. 42 CFR 58.9

3.13 Public or private nonprofit agencies or institutions receiving Federal grants for the construction of medical library facilities.

To maintain (a) fiscal records and accounts for all funds provided from any source to pay for the cost of the project and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 42 CFR 59a.7

3.14 Public or private nonprofit medical libraries or related institutions receiving Federal grants for improving and expanding basic resources.

To maintain progress and fiscal records relating to the use of such grant funds.

Retention period: 3 years after termination of the grant unless a shorter or longer period of time is, respectively, permitted or required in writing by the Surgeon General. 42 CFR 59a.20

3.15 Public or private nonprofit medical libraries receiving Federal grants for the establishment of regional medical libraries.

To maintain separate fiscal records and accounts for all grant funds.

Retention period: 3 years after termination of the grant unless a shorter or longer period of time is, respectively, permitted or required by the Surgeon General. 42 CFR 59a.37

3.16 Institutions receiving Federal grants for National Institutes of Health and National Library of Medicine training.

To maintain fiscal and other records relating to the training and instruction for which a grant is awarded.

Retention period: Not specified. 42 CFR 64.4

3.17 Licensed domestic and foreign manufacturing establishments of biological products or trivalent organic arsenicals.

To keep records concurrently with performance of each step in the manufacture and distribution of each lot; complete records of recall from distribution; sterilization records including date, duration, temperature, and other conditions relating to each sterilization, so as to identify the particular process to which the sterilization relates; animal necropsy records; records by each establishment participating in manufacture of a product showing degree of individual responsibility with manufacturer preparing product in final form to retain complete records of all manufacturing operations; and records of tests of cultures for verification of identity and determination of freedom from extraneous organisms.

Representatives of licensed foreign establishments distributing biological products or trivalent organic arsenicals into any State or possession of the United States. To keep such records of distribution as are required of domestic licensed establishments.

Retention period: 5 years after the records of manufacture have been completed or 6 months after the latest expiration date, whichever is later.

Suspension of retention requirements: If a summary is retained, authorization may be granted to suspend retention of records of a manufacturing step upon a showing that such records no longer serve the purpose for which they were made. 42 CFR 73.301, 73.502, 73.780

3.18 Licensed domestic and foreign manufacturing establishments processing whole blood (human). [Amended]

To maintain records of the full explanation made by the physician, hospital or other medical facility, of why it is essential to allow time for transportation of whole blood (human) prior to determination of test results, to assure arrival when needed for transfusion.

Retention period: 5 years after the records of manufacture are completed or 6 months after the latest expiration date, whichever is later. 42 CFR 73.3004 (retention: 73.502(b))

3.19 [Transferred to XVIII 1.6]

3.20 Public or nonprofit institutions receiving Federal grants for regional medical programs.

To maintain all financial and other records relating to the use of the grant funds.

Retention period: Until records have been audited unless a different period is permitted or required in writing by the Surgeon General. 42 CFR 54.405

3.21 State and State agencies receiving grants from comprehensive health planning.

To maintain adequate records to show the disposition of all funds (Federal and non-Federal) expended for activities under the approved State program, in addition to other records required by the regulations or which may reasonably be required by the Secretary.

Retention period: 5 years, or until audit by HEW has been completed and any questions arising therefrom have been resolved, whichever is sooner. 42 CFR 51.4

3.22 State health or mental health authorities receiving grants for comprehensive public health services.

To maintain adequate records to show the disposition of all funds (Federal and non-Federal) expended for activities under the approved State plan, in addition to any other records required by the regulations or which may reasonably be required by the Secretary.

Retention period: 5 years, or until audit by HEW has been completed and any questions arising therefrom have been resolved, whichever is sooner. 42 CFR 51.104

3.23 Clinical laboratories which have been issued licenses under the Clinical Laboratories Improvement Act of 1967.

To maintain records relating to the identity of the specimen and laboratory reports, personnel, quality control procedures, and maintenance of equipment and instruments.

Retention period: At least 2 years after the date of submittal of report except as otherwise prescribed in this part or authorized by the Secretary. 42 CFR 74.50

3.24 State agencies receiving Federal grants under title V of the Social Security Act, as amended, for maternal and child health services and crippled children's services.

To maintain at the State level such accounts and supporting documents as will serve to permit an accurate and expeditious determination to be made at any time of the costs of carrying out the State plan, including the disposition of all monies received and the nature and amount of all charges claimed to lie against the funds authorized for carrying out the State plan.

Retention period: Not specified. 42 CFR 200.16

3.25 State agencies receiving Federal grants under title V of the Social Security Act, as amended, for maternal and child health services and crippled children's services which have purchased items of equipment and supply to carry out the State plan for such services.

To maintain a complete equipment inventory and adequate property controls.

Retention period: Not specified. 42 CFR 200.27

3.26 State agencies receiving Federal grants under title IV, part B of the Social Security Act, as amended, for child welfare services.

To establish and maintain such accounts, records, and supporting documents as will permit an accurate and expeditious Federal audit of the program to be made at any time.

Retention period: Until completion of audits (including the final resolution of any questions raised thereby) or for 3 years, whichever is later, unless the State agency is requested to retain particular accounts, records, or supporting documents for a longer period. 45 CFR 220.75

3.27 State agencies receiving Federal grants under title IV, part B of the Social Security Act, as amended, for child welfare services which have purchased items of equipment and supply in carrying out the annual budget.

To maintain a complete equipment inventory and adequate property controls covering such items.

Retention period: Not specified. 45 CFR 220.81

3.28 State health agencies or public or nonprofit private agencies and institutions receiving project grants for family planning services. [Revised]

To maintain records as required in section 508 of the Social Security Act and section 1001 of the Public Health Service Act.

Retention period: 3 years after close of budget period; or if Federal audit has not occurred, for 5 years after close of budget period or until completion of audit, whichever is earlier; or until resolution of all audit questions. 42 CFR 51a.17, 59.14

3.29 State and local public agencies and public or nonprofit institutions of higher learning receiving Federal grants for research projects relating to maternal and child health and welfare services.

To maintain accounting, budgetary, and fiscal records for each grant period of the amount and disposition of Federal and cost-sharing funds and total cost of grant period; and all basic data, cards, tapes, print-outs, tables, charts, and data analysis.

Retention period: 5 years after termination of the project or until final audit, whichever occurs first. 42 CFR 205.10

3.30 Public or nonprofit private schools of nursing, or public or nonprofit private agencies, organizations, or institutions receiving Federal funds for special project and institutional grants.

To maintain progress and fiscal records relating to the use of grant funds.

Retention period: 5 years or until audit has been completed, whichever comes first, except that where audit questions have arisen before the expiration of such 5-year period, records shall be retained until resolution of such questions. 42 CFR 57.1011

3.31 [Transferred to XVIII 1.3]

3.32 Manufacturers of certain electronic products. [Amended]

To maintain (a) description of the quality control procedures with respect to electronic product radiation safety; (b) record of the results of tests for electronic product radiation safety; (c) for products that display aging effects which may increase radiation emission, records of the results of tests for durability of the product, and the basis for selecting the tests; (d) copies of all pertinent written communications; (e) records of the manufacturers distribution of products; and (f) records received from dealers or distributors pursuant to sec. 78.731.

Retention period: 5 years from the date of the record. 42 CFR 78.720, 78.721

3.33 Dealers and distributors of certain electronic products.

To maintain, for products for which the retail price is greater than $50.00, information as necessary to permit tracing of specific products to specific purchasers.

Retention period: 5 years from the date of sale, award, or lease of such product. 42 CFR 78.730, 78.731

3.34 Approved Psittacine Bird Treatment Centers.

To maintain complete records of all birds received, treated and shipped, including date of each shipment and name and address of consignee.

Retention period: Not specified. 42 CFR 71.163

3.35 Clinical laboratories (microbiology and serology, clinical chemistry, immunohemotology, pathology, and radiobiology).

Clinical laboratories with small or infrequent operations in which no more than 100 specimens are accepted during any calendar year and which hold an unrevoked or unsuspended letter of exemption are to maintain and make available such accession and other records as the Secretary may find necessary to determine initial and continuing eligibility for exemption.

Retention period: Not specified. 42 CFR 74.2

4. Social Security Administration

4.1 States under agreement for voluntary coverage of State and local government employees.

To keep or cause to be kept records of a State and of political subdivisions of a State included under an agreement in a location accessible to and open for inspection by authorized officials of the Social Security Administration. Such records must show the amount of noncash remuneration paid as well as remuneration (tip and nontip) paid to each employee for services covered under the agreement and the period in which it was paid; such forms and systems of accounting as will enable the Administration to determine the amount of contributions for which the State is liable and whether they have been paid; such records as are necessary to establish the coverage status of individuals, e.g., the employees choice in a referendum on a desire for coverage basis referendum; records of claims for credit or refund and the supporting statement which is the basis for the claim for credit or refund; records of each employee's wages which are subject to the limitation of liability; where the agricultural exclusion was taken must identify in its records those employees who performed agricultural labor and each period during which such services were rendered.

Retention period: For 4 years (or longer if the State or political subdivision so desires) after the date the contributions were due or were paid, whichever is later. These records must be retained for the prescribed period even though the coverage of the entity has been terminated. Records for claims for credit and refund—for 4 years after the date the claim is filed even though the coverage of the entity involved has been terminated. 20 CFR 404.1256

4.2 Carriers under contract to assist in the administration of the supplementary medical insurance program for the aged.

To maintain such records as the Secretary finds necessary to assure the correctness and verification of the information and reports furnished him under the supplementary medical insurance program for the aged.

Retention period: Not specified. 20 CFR 405.678(f)

4.3 Hospitals, extended care facilities, home health agencies, and outpatient physical therapy providers which have filed agreements to participate in the health insurance for the aged program.

To keep clinical and other medical records, utilization review committee reports, physicians certifications, and recertifications.

Retention period: Hospitals, in accordance with statute of limitations in the respective State; extended care facilities, in accordance with State law or for 5 years in absence of a State statute; others, not specified. 20 CFR 405.1026, 405.1035(h), 405.1132, 405.1137(h), 405.1243, 405.1241, 405.1625

4.4 Hospitals, extended care facilities, home health agencies, and outpatient physical therapy providers which have filed agreements to participate in the health insurance for the aged program.

To maintain and provide such information as the Secretary finds necessary to determine whether payments are or were due under title XVIII of the Social Security Act, and the amounts thereof.

Retention period: Not specified. 20 CFR 405.406

4.5 Psychiatric and tuberculosis hospitals which have filed agreements to participate in the health insurance for the aged program.

To maintain such records as the Secretary finds to be necessary to determine the degree and intensity of the treatment provided to individuals entitled to hospital insurance benefits under the hospital insurance benefits for the aged program.

Retention period: Not specified. 20 CFR 405.1036

4.6 Intermediaries who have entered into an agreement to assist in the administration of the hospital insurance benefits for the aged program.

To maintain such records as the Secretary finds necessary to assure the correctness and verification of the information and reports furnished him under the hospital insurance benefits for the aged program.

Retention period: Not specified. 20 CFR 405.660

4.7 [Deleted]

4.8 Clinical laboratories.

To maintain records of laboratory reports.

Retention period: Not specified. 20 CFR 405.1316(e)(2)

4.9 Hospitals and hospital-based physicians under agreements apportioning the physicians' compensation.

To keep records and furnish information to substantiate the agreements they enter into concerning allocation of the compensation of the physicians.

Retention period: Not specified. 20 CFR 405.487

4.10–4.11 [Reserved]

4.12 Suppliers of portable X-ray services for Medicare beneficiaries.

To maintain records of each patient receiving services and the name of the doctor ordering such services.

Retention period: At least 2 years or for the period of time required by State law, whichever is longer. 20 CFR 405.1414

4.13 Public health agencies, rehabilitation agencies, and clinics providing outpatient physical therapy services.

To maintain clinical records for each patient receiving physical therapy services.

Retention period: 5 years. 20 CFR 405.1723

5. Social and Rehabilitation Service

ADMINISTRATION ON AGING

5.1 State agencies receiving Federal grants under title III of the Older Americans Act of 1965, as amended, for community planning, services, and training. [Amended]

To keep such records and afford such access thereto as the Secretary of Health, Education, and Welfare may find necessary to assure the correctness and verification of reports.

Retention period: Not specified. 45 CFR 903.24, 903.80

5.2 Public or nonprofit private agencies, organizations or institutions receiving Federal grants under title IV of the Older Americans Act of 1965, as amended, for research and development projects.

To keep such records and afford such access thereto as the Secretary of Health, Education, and Welfare may find necessary to assure the correctness and verification of reports.

Retention period: Not specified. 45 CFR 904.8

5.3 Public or nonprofit private agencies, organizations or institutions receiving Federal grants under title V of the Older Americans Act of 1965, as amended, for training projects.

To keep such records and afford such access thereto as the Secretary of Health, Education, and Welfare may find necessary to assure the correctness and verification of reports.

Retention period: Not specified. 45 CFR 905.8

5.4 State agencies and project grantees receiving Federal funds under title III of the Older Americans Act of 1965, as amended.

To maintain such accounts and supporting documents as will serve to permit an accurate and expeditious determination to be made at any time of the status of the Federal grants, including the disposition of the moneys received and the nature and amount of all charges claimed to lie against the allotment to the State.

Retention period: Not specified. 45 CFR 903.17

5.5 State agencies and project grantees participating in programs and activities for the aging.

To maintain accounting records.

Retention period: 3 years after the end of the budget period (or fiscal year) if audit by or on behalf of the Department has occurred by that time. If audit has not occurred, the records must be retained until audit, or until 5 years following the end of the budget period (or fiscal year), whichever is earlier, or until resolution of all audit questions. 45 CFR 901.4

5.6 [Transferred to XIII 1.2]

5.7–5.9 [Reserved]

COMMUNITY SERVICES ADMINISTRATION

5.10 State agencies receiving Federal grants under title IV, part B of the Social Security Act as amended, for child welfare services.

To establish and maintain such accounts, records, and supporting documents as will permit an accurate and expeditious Federal audit of the program to be made at any time.

Retention period: Until completion of audits (including the final resolution of any questions raised thereby) or for 3 years, whichever is later, unless the State agency is requested to retain particular accounts, records, or supporting documents for a longer period. 45 CFR 220.75

5.11 State agencies receiving Federal grants under title IV, part B of the Social Security Act, as amended, for child welfare services which have purchased items of equipment and supply in carrying out the annual budget.

To maintain a complete equipment inventory and adequate property controls covering such items.

Retention period: Not specified. 45 CFR 220.81

5.12 Public and other nonprofit agencies and organizations and public or nonprofit institutions of higher learning receiving Federal grants for research or demonstration projects in the field of child welfare.

To maintain (a) fiscal records for each grant period of the amount and disposition of Federal and cost-sharing funds and total cost for the grant period and such other records as will facilitate an effective audit; (b) all basic data, cards, tapes, print-outs, tables, charts and data analysis; and (c) such other records as may be required.

Retention period: (a) and (b) 5 years after termination of the project or until final audit, whichever occurs first; (c) not specified. 42 CFR 205.10

5.13–5.19 [Reserved]

REHABILITATION SERVICES ADMINISTRATION

5.20 Grantees receiving Federal funds for the construction of university-affiliated facilities for the mentally retarded.

To maintain (a) adequate and separate accounting and fiscal records and accounts for all funds provided from any source to pay the cost of the project and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 42 CFR 54.4

5.21 All grantees receiving Federal funds for the construction of community mental retardation facilities.

To maintain (a) adequate and separate accounting and fiscal records and accounts for all funds provided from any source to pay the cost of construction projects; (b) adequate accounting and fiscal records to reflect receipt and expenditure of funds allotted and paid for construction projects; and (c) payroll records and kickback statements for all laborers and mechanics working at the projects.

Retention period: (a) and (b) not specified; (c) 3 years after completion of the contract. 45 CFR 416.20, 416.24

5.22 State agencies receiving Federal grants for construction of community mental retardation facilities.

To maintain separate fund accounts for all Federal and State funds allotted for construction projects, designed to show at any given time funds allotted and encumbered, and unencumbered balances; to maintain adequate records of account to assure proper accounting of all Federal funds received and disbursed and similar suitable accounts of receipt and disbursement of State, local, and other funds used for matching purposes.

Retention period: Not specified. 45 CFR 416.24

5.23 Public and nonprofit agencies and organizations receiving Federal funds for initial cost of professional and technical personnel for community mental retardation facilities.

To maintain adequate and separate accounting and fiscal records and accounts for all funds provided from any source to pay the costs of the staffing project; and such other records as the Administrator, SRS, shall prescribe.

Retention period: Not specified. 45 CFR 416.94, 416.98

5.24 Grantees receiving Federal project grants for improvement of the quality of care and treatment of the mentally retarded and for research in health-related areas of mental retardation.

To maintain such progress and fiscal records as the Secretary of Health, Education, and Welfare may prescribe.

Retention period: 3 years after end of budget period, if audit on behalf of HEW has not occurred, 5 years following end of budget period or until audit has oc-

curred, whichever is earlier; or until resolution of all audit questions. 45 CFR 52.24

5.25 State agencies receiving Federal grants under section 2 of the Vocational Rehabilitation Act for the provision of vocational rehabilitation services.

To maintain (a) such written personnel policies, records and other information as necessary to permit an evaluation of personnel operations in relation to the State agency's standards; and (b) such accounts and supporting documents as will serve to permit an accurate and expeditious determination to be made at any time of the status of the Federal grants, including the disposition of all moneys received and the nature and amount of all charges claimed against such grants.

Retention period: Not specified. 45 CFR 401.12, 401.18

5.26 State agencies or other public or private nonprofit agencies receiving grants for vocational rehabilitation programs and activities.

To keep such records and accounts as the Administrator, Social and Rehabilitation Service may require.

Retention period: Not specified. 45 CFR 403.5, 403.25, 403.39, 404.11, 404.52, 404.80, 404.103, 405.11, 406.11, 406.43, 408.5

5.27 State agencies or other public or nonprofit organizations or agencies receiving grants for the construction of workshops and rehabilitation facilities.

To maintain (a) adequate and separate accounting and fiscal records and accounts for all funds provided from any source to pay the cost of the project; and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 45 CFR 404.22

5.28 Employees or organizations participating with the Social and Rehabilitation Service in contracts or jointly financed cooperative arrangements for projects with industry relating to handicapped individuals.

To keep such records and accounts as the Administrator, Social and Rehabilitation Service may require.

Retention period: Not specified. 45 CFR 403.67

5.29 [Reserved]

OFFICE FOR PLANNING, RESEARCH, AND TRAINING

5.30 Institutions of higher learning and associations receiving financial assistance for expansion and development of undergraduate and graduate programs in social work.

To maintain fiscal records for each period of the amount and disposition of Federal and cost-sharing funds and total cost for the grant period and such other records as will facilitate an effective audit, and such other records as the Service may require.

Retention period: Not specified. 45 CFR 280.12

5.31–5.39 [Reserved]

YOUTH DEVELOPMENT AND DELINQUENCY PREVENTION ADMINISTRATION

5.40 State, public or nonprofit private agencies or organizations receiving Federal grants for juvenile delinquency and youth development programs and activities.

To maintain (a) grant accounting records, identifiable by grant number; (b) inventories and records supporting accountability of equipment which cost $300 or more per item; and (c) to keep such records and afford such access thereto as the Administrator, Social and Rehabilitation Service may find necessary to assure the correctness and verification of reports submitted to him.

Retention period: (a) Until audit or 5 years after end of budget period, whichever is the less; (b) until completion of review and audit covering disposition of such equipment; (c) not specified. 45 CFR 270.21, 270.23, 270.40, 270.42, 270.69, 270.75, 270.90, 270.92, 270.130, 270.132, 270.150, 270.152, 270.170, 270.172, 270.187, 270.189, 270.209, 270.211

5.41 State or other public agencies receiving Federal grants for construction of juvenile delinquency rehabilitation facilities.

To maintain (a) adequate and separate accounting and fiscal records and accounts for all funds provided from any source to pay the cost of the project and (b) payroll records and kickback statements for all laborers and mechanics working at the project.

Retention period: (a) Not specified; (b) 3 years after completion of the contract. 45 CFR 270.110

5.42–5.49 [Reserved]

MEDICAL SERVICES ADMINISTRATION

5.50 Persons or institutions providing services under a State plan for medical assistance under title XIX of the Social Security Act.

To keep such records as are necessary to disclose the extent of the services provided to individuals receiving assistance under the plan.

Retention period: Not specified. 45 CFR 250.21

5.51 Institutions conducting training programs in nursing home administration under grants from Social and Rehabilitation Service.

To retain records of all costs related to courses provided, and persons trained.

Retention period: 3 years after the end of the budget period if audit by or on behalf of the Department has occurred by that time. If audit has not occurred, the records must be retained until audit or until 5 years following the end of the budget period, whichever is earlier, or until resolution of all audit questions. 45 CFR 252.44

5.52 State agencies administering plans for medical assistance under title XIX of the Social Security Act.

To maintain on file for ready access by the Department of Health, Education, and Welfare all information and reports used in determining whether a skilled nursing home meets the requirements specified in the regulation.

Retention period: 3 years. 45 CFR 249.33

5.53–5.59 [Reserved]

ASSISTANCE PAYMENTS ADMINISTRATION [ADDED]

5.60 State agencies administering public assistance programs under the Social Security Act.

To maintain records on applicants and recipients, program operation, fiscal and statistical information, and other records necessary for reporting and accountability.

Retention period: As prescribed by the Secretary. 45 CFR 205.60

6. General Administration

6.1 State agencies participating in the distribution and utilization of surplus property for health, education, and civil defense purposes under the Federal Property and Administrative Services Act of 1949.

To maintain accurate accountability records of all donable property received, warehoused, and distributed by each State agency. Accountability records of all single items having acquisition cost of $2,500 or more shall be kept separate from those of lesser amount.

Retention period: Minimum of 5 years. 45 CFR 14.6

6.2 State and local agencies acquiring real property. [Added]

To keep records of all relocation payments made and assistance furnished, and records of notification to persons and businesses displaced.

Retention period: Not specified. 45 CFR 15.59

V. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

1. Office of the Secretary

1.1 State, and public and private agencies participating in relocation assistance programs. [Amended]

To maintain records pertaining to eligibility for relocation payments, including all claims, receipted bills, or other documentation in support of a claim, and records pertaining to action on a claim.

Retention period: 3 years after completion of the federally assisted activities. 24 CFR 41.11(i), 42.195, 500.104(i), 540.108(g), 550.107(g)

1.2 Public agencies receiving assistance under Advances for Public Works Planning (First Program) administered by the Office of Assistant Secretary for Metropolitan Development. [Amended]

To keep accurate accounting records of all costs involved in connection with plan preparation.

Retention period: Not specified. 24 CFR 490.13

1.3–1.5 [Reserved]

1.6 Insurer, or pool, or person executing agreement under Federal riot reinsurance program.

To maintain books, documents, papers, and records that are pertinent.

Retention period: 3 years after final adjustment. 24 CFR 1900.38

1.7 Agencies designing, constructing or altering publicly-owned residential structures.

To maintain records relating to each contract, grant, or loan involving such publicly-owned residential structures.

Retention period: Not specified. 24 CFR 40.6

1.8 Developers of new communities. [Amended]

To maintain records of costs incurred for the project, including those of contractors and subcontractors.

Retention period: Not specified. 24 CFR 710.22

2. Federal Housing Administration

2.1 Lending agencies with respect to property improvement and mobile home loans. [Amended]

To keep complete credit and collection file pertaining to each eligible property improvement or mobile home loan transaction, which will accompany any claim for loss made by the insured.

(a) A property improvement loan file will include the borrower's application for a title I loan, the original note, completion certificate(s) and other exhibits furnished to the lending institution by the borrower. Where proceeds of the loan are not disbursed directly to borrower without dealer intervention in any manner, file will include borrower's written authorization to disburse to other than the borrower, signed copy of contract or sales agreement describing type and extent of improvements to be made and the material to be used, also record of written notice to borrower of credit application approval. Proper evidence shall be in the file of permissible additional charges assessed against the borrower for additional expenses such as recording or filing fees, documentary stamp taxes, title examination charges and hazard insurance premiums in connection with title I property improvement loans where security is taken in the nature of a real estate mortgage, deed of trust conditional sales contract, chattel mortgage, mechanic's lien or other security device taken for the purpose of securing the payment of eligible loans. Evidence of late charge billing must be in the file if claim is made under the Contract of Insurance. With respect to Class 3 property improvement loans under Title I of the National Housing Act, the property description, plans and specifications shall remain a permanent part of the loan file in connection with certification to the Commissioner by the insured that in its opinion the site is suitable for a home and the proposed structure when completed will not adversely affect surrounding properties.

Retention period: Not specified. 24 CFR 200.171, 200.172, 200.174, 200.177, 201.2, 201.4, 201.6, 201.8, 201.10, 201.11

(b) A mobile home loan file will include a dated credit application form executed by the borrower, a commercial credit report obtained by the insured on the borrower or evidence that the insured has made an adequate investigation of the borrower's credit. The file will also include the obligation document, a record of advance notice of intention to disburse proceeds of the loan, and a number of certificates pertaining to mobile home standards, sanitary facilities and codes, zoning, and placement.

Retention period: Not specified. 24 CFR 201.520, 201.525, 201.545, 201.570, 201.575, 201.605, 201.610, 201.665

2.2 Lending agencies—title I.

To keep dealer files in connection with dealer approval, investigation and control which shall contain the dealer application, the approval by the insured together with supporting information and a record of the insured's experience with the loans originated by such dealer.

Retention period: Not specified. 24 CFR 200.171, 201.8, 201.595

2.3 Project mortgagors under the National Housing Act. [Amended]

(a) To keep books and accounts in accordance with requirements of the FHA Commissioner and in such form as will permit a speedy and effective audit and maintain for such periods of time as may be prescribed by the Commissioner; contracts, records, documents, and papers shall be subject to inspection and examination by the FHA Commissioner and his duly authorized agent at all reasonable times.

Retention period: Not specified. 24 CFR 205.127, 207.19, 213.30, 220.630, 221.530, 221.538, 221.550, 221.552, 227.1, 232.87, 233.505, 235.830, 236.1, 242.65, 242.79, 244.105

(b) Where neither mortgagor nor any of its associates has any interest in the builder, financial or otherwise, and in connection with cost certification procedure, records shall be kept of all costs of any construction or other cost items not representing work under the general contract; where the mortgagor and/or its associates have any interest in the builder, contractor, or any subcontractor, the mortgagor shall keep such records and in turn require the builders to keep similar records. Requirements also apply to rehabilitation projects.

Retention period: Not specified. 24 CFR 205.110–205.125, 207.27, 213.35, 213.37, 220.501, 221.550, 227.1, 231.1, 232.83, 233.505, 234.501, 235.501, 236.1, 241.155–241.160, 242.251, 244.147–244.155

2.4 Investors insured under yield insurance provisions under title VII of the National Housing Act. [Amended]

To maintain such books, records, and accounts with respect to the insured project as may be prescribed by the Commissioner and will, in the judgment of the Commissioner, adequately and accurately reflect the conditions and operations of the project. The investor shall agree to permit the Commissioner or his agent at all reasonable times upon request to examine any and all books, records, contracts, documents, and accounts of the investor which reflect in any way the condition or operations of the project.

Retention period: Not specified. 24 CFR 238.255

2.5 Lending agencies for project mortgages insured under the National Housing Act. [Amended]

Upon assignment of the mortgage to the Federal Housing Commissioner, when entitled to receive the benefits of the insurance will deliver to the Commissioner, in addition to other items specified, all records, documents, books, papers, and accounts relating to the mortgage transaction.

Retention period: Not specified. 24 CFR Parts 205, 207, 210, 211, 213, 220, 221, 224, 227, 229, 231–236, 241, 242, 244

2.6 Mortgagors of new or rehabilitated multifamily housing insured under the National Housing Act.

To keep such records as are prescribed by the Federal Housing Commissioner at the time certification to keep such records is made and to keep them in such form as to permit a speedy and effective audit.

Retention period: Not specified. 42 U.S.C. 1434.

2.7 Mortgages of lower income family homes.

To maintain such records as the Commissioner may require with respect to the mortgagor's payments, the mortgage assistance payments received from the Commissioner, and the biennial recertifications of financial status from the homeowner or mortgagor.

Retention period: As prescribed by the Commissioner. 24 CFR 235.365

3. Office of Assistant Secretary for Research and Technology

3.1 Contractors and subcontractors with research and development contracts.

To maintain books, records, documents and other supporting evidence relating to the contract and such other records as specified in 41 CFR 1–20.301—1–20.301–3.

Retention period: Various. 41 CFR Part 1–20

VI. DEPARTMENT OF THE INTERIOR

1. Office of the Secretary

1.1 [Deleted]

1.2 **Contractors and subcontractors. [Added]**

To maintain books, records, and other evidence of accounting practices to reflect costs claimed and incurred in performance of contract.

Retention period: 3 years from final payment of contract or as specified by Federal procurement regulations whichever expires earlier, and for such longer period as required by statute or contract. 41 CFR 14–51.104–1

2. Fish and Wildlife Service

2.1 **Operators of commercial picking establishments, cold storage or locker plants receiving, possessing, or having custody of migratory game birds.**

To maintain accurate records showing the numbers and kinds of such birds, dates received and disposed of, and the names and addresses of the persons from whom received and to whom delivered.

Retention period: 1 year following the close of the open season on migratory game birds. 50 CFR 10.9

2.2 **Persons exercising privileges under permits granted under Migratory Bird Treaty Act regulations.**

To keep records and make reports as specified in the permits issued by the Bureau of Sport Fisheries and Wildlife for the importation, taking, sale, purchase, or other acquisition, and possession of live migratory birds and their eggs for propagating purposes; for the importation, taking, sale, purchase, or other acquisition, and possession of migratory birds and their eggs, nests or parts for scientific and other limited purposes; for the disposition and transportation of such birds, eggs, nests, parts and their increase; and for the mounting or other preparation by a taxidermist of such birds, eggs, or nests.

Retention period. 1 year following the end of the calendar year covered by the records. 50 CFR 16.9, 16.11, 16.12, 16.13, 16.14 (retention: 16.3)

2.3 **Persons exercising privileges under permits to kill, frighten, or herd migratory birds injuring crops.**

To keep an accurate record of all migratory birds killed and submit a report stating the species and number of migratory birds killed by the permittee.

Retention period: 12 months following the date on which necessary reports are submitted. 50 CFR 16.21 (retention: 16.3)

2.4 [Reserved]

2.5 **Persons authorized to kill depredating purple gallinules in Louisiana.**

To maintain record of the number of birds killed by him and submit a report thereon.

Retention period: 12 months following the date on which necessary reports are submitted. 50 CFR 16.24 (retention: 16.3)

2.6 **State fish and game departments conducting fish and wildlife restoration projects with Federal aid. [Amended]**

To maintain separate cost records by project; segregating costs for research, acquisition, development, and coordination done by or on behalf of the State.

Retention period: 3 years following final payment. 50 CFR 80.32, 80.33

2.7 **Persons authorized to use an identification symbol in labeling packages or containers. [Added]**

To maintain records of all fish and wildlife specimens, or parts thereof, which are shipped, transported, carried, brought, or conveyed in interstate or foreign commerce under the Endangered Species Conservation Act.

Retention period: As specified in permit. 50 CFR 17.9

2.8–2.15 [Reserved]

3. Geological Survey

3.1 **Coal-mine lessees (federally owned lands).**

To keep records of all coal mined, sold, or otherwise disposed of. Records of correct daily weights or biweekly measurements shall be posted if the miners are paid by weight or measurement.

Retention period: Not specified. 30 CFR 211.15

3.2 **Oil and gas lessees (federally owned and restricted Indian lands).**

To keep accurate and complete records of the drilling, redrilling, deepening, repairing, plugging, or abandoning of oil wells and of all other well operations, and of all alterations to casing.

Retention period: Until submission of reports to Regional Oil and Gas Supervisors. 30 CFR 221.23

3.3–3.7 [Reserved]

3.8 **Mineral lessees, potash, sodium and other minerals (federally owned lands).**

To keep books of a correct account of all ore mined, put through the mill, of all ore and mineral products sold and to whom sold, the weight, assay value, moisture content, prices received, and percentage of mineral products recovered or lost.

Retention period: Not specified. 30 CFR 231.26

3.9 **Oil and gas and sulphur lessees (Outer Continental Shelf).**

To keep well records and production records, and information obtained in the course of well operations.

Retention period: Until submission of reports to Regional Oil and Gas Supervisors. 30 CFR 250.38

4. Bureau of Indian Affairs

4.1 **Indian chartered corporations, unincorporated tribes and bands, and credit and cooperative associations from the United States.**

To keep separate records and accounts of their credit activities and of their cattle loans.

Retention period: Not specified. 25 CFR 91.7

4.2 **Indian corporations and tribes.**

To keep separate records and accounts of their cattle loans in connection with the revolving cattle pool.

Retention period: Not specified. 25 CFR 92.9

4.3—4.4 [Reserved]

4.5 **Oil and gas pipeline operators with rights-of-way over Indian lands.**

To keep books and records of oil produced or run from the lands.

Retention period: Not specified. 25 CFR 161.25

4.6 **Lessees of tribal lands for mining.**

To keep a full and correct account of all operations; and their books and records.

Retention period: Not specified. 25 CFR 171.18

4.7 **Lessees of allotted lands for mining.**

To keep a full and correct accounting of all operations and their books and records, showing manner of operations and persons interested, shall be open at all times for examination of such officers of the Department as shall be instructed in writing by the Secretary of the Interior or authorized by regulations to make such examinations.

Retention period: Not specified. 25 CFR 172.25

4.8 **Lessees of lands in Crow Indian Reservation, Montana, for mining.**

To keep books of account showing amount of ore shipped or oil or other mineral substance sold or treated, and showing amount of money received from sale of ores, oil, etc.

Retention period: Not specified. 25 CFR 173.18

4.9 **Lessees of restricted lands of members of Five Civilized Tribes, Oklahoma, for mining.**

To keep a full and correct account of all operations; and their books and records.

Retention period: Not specified. 25 CFR 174.34

4.10 **Lessees of lands in Osage Reservation, Oklahoma, for mining, except oil and gas.**

To keep upon the leased premises accurate records of the drilling, redrilling, or deepening of all holes, showing the formations; and books and records showing manner of operations and persons interested.

Retention period: Not specified. 25 CFR 175.13

4.11 **Lessees of lands under jurisdiction of Quapaw Agency for lead and zinc mining.**

To keep books in which shall be a correct account of all ore and rock mined on the tract, of all ore put through the mill, etc.

Retention period: Not specified. 25 CFR 176.24

4.12 **Lessees of Osage Reservation lands for oil and gas mining.**

To keep a full and correct account of all operations; and their books and records.

Retention period: Not specified. 25 CFR 183.44

4.13 Lessees of lands in Wind River Indian Reservation, Wyoming, for oil and gas mining.

To keep a full and correct account of all operations; and their books and records, showing the manner of operations and persons interested, shall be open at all times for examination by such officers of the Department as shall be instructed in writing by the Secretary of the Interior or authorized by regulations, to make such examination.

Retention period: Not specified. 25 CFR 184.25

4.14 Traders on Navajo, Zuni, and Hopi Reservations.

To keep accurate records of business activities. Receipts issued by the trader for Indian products must be recorded in the traders' books.

Retention period: Not specified. 25 CFR 252.7, 252.17

5. and 6. [Reserved]

7. Bureau of Mines

7.1 NOTE (supplied by Bureau of Mines):

Federal Coal Mine Health and Safety Act of 1969 (P.L. 91–173 Secs. 111 and 303(a); 83 Stat. 747; U.S.C. 813, 821).

(a) Records of the daily fan inspections and the fan pressure recording gage charts.

(b) The operator of a coal mine shall maintain at the mine a "Daily ledger: Coal-Mine Accidents" (Form 6–1498) in which shall be recorded for each accident, by date of occurrence, specified information with respect to the accident. A daily ledger shall be open for inspection by interested persons.

Retention period: (a) 1 year. 30 CFR 75.300–4(e); (b) 3 years from the date of the last accident which constitutes the last entry in the "Daily ledger: Coal-Mine Accidents." 30 CFR 80.31

7.2 State and local authorities receiving aid for reclamation and rehabilitation of strip and surface mine areas under the Appalachian Regional Development Act of 1965.

To maintain suitable records and accounts of transactions with and payments to project contractors.

Retention period: 3 years after completion of each individual project. 30 CFR 42.7

7.3 State agencies, organizations, institutions (public and private), or individuals receiving Federal grants for solid waste disposal projects, health and safety programs in coal mines, and research. [Revised]

(a) To maintain books of account and supporting papers of financial transactions involving Federal grants and those financed with matching funds from other sources.

(b) To maintain accountability record of all property items with expected life of more than 1 year and acquisition cost of $100 or more.

Retention period: (a) 3 years after last payment to grantee; (b) not specified. 30 CFR 51.18

7.4–7.5 [Combined with 7.3]

7.6 Private helium distributors selling to Federal agencies.

To keep such helium accounting records as are necessary to assure compliance with regulations in the section cited.

Retention period: At least 1 year following the dates of their applicability, and shall be made available to any duly authorized representative of the Bureau of Mines for examination. 30 CFR 2.4

8. National Park Service

8.1 Concessioners.

To keep records of their employees, payrolls, and other records with respect to compliance with labor standards established from time to time by or pursuant to Federal or State labor laws.

Retention period: 3 years. 36 CFR 8.6, 8.8

8.2 Concessioners and subconcessioners operating under negotiated contracts in areas administered by National Park Service.

To keep such records as the Secretary of the Interior may prescribe to enable the Secretary to determine that all terms of the concession contract have been and are being faithfully performed.

Retention period: 5 calendar years after the close of the business year of concessioner or subconcessioner. 16 U.S.C. 20g

9. Office of Water Resources Research

9.1 Individuals and institutions receiving funds under the Water Resources Research Act of 1964.

To maintain books and records reflecting financial transactions involving allotments, grants, contracts, or other arrangements and all papers necessary to explain or prove the validity of the transactions recorded.

Retention period: 3 years after allottee's or grantee's last disbursement of such funds or after last payment thereunder was received by the contractor. 18 CFR 505.6

10. [Reserved]

11. Office of Oil and Gas

11.1 Persons receiving allocations of imports of crude oil, unfinished oils, and finished products.

To maintain complete and current records of imports, refinery inputs, petrochemical plant inputs and the outputs of such plants.

Retention period: 3 years. 32A CFR Ch. X, OI Reg. 1, Sec. 6

VII. DEPARTMENT OF JUSTICE

1.1 Foreign agents required to register under 22 U.S.C. 611 et seq.

To keep all books and records relating to any activities which require registration, including correspondence, memoranda, and other written communications to and from foreign principals and other persons, names and addresses of persons to whom "political propaganda" has been sent, financial records, etc.

Retention period: 3 years following termination of registration. Upon good and sufficient cause shown in writing to the Assistant Attorney General in charge of the Internal Security Division, a registrant may be permitted to destroy books and records in support of the information furnished in the registration statement which was filed 5 or more years prior to the date of the application to destroy. 28 CFR 5.500

1.2 Manufacturers of and dealers in gambling devices.

To keep monthly records of sales and deliveries of gambling devices, showing the mark and number identifying each article together with the name and address of the buyer or consignee thereof and the name and address of the carrier, and including duplicate bills and invoices.

Retention period: 5 years. 15 U.S.C. 1173

1.3–1.10 [Deleted]

1.11 Manufacturers, distributors, dispensers, researchers, importers, exporters, and chemical analysists subject to the Controlled Substances Import and Export Act. [Added]

To maintain records and inventories of each substance manufactured, imported, received, sold, delivered, exported, or disposed of in accordance with Part 304.

Retention period: 2 years. 21 CFR 304.11–304.27, 308.32 (retention: 304.04)

1.12 Recipients of assistance under the Omnibus Crime Control and Safe Streets Act of 1968. [Added]

To keep records of amount and disposition of assistance; total cost of project; amount of total cost supplied by other sources; and other records as prescribed.

Retention period: Not specified. 42 U.S.C. 3769

VIII. DEPARTMENT OF LABOR

1. Office of the Secretary

1.1 Contractors or subcontractors engaged in construction, prosecution, completion, or repair of any public building, public work, or work financed in whole or in part by loans or grants from a Federal agency.

To keep weekly payroll records setting out name and address of each laborer and mechanic, his correct classification, rate of pay, daily and weekly number of hours worked, deductions made, and actual wages paid.

Retention period: 3 years from date of completion of contract. 29 CFR 3.4; 32 CFR 18.703–1; 41 CFR 1–12.403–1

1.2 Contractors or subcontractors subject to labor standards provisions applicable to contracts covering federally financed and assisted construction (see 29 CFR 5.1 and 5.5).

(a) To keep payroll and basic records including name and address of each laborer or mechanic, correct classifica-

tion, rate of pay (including rates of contributions or costs anticipated for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, disability and sickness insurance, or accident insurance, for vacation and holiday pay, for defraying costs of apprenticeship programs, or for other bona fide fringe benefits), daily and weekly number of hours worked, deductions made, and actual wages paid to all laborers and mechanics.

(b) In the case of unfunded plans or programs for fringe benefits listed in the Davis-Bacon Act, which are approved by the Department of Labor, to maintain records showing: (1) that the contractor's commitment is enforceable, (2) that it has been communicated in writing to laborers or mechanics employed by him, and (3) that it is financially responsible.

Retention period: 3 years after termination of contract. 29 CFR 5.5(a)(3)(i) and (6)

1.3 Contractors or subcontractors subject to labor standards provisions applicable to contracts subject only to the Contract Work Hours Standards Act.

To keep records relating to wages and hours.

Retention period: 3 years from completion of contract. 29 CFR 5.5(e); 516.2(a); 32 CFR 12.303–1; 41 CFR 1–12.303

1.4 Persons subject to the Farm Labor Contractor Registration Act of 1963.

To keep payroll records showing specified information concerning earnings, hours worked, withholdings from wages, time periods constituting the basis for payment, piece rates, and units of work performed at piece rates for migrant workers engaged in interstate agricultural employment paid by such a contractor either on his own behalf or on behalf of another.

Retention period: Not specified. 29 CFR 40.10

1.5 Contractors or subcontractors subject to Service Contract Act of 1965.

To keep records relating to work classifications, wages, fringe benefits, hours worked, and safety and health standards.

Retention period: 3 years from completion of the work. 29 CFR 4.6(g), 4.185, 1516.3; 32 CFR 12.1004; 41 CFR 1–12.904–1

1.6 Sponsors of apprenticeship and training programs and State apprenticeship agencies. [Revised]

To maintain records on qualification and evaluation of each applicant and other records of compliance with regulations including affirmative action plans and qualification standards.

Retention period: 5 years. 29 CFR 30.8

1.7 Sponsors of Neighborhood Youth Corps projects and work training and experience programs. [Amended]

To maintain such records as required by the Secretary for the purpose of the administration of the Economic Opportunity Act of 1964, as amended.

Retention period: Not specified. 29 CFR 50.41

1.8 Contractors or subcontractors subject to equal opportunity in employment regulations. [Amended]

To keep employment or other records as required by the Director, Office of Federal Contract Compliance, the contracting agency, or an applicant for Federal assistance concerning the contract, including the development and retention of written affirmative action compliance programs to be updated annually.

Retention period: Not specified. 41 CFR 1–12.805–4, 60–1.7, 60–1.40, 60–2, 60–5.21, 60–6.21, 60–7.21, 60–8.21

1.9 Contractor or subcontractors employing apprentices and trainees on Federal and federally assisted construction. [Added]

To keep records of employment by trades of the number of apprentices and trainees, the number of apprentices and trainees by first year of training, the number of journeymen, and the wages paid the apprentices, trainees, and journeymen.

Retention period: Not specified. 29 CFR 5a.3

1.10 State or local government agency, public agency, Indian tribes on Federal or State reservations, or institutions receiving grants under the Emergency Employment Act of 1971. [Added]

To maintain records and accounts, including records of property purchased with non-Federal shares, and personal and financial records.

Retention period: 3 years after expiration of grant. 29 CFR 55.17, 55.31a, 55.42, 55.51.

2. Employment Standards Administration [Revised]

2.1 Physicians and hospitals treating Federal employees covered by the Federal Employees' Compensation Act.

To keep records of all injury cases treated by them sufficient to supply the Bureau of Employees' Compensation with a history of the employee's accident, the exact description, nature, location and extent of injury, the degree of disability arising therefrom, the X-ray findings if X-ray examination has been made, the nature of the treatment rendered, and the degree of disability arising from the injury.

Retention period: Not specified. 20 CFR 2.10

2.2 Employers subject to the provisions of the Longshoremen's and Harbor Workers' Compensation Act, as extended by the Defense Base Act, the Outer Continental Shelf Lands Act, and the Nonappropriated Fund Instrumentalities Act.

To keep records in respect to any injury to an employee, including information of disease, other disability, or death.

Retention period: Not specified. 20 CFR 31.23

2.3 Employers in the District of Columbia subject to the Longshoremen's and Harbor Workers' Compensation Act.

To keep records in respect to any injury to an employee, including information of disease, other disability, or death.

Retention period: Not specified. 20 CFR 41.22

2.4 Supply contractors subject to Public Contracts Act (contracts with U.S. agencies or District of Columbia).

To keep unexpired certificate of age of employee issued and held pursuant to regulations issued by the Secretary of Labor under the Fair Labor Standards Act, as protection against unintentional employment of underage minors.

Retention period: During period of employment of such minors. 41 CFR 50–201.105

2.5 Contractors subject to Public Contracts Act (contracts with U.S. agencies or District of Columbia).

(a) To keep employment records, including name, address, sex, occupation, date of birth of each employee under 19 years of age (if the employer has obtained a certificate of age to record the title and office issuing the certificate, the number of certificate, if any, the date of its issuance, and the name, address, and date of birth of the minor, as the same appears on the certificate of age), wage and hour records.

Retention period: 3 years from date of last entry. 41 CFR 50–201.501(d)

(b) To keep basic employment and earnings records, wage rate tables, and work time schedules.

Retention period: 2 years from date of last entry or last effective date, whichever is later. 41 CFR 50–201.501(h)

2.6 State agencies having agreements with Secretary of Labor, or Administrator of Wage and Hour Division, for utilization of their services in making investigations and inspections under Fair Labor Standards Act and Public Contracts Act.

To keep accounting records and supporting data pertaining to expenditures for investigations and inspections.

Retention period: Not specified. 29 CFR 515.6, 570.86

2.7 Employers subject to the Fair Labor Standards Act making retroactive payment of wages to employees, including industrial homeworkers, under supervision of the Administrator.

To record and preserve, as an entry on payroll or other pay records, the amount

of such payment to each employee, the period covered by such payment, and the date of payment; and preserve a copy of the report of each such payment on the receipt form authorized by the Wage and Hour Division.

Retention period: 3 years. 29 CFR 516.2(b), 516.5, 516.24(b)(7), 545.7(d), 695.6(d)

2.8 Employers subject to Fair Labor Standards Act.

To keep employment records relating to wages, hours, sex, occupation, conditions of employment, etc.

Retention period: 3 years for records containing employee information, payrolls, and certificates, union agreements, and notices; and 2 years for basic employment and earnings records, wage rate tables, work time schedules, order shipping and billing records (customers bills, etc.), job evaluations, merit or seniority systems, or other matters which describe or explain the basis for payment of any wage differentials to employees of the opposite sex in the same establishment, records of deductions from or additions to pay. 29 CFR 516.2, 516.3, 516.5, 516.6, 516.8, 516.11–516.29

2.9 Employers subject to Fair Labor Standards Act employing apprentices in skilled trade at wages lower than minimum wage applicable.

To keep records relating to wages, hours, conditions of employment, etc., as well as designation of apprentices on the payroll, and when applicable, the apprenticeship program, apprenticeship agreement, and special certificate under which an apprentice is employed shall be retained.

Retention period: 3 years from termination of apprenticeship. 29 CFR 516.5, 521.8 (a) and (c)

2.10 Joint apprenticeship committees holding certificates issued by Administrator.

To keep records of apprenticeship program, apprenticeship agreement, and special certificate under which an apprentice is employed by an employer; the cumulative amount of work experience gained by the apprentice, and a list of employers to whom apprentice was assigned and period of time worked for each employer.

Retention period: 3 years from date of termination of apprenticeship. 29 CFR 516.5, 521.8 (b) and (c)

2.11 Employers subject to Fair Labor Standards Act employing learners under special learners certificates.

To keep payroll records of learners and occupation in which each learner is employed; any special learner certificates issued; statements obtained from learners employed under special learners certificates of experience acquired in the industry in the 3 years prior to employment as a learner; and to maintain file of all evidence and records, including correspondence, pertaining to filing or cancellation of job orders (in addition to requirements of 29 CFR Part 516).

Retention period: At least 3 years from last effective date of the certificate. 29 CFR 516.5, 522.7

2.12 Employers subject to Fair Labor Standards Act employing student-learners as learners under certificates.

To keep payroll records of student-learners and occupation in which each student-learner is employed and copies of applications filed in accordance with 520.4(a) and of any special certificates issued under which student-learners are employed.

Retention period: At least 3 years from the last effective date of the certificate. 29 CFR 516.5, 520.7

2.13 Employers subject to Fair Labor Standards Act employing handicapped workers.

To keep a copy of special certificates authorizing employment of workers whose earning capacity is impaired by physical or mental deficiencies at wages lower than the minimum wages applicable under Fair Labor Standards Act with employment record.

Retention period: 3 years. 29 CFR 524.10 (retention: 516.5, 516.23)

2.14 Sheltered workshops (as defined in 29 CFR 525.2(b)).

To keep records of the nature of each client's disability and records that reflect the productivity of each client on a continuing basis or at periodic intervals not exceeding 6 months; learning periods when authorized by the certificate; designation of workers who are evaluees and trainees as authorized by certificate; indication of which workers are under each certificate where more than one certificate held; indication of workers for whom individual certificates held; pricing of work and time studies made to establish prices; documents relating to State certification; and records required under applicable provisions of 29 CFR Part 516.

Retention period: 2 years. 29 CFR 525.13

2.15 Educational institutions employing student-workers as learners under certificates.

To keep payroll records showing rate of pay, including a copy of any special certificate issued.

Retention period: At least 3 years from the last effective date of the certificate. 29 CFR 516.5, 527.7

2.16 Retail or service establishments subject to Fair Labor Standards Act employing full-time students outside of their school hours under special full-time student certificates.

To keep payroll records of full-time students employed outside of their school hours in any retail or service establishment and occupations in which each such full-time student is employed; statements obtained by the employer from schools attended by such students that the employee receives primarily daytime instruction at the physical location of the school in accordance with the school's accepted definition of a full-time student; records of the monthly hours of employment of full-time students at special minimum wages under a full-time student certificate and of the total hours of employment during the month of all employees in the establishment; and any special certificates issued.

Retention period: At least 3 years from the last effective date of the certificate. 29 CFR 516.5, 516.23, 519.7

2.17 Retail or service establishments subject to Fair Labor Standards Act employing commission employees exempt from overtime pay requirements pursuant to section 7(h).

To keep employment records relating to wages, hours, circumstances and conditions of employment, including a symbol or letter to identify each such employee; an indication that the employee's regular rate of pay in each workweek meets requirements of the exemption and basic records demonstrating this fact; copy of the agreement or understanding or summary of its terms, including the basis of compensation, applicable representative period, and the date on which the agreement or understanding was entered into; and total compensation paid to each employee in each pay period stating separately the commission and noncommission straight time earnings.

Retention period: 3 years for records containing employee information, payrolls and certificates, union agreements, and notices; 2 years for basic employment and earning records, wage rate tables, work time schedules, orders, shipping and billing records (customers' bills, etc.), record of deductions from or additions to pay. 29 CFR 516.2, 516.5, 516.6, 516.28

2.18 Homeworkers and employers in the women's apparel industry, the jewelry manufacturing industry, the knitted outerwear industry, the gloves and mittens industry, the button and buckle manufacturing industry, the handkerchief manufacturing industry, and the embroideries industry.

To maintain a copy of each certificate authorizing employment of industrial homeworkers in the above industries on file in the same place at which the worker's employment records are maintained.

Retention period: Not specified. 29 CFR 530.8

2.19 Employers of industrial homeworkers in the women's apparel industry, the jewelry manufacturing industry, the knitted outerwear industry, the gloves and mittens industry, the button and buckle manufacturing industry, the handkerchief manufacturing industry, and the embroideries industry.

To keep employment records required by 29 CFR Part 516.

Retention period: Not specified. 29 CFR 530.9

2.20 Employers of industrial homeworkers engaged in making handfashioned jewelry on the Navajo, Pueblo, and Hopi Indian Reservations.

To keep records, including name, address, and date of birth of the homeworker, if under 19 years of age, description of work performed, amount and date of cash payments for each pay period, and a schedule of piece rates paid, and all records required by Part 516, except those required by 516.2 and 516.24.

Retention period: Not specified. 29 CFR Part 530.12(b)(3)

2.21 Employers of homeworkers in industries in Puerto Rico.

To keep records including name and address of firms outside Puerto Rico from whom goods upon which work to be done are received; name and address of subcontractors, if any, to whom each lot delivered, or delivery to homeworkers, and Labor Department permit number; dates goods delivered to and received from subcontractor with description of goods and rate of commission; name, address, age (if under 19) of homeworker; style number, description, amount of goods delivered, rates, etc.; date homeworker paid.

Retention period: 3 years. 29 CFR 545.7 (a) and (e). 545.8

2.22 Employers of homeworkers in industries in Puerto Rico.

To keep handbook furnished to employers by Wage and Hour Division, in which employer enters dates on which goods delivered to and received from (or purchased from) homeworker; style number; description, amount of goods, rates, etc.; date homeworker paid; signature of person acting for employer.

Retention period: 2 years subsequent to date of last entry. 29 CFR 545.7 (b) and (e)

2.23 Employers of homeworkers in industries in Puerto Rico.

To keep record of overtime (over 40 hours 1 week) including hours worked on each lot of work, total hours worked each week; wages paid at regular piece rates; extra amount paid for overtime; this in addition to other records required by 29 CFR 545.7.

Retention period: Employer, 3 years; employee handbook, 2 years. 29 CFR 545.7 (c) and (e)

2.24 Employers of homeworkers in industries in Puerto Rico (other than needlework industries).

To keep handbook furnished to employers by Wage and Hour Division to record dates upon which goods in each lot were delivered; style number, if any; description of, and amount of goods in each lot; operations to be performed thereon; piece rate to be paid, and net amount paid for operations performed upon such goods, etc.

Retention period: 2 years. 29 CFR 681.7, 681.8

2.25 Employers of homeworkers in industries in the Virgin Islands.

To keep records pertaining to such homeworkers.

Retention period: 3 years. 29 CFR 695.6, 695.7

2.26 Employers of homeworkers in industries in the Virgin Islands.

To keep handbook records containing dates upon which goods in each lot were delivered and collected; style number, description, and amount of goods in each lot, operations to be performed, and piece rate to be paid; net amount actually paid for operations performed; date paid and signature of person acting in behalf of employer.

Retention period: 2 years subsequent to last entry. 29 CFR 695.6, 695.7

2.27 Employers of local delivery drivers and helpers.

To keep records and computations with respect to employees for whom the overtime pay exemption is taken.

Retention period: Not specified. 29 CFR 516.11, 551.9

2.28 Employers, employment agencies, and labor organizations subject to Age Discrimination in Employment Act of 1967.

(a) *Employers*—(1) To keep records for each employee containing name, address, date of birth, occupation, rate of pay and compensation earned each week; (2) when made in the regular course of business, to keep personnel or employment records related to job applications, promotion or discharge, job orders submitted to employment agency or labor organization for recruitment of personnel, test papers of employer-administered aptitude or other employment test, results of physical examinations considered in connection with personnel action, and advertisements; (3) to keep any employee benefit plans; (4) to keep application forms for positions known to be of a temporary nature.

Retention period: (1) 3 years, (2) 1 year, (3) 1 year after termination of plan, (4) 90 days. 29 CFR 850.3

(b) *Employment agencies*—To keep records related to placements, referrals, job orders, job applications, test papers, and advertisements.

Retention period: 1 year. 29 CFR 850.4 (a)(1)

(c) *Labor organizations*—To keep records of name, address, and date of birth of members, and any individual seeking membership in the organization.

Retention period: 1 year. 29 CFR 850.5 (a) and (b)

2.29 Contractors.

To maintain records and documents relating to nature and use of tests, validation of tests, and test results as required.

Retention period: Not specified. 41 CFR 60-3.15

2.30 Employers subject to child-labor provisions of the Fair Labor Standards Act.

To keep certificates of age for employed minors under 18 years of age.

Retention period: Until termination of employment of minor. 29 CFR 570.3

2.31 State agencies having agreements with Secretary of Labor or Administrator of Wage and Hour Division, Labor Department, for utilization of their services in making investigations and inspections.

To keep accounting records and supporting data pertaining to expenditures for investigations and inspections under Fair Labor Standards Act, and Public Contracts Act.

Retention period: Not specified. 29 CFR 515.6, 570.86

2.32 Employers subject to minimum age standards of child-labor provisions of Fair Labor Standards Act.

To keep age certificate (a statement of a minor's age issued under regulations of Secretary of Labor) showing minor to be above minimum age requirements for employment as a protection from an unwitting violation of minimum age standards.

Retention period: Not specified. 29 CFR 570.121

2.33 Employers subject to FLSA employing children in occupations in agriculture under Federal service extension exemption.

To keep the certificate showing minor has fulfilled the requirements under provisions of Federal service extension exemption.

Retention period: Not specified. 29 CFR 570.70(f)

2.34 Employers subject to FLSA employing children in agriculture under the Vocational-Agriculture Training Exemption.

To keep the certificate showing minor has fulfilled the requirements under provisions of vocational-agriculture training exemption.

Retention period: Not specified. 29 CFR 570.70(g)

2.35 Employers subject to FLSA employing children under the Experimental School Supervised and School Administered Work-Experience Program.

To keep a copy of the written training agreement showing minor is a student participating in the work-experience and career exploration program.

Retention period: Duration of the program. 29 CFR 570.35a(b)(vii)

3. Labor-Management Services Administration [Revised]

3.1 Every labor organization required to file a labor organization information report under the Labor-Management Reporting and Disclosure Act of 1959, or under regulations promulgated under Executive Order 11491.

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the

documents filed with the Office may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.

Retention period: Not less than 5 years after filing of documents. 29 CFR 204.24, 402.9

3.2 Every person who pursuant to an agreement or arrangement with an employer undertakes certain activities or who has certain receipts or makes certain disbursements subject to the Labor-Management Reporting and Disclosure Act of 1959.

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.

Retention period: Not less than 5 years after filing of documents. 29 CFR 406.8

3.3 Labor organizations required to file annual financial reports under the Labor-Management Reporting and Disclosure Act of 1959, or under regulations promulgated under Executive Order 11491.

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.

Retention period: Not less than 5 years after filing the documents. 29 CFR 204.24, 403.7

3.4 Employers required to report payments or agreements or arrangements under the Labor-Management Reporting and Disclosure Act of 1959.

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.

Retention period: Not less than 5 years after filing of documents. 29 CFR 405.9

3.5 Persons required to file any report under labor organization trusteeship reports provision of the Labor-Management Reporting and Disclosure Act of 1959, or under regulations promulgated under Executive Order 11491.

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.

Retention period: Not less than 5 years after filing of documents. 29 CFR 204.24, 408.10

3.6 Labor organization officers and employees who are required to file reports of certain income and interests under the Labor-Management Reporting and Disclosure Act of 1959.

To maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Office may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions.

Retention period: Not less than 5 years after filing of documents. 29 CFR 404.7

3.7 Election officials designated in the constitution and bylaws, or the secretary if no other official is designated, of labor organizations conducting election by secret ballot provided for under the Labor-Management Reporting and Disclosure Act of 1959, or under regulations promulgated under Executive Order 11491.

To preserve all election records, including ballots.

Retention period: 1 year. 29 CFR 204.-29, 452.12(d)

3.8 Officials designated in the constitution and bylaws, or the secretary if no other official is designated, of national or international labor organizations conducting elections by a convention of delegates provided for under the Labor-Management Reporting and Disclosure Act of 1959, or under regulations promulgated under Executive Order 11491.

To preserve the credentials of delegates and all minutes and records pertaining to election.

Retention period: 1 year. 29 CFR 204.-29, 452.13(c)

3.9 Persons required to file any description or report or to certify any information therefor under the Welfare and Pension Plans Disclosure Act.

To maintain records on the matters of which disclosure is required which will provide in sufficient detail the necessary basic information and data from which the documents thus required may be verified, explained, or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, applicable resolutions and records of any written authorization delegating authority to sign any description or report.

Retention period: 5 years. 29 CFR 460.2(c), Part 486

3.10 Surety companies required to file reports under section 211 of the Labor-Management Reporting and Disclosure Act of 1959.

To maintain records on matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the reports may be verified, explained or clarified, and checked for accuracy and completeness.

Retention period: Not less than 5 years after filing of report. 29 CFR 409.5

4. Occupational Safety and Health Administration [Revised]

4.1 Persons accredited for vessel cargo gear certification.

To maintain records of all work performed on gear certification, including tests, proof loads, and heat treatment; of the status of the certification of each vessel issued a register by such accredited person.

Retention period: Permanent. 29 CFR 1919.10, 1919.11

4.2 Operators or officers of vessels.

To keep vessel's register and certificates relating to cargo gear.

Retention period: 4 years after date of the latest entry except for nonrecurring test certificates concerning gear which is kept in use for a longer period, in which case certificates are retained as long as that gear is in use. 29 CFR 1919.12

4.3 Employers of maritime employees under the Longshoremen's and Harbor Workers' Compensation Act.

(a) To maintain records of tests of strength of stevedoring gear.

Retention period: As long as such gear is in use. 29 CFR 1918.61

(b) To keep records of the dates, times, and locations of tests for carbon monoxide made when internal combustion engines exhaust into the hold or intermediate deck.

Retention period: 30 days after the work is completed. 29 CFR 1918.93

(c) To keep records relating to tests and inspections for the existence of hazardous flammable, explosive, or toxic liquids and gases.

Retention period: 3 months from the date of the completion of the job. 29 CFR 1915.10, 1916.10, 1917.10

4.4 Contractors subject to Public Contracts Act (contracts with U.S. agencies or District of Columbia).

To keep an annual summary of occupational illnesses and accidents.

Retention period: 5 years after date of entry. 29 CFR 1904, 41 CFR 50–201.502

4.5 Contractors subject to Public Contracts Act (contracts with U.S. agencies or District of Columbia).

To maintain records of radiation exposure of all employees for whom personnel monitoring is required.

Retention period: Not specified. 41 CFR 50–204.32

4.6 State agencies receiving development and planning grants for occupational safety and health.

To maintain records consistent with pertinent instructions.

Retention period: Not specified. 29 CFR 1950.11

4.7 Employers subject to the Occupational Safety and Health Act of 1970.

To maintain records for each occupational injury and illness, including an annual summary, and also a supplemental record in detail according to OHSA Form 101.

Retention period: 5 years. 29 CFR 1904.2, 1904.4–1904.6

5. [Combined with 2.]

6. [Reserved]

7. [Renumbered 4.]

IX. [TRANSFERRED TO XL. UNITED STATES POSTAL SERVICE]

X. DEPARTMENT OF STATE

1. Office of Munitions Control

1.1 Persons required to register as manufacturers or exporters of United States Munitions List articles.

To maintain, subject to the inspection of the Secretary of State, or any person designated by him, records on the exportation of articles enumerated in the United States Munitions List. Records shall contain all information pertinent to the transaction.

Retention period: 6 years, except that the Secretary may prescribe a longer or shorter period in individual cases as he deems necessary. 22 CFR 122.05

2. Agency for International Development [*]

2.1 Foreign governments, U.S. voluntary agencies, or intergovernmental organizations, except the World Food Program and United Nations Relief and Works Agency, involved in the transfer of food commodities for use in disaster relief, economic development, and other assistance. [Amended]

To maintain records and documents of all transactions pertaining to receipt, storage, inspection, and distribution of commodities, including records of receipt and disbursement of funds accruing from the operation of the program.

Retention period: 3 years from close of the U.S. fiscal year to which they pertain. 22 CFR 211.6

2.2 AID suppliers of commodities and commodity-related services for AID-financed programs or projects.

To maintain all records pertaining to the supplier's business together with all other documents bearing on supplier compliance with the undertakings and certifications of the Supplier's Certificate, AID Form 282.

Retention period: Not less than 5 years after date of execution of the Supplier's Certificate. 22 CFR Part 201, App. A., sec. 11

[*] For other AID contractors, see XXIX, Items 1.3, 1.13, 1.14.

XI. DEPARTMENT OF THE TREASURY

1. Bureau of Accounts

1.1 Public and private agencies holding refugee relief loans.

To maintain adequate books and records relating to the funds borrowed from the Secretary of the Treasury under the Refugee Relief Act of 1953, as amended, and resettlement loans made therefrom.

Retention period: During life of the loan. 31 CFR 290.5

2. Comptroller of the Currency

2.1 [Deleted]

2.2 National banks exercising trust powers.

To keep a separate set of books and records showing in proper detail all permissible fiduciary transactions engaged in under regulations and State and local law.

Retention period: Not specified. 12 CFR 9.8

2.3 National banks' shareholder lists.

To maintain a stock register book containing names and residences of all shareholders, such book to be kept in the main office of the bank.

Retention period: Permanent. 12 U.S.C. 62

2.4 Certificates executed by national banks under Exception 13 of R.S. 5200.

To keep certificates, executed by an officer of the bank designated by the board of directors for that purpose, in support of loans made based on negotiable or nonnegotiable installment consumer paper where the bank has in fact evaluated and is relying primarily on the makers for the payment of such obligations.

Retention period: Until repayment of the loan. 12 U.S.C. 84

2.5 [Deleted]

2.6 Investments in securities by national banks: credit information required. [Added]

To maintain credit information demonstrating prudence in evaluating public and investment securities.

Retention period: Not specified. 12 CFR 1.8

2.7 Security devices required in national banks. [Added]

To maintain records showing the name(s) and title(s) of law enforcement officer(s) who advises bank on installation, maintenance, and operation of appropriate security devices.

Retention period: Not specified. 12 CFR 21.5(b)

3. Bureau of Customs

3.1 [Deleted]

3.2–3.4 [Reserved]

3.5 [Deleted]

3.6 Manufacturers, processors, or dealers entering or withdrawing wool or hair of the camel under bond or receiving wool or hair by transfer under bond.

To keep records showing (a) in case of entry or withdrawal, the quantity, entered clean content, identity, and description of such wool or hair; (b) in case of receipt by transfer, the quantity, description, and date of transfer certificate of wool or hair and name and address of transferor.

Retention period: Records relating to bonded wool or hair—3 years after the imported wool or hair has been used in manufacturing; records of transferor, where the wool or hair has been charged against the transferee—3 years from date of transfer. 19 CFR 10.93 (retention: 10.95)

3.7 Manufacturers or processors of products and substances resulting wholly or in part from bonded wool or hair of the camel.

To keep records showing (a) date or inclusive dates of processing of each lot or inclusive dates of each period of manufacture; (b) quantity, identity, and description of wool or hair not previously processed put into process; (c) quantity and description of all intermediate products, stocks in process, and wastes not described put into process; (d) quantity and description of final products and quantity by weight of wool or hair content; (e) quantity of wastes remaining on hand; (f) inventory of wool and hair on hand at close of each abstract period; (g) quantities and description of any yarns spun.

Retention period: Records relating to bonded wool or hair—3 years after the imported wool or hair has been used in manufacturing; records of transferor, where the wool or hair has been charged against the transferee—3 years from date of transfer. 19 CFR 10.94 (retention: 10.95)

3.8 Manufacturers, processors, or dealers of articles of wool or hair of the camel.

To keep records showing quantity, description, and wool or hair content of all articles delivered from their premises pursuant to transfer under bond, purchase, consignment, or otherwise; date of delivery; name and address of person to whom delivered; exact designation; price paid or agreed upon.

Retention period: Records relating to bonded wool or hair—3 years after the imported wool or hair has been used in manufacturing; records of transferor, where the wool or hair has been charged against the transferee—3 years from date of transfer. 19 CFR 10.95

3.9–3.10 [Deleted]

3.11 Operators of importing vessels, aircraft, or vehicles. [Added]

To maintain evidence to support a claim of nonimportation or proper disposition of merchandise manifested but not found on board the importing vessel, aircraft, or vehicle.

Retention period: 1 year. 19 CFR 4.12, 6.7, 123.9

3.12 Proprietors of bonded smelting and/or refining warehouses operating under section 312, Tariff Act of 1930.[9]

To keep such records of the operation that will show the quantities of metal-bearing materials (a) on hand at the beginning of the period and the dutiable contents thereof; (b) received during the period and the dutiable contents thereof; (c) total to be accounted for and the dutiable contents thereof; (d) on hand at the end of the period and the dutiable contents thereof; and (e) worked during the period and the dutiable contents thereof.

Retention period: 5 years from date of statement. 19 CFR 19.19

3.13 Importers, exporters, proprietors of customs bonded warehouses, bonded common carriers, and others handling imported wheat in continuous customs custody.

To maintain such records as will enable customs officers to verify the handling to which imported wheat has been subjected and the proper accounting of any increase or shortage in quantity from shrinkage or other factor.

Retention period: 2 years after date of transaction. 19 CFR 19.34

3.14 Manufacturers or producers of articles manufactured or produced in the United States with the use of imported duty-paid merchandise and intended for exportation with benefit of drawback under section 313(a), Tariff Act of 1930.[9]

To keep records showing the date or inclusive dates of manufacture or production of the articles, the quantity and identity of the imported duty-paid merchandise used or appearing in the exported articles, the quantity and description of finished product obtained, and, if valuable waste is incurred in manufacture and claim is not based on the quantity of imported merchandise appearing in the exported articles, the value of the imported merchandise used in manufacture and the quantity and value of the waste incurred, and, in cases where two or more products are obtained, the values thereof at the time of separation.

Retention period: At least 3 years after payment of drawback claims. 19 CFR 22.4, 22.6 (retention: 22.46)

[9] These records are required to be kept by manufacturers or producers, proprietors of bonded smelting and/or refining warehouses operating under section 812, Tariff Act of 1930, and importers.

3.15 Manufacturers or producers of articles manufactured or produced in the United States with the use, in certain cases, of substituted merchandise in lieu of imported duty-paid merchandise and intended for exportation with benefit of drawback under section 313(b), Tariff Act of 1930, as amended.[9]

To keep detailed records pertaining to duty-paid merchandise or other articles manufactured or produced under drawback regulations with the use of such merchandise designated as the basis for the allowance of drawback on the exported articles.

Retention period: At least 3 years after payment of drawback claims. 19 CFR 22.5, 22.6 (retention: 22.46)

3.16 Manufacturers or producers of flavoring extracts and medicinal or toilet preparations (including perfumery) manufactured or produced in the United States with the use of domestic taxpaid alcohol and intended for exportation with benefit of drawback under section 313(d) Tariff Act of 1930, as amended.[9]

To keep records similar to those required of manufacturers or producers in the case of articles manufactured or produced in the United States with the use of imported duty-paid merchandise and intended for exportation with benefit of drawback under section 313(a), Tariff Act of 1930.

Retention period: At least 3 years after payment of drawback claims. 19 CFR 22.23, 22.24 (retention: 22.46)

3.17 Licensed customhouse brokers.

To keep current records of account reflecting all their financial transactions as customhouse brokers, including a copy of each entry made with all supporting papers, except those documents they are required to file with Customs, powers of attorney, copies of all correspondence and other papers relating to customs business and, except for certain specified limitations, a record of transactions of licensed customhouse broker (Customs Form 3079) in addition to the regular records of account.

Retention period: At least 6 years after the date of entry. When merchandise is withdrawn from a bonded warehouse, copies of papers relating to the withdrawal shall be retained for 6 years from the date of withdrawal. Powers of attorney shall be retained until revoked, and revoked powers of attorney and letters of revocation shall be retained for 6 years after the date of revocation. 19 CFR 111.23(a).

3.18 Importers of merchandise subject to actual use provisions. [Added]

To maintain records showing use or disposition of imported merchandise.

Retention period: 3 years from date of liquidation of entry. 19 CFR 10.137

4. Internal Revenue Service

NOTE: The following items refer to requirements issued under the Internal Revenue Code of 1939 and the Internal Revenue Code of 1954 which were in effect as of January 1, 1972. All regulations applicable under any provision of law in effect on August 16, 1954, the date of enactment of the 1954 Code, are applicable to the corresponding provisions of the 1954 Code insofar as such regulations are not inconsistent with the 1954 Code, and such regulations remain applicable to the 1954 Code until superseded by regulations under such Code. The Internal Revenue Service points out that the omission from this compilation of any record retention requirement provided for by law or regulation issued thereunder shall not be construed as authority to disregard any such requirement. The Service also points out that persons subject to income tax are bound by the retention requirement given in item 4.1 regardless of other requirements which for other purposes allow shorter retention periods.

The record retention requirements of the Internal Revenue Service are divided into the following categories: Income, Estate, Gift, Employment, Excise, Liquor, Tobacco, and Firearms Taxes.

Regulations issued pursuant to the Internal Revenue Code of 1939 and not entirely superseded are carried in the Code of Federal Regulations as Appendixes to Subchapters A and D of Chapter I of Title 26.

INCOME TAX

4.1 Persons subject to income tax.

(a) *General.* Except as provided in paragraph (b), any person subject to tax, or any person required to file a return of information with respect to income shall keep such permanent books of account or records, including inventories, as are sufficient to establish the amount of gross income, deductions, credits, or other matters required to be shown by such person in any return of such tax or information.

(b) *Farmers and wage-earners.* Individuals deriving gross income from the business of farming, and individuals whose gross income includes salaries, wages, or similar compensation for personal services rendered, are required to keep such records as will enable the district director to determine the correct amount of income subject to the tax, but it is not necessary that these individuals keep the books of account or records required by paragraph (a).

(c) *Exempt organizations.* In addition to the books and records required by paragraph (a) with respect to the tax imposed or unrelated business income, every organization exempt from tax under section 501(a) of the Code shall keep such permanent books of account or records, including inventories as are sufficient to show specifically the items of gross income, receipts, and disbursements, and other required information.

Retention period: So long as the contents thereof may become material in the administration of any internal revenue law. 26 CFR 1.6001–1

4.1a Section 38 property; computation of investment credit and qualified investment.

(a) *Members of affiliated group.* Keep as a part of its records a copy of the consent of the common parent (or a copy

of the statement containing all the required consents) to the apportionment of the $25,000 amount among such members. 26 CFR 1.46–1

(b) *Persons computing qualified investment in certain depreciable property.* Maintain sufficient records to determine whether section 47 of the Internal Revenue Code, relating to certain dispositions of section 38 property, applies with respect to any asset. 26 CFR 1.46–3

(c) *Recomputation of credit and qualified investment.* Maintain records which will establish with respect to each item of section 38 property, the following facts: (1) The date the property is disposed of or otherwise ceases to be section 38 property, (2) the estimated useful life which was assigned to the property for computing qualified investment, (3) the month and the taxable year in which property was placed in service, and (4) the basis (or cost), actually or reasonably determined, of the property.

Taxpayers who, for purposes of determining qualified investment, do not use a mortality dispersion table with respect to section 38 assets similar in kind but who consistently assign to such assets separate lives based on the estimated range of years taken into consideration in establishing the average useful life of such assets, must, in addition to the above records, maintain records which will establish to the satisfaction of the district director that such asset has not previously been considered as having been disposed of. 26 CFR 1.47–1

(d) *Disposition or cessation of section 38 property.* Any taxpayer who seeks to establish his interest in a trade or business, a former electing small business corporation, an estate or trust, or a partnership, shall maintain adequate records to demonstrate his indirect interest after any such transfer or transfers. 26 CFR 1.47–3, 1.47–4, 1.47–5, 1.47–6

(e) *Used section 38 property, $50,000 cost limitation.* Maintain records which permit specific identification of any item of used section 38 property selected, which was placed in service by the person selecting the property. Each member of an affiliated group shall maintain as part of its records a copy of the statement containing the apportionment schedule which was attached to the common parent's return. 26 CFR 1.48–3

(f) *Election of lessor of new section 38 property to treat lessee as purchaser.* The lessor and the lessee shall keep as a part of their records the statements filed with the lessee, signed by the lessor and including the written consent of the lessee. 26 CFR 1.48–4

Retention period: See Item 4.1

4.2 Persons paying travel or other business expenses incurred by an employee in connection with the performance of his services.

To maintain adequate and detailed records of ordinary and necessary travel, transportation, entertainment, and other similar business expenses, including identification of amount and nature of expenditures, and to keep supporting documents, especially in connection with large or exceptional expenditures. 26 CFR 1.162–17, 1.274–5

Retention period: See Item 4.1.

4.3 Persons claiming allowance for depreciation of property used in trade or business or property held for the production of income. [Amended]

To keep records and accounts with respect to basis of property, depreciation rates, reserves, salvage, retirements, adjustments, elections, cost of repair, maintenance or improvement of property, agreements with respect to estimated useful life, rates and salvage, and other factors. 26 CFR 1.167(a)–7, 1.167(a)–11, 1.167(d)–1.

Retention period: See Item 4.1

4.3a Persons changing method of depreciation of section 1245 property.

To maintain records which permit specific identification of the section 1245 property in the account with respect to which the election is made, and any other property in such account. The records shall also show for all the property in the account the date of acquisition, cost or other basis, amounts recovered through depreciation and other allowances, the estimated salvage value, the character of the property, and the remaining useful life of the property. 26 CFR 1.167(e)–1

Retention period: See Item 4.1.

4.3b Persons claiming a deduction for amounts expended in maintaining certain students as a member of household.

To keep adequate records of amounts actually paid in maintaining a student as a member of the household. For certain items, such as food, a record of amounts spent for all members of the household, with an equal portion thereof allocated to each member, will be acceptable. 26 CFR 1.170–2

Retention period: See Item 4.1.

4.4 Persons electing to treat trademark or trade name expenditures as deferred expenses.

To make an accounting segregation on his books and records of trademark and trade name expenditures, for which the election has been made, sufficient to permit an identification of the character and amount of each expenditure and the amortization period selected for each expenditure. 26 CFR 1.177–1

Retention period: See Item 4.1.

4.5 Persons electing additional first-year depreciation allowance for section 179 property. [Amended]

To maintain records which permit specific identification of each piece of "section 179 property" and reflect how and from whom such property was acquired. 26 CFR 1.179–4

Retention period: See Item 4.1.

4.6 Persons receiving any class of exempt income or holding property or engaging in activities the income from which is exempt.

To keep records of expenses otherwise allowable as deductions which are directly allocable to any class or classes of exempt income and amounts of items or parts of items allocated to each class. 26 CFR 1.265–1

Retention period: See Item 4.1.

4.7 Taxpayer substantiation of expenses for travel, entertainment, and gifts related to active conduct of trade or business.

A taxpayer must substantiate each element of an expenditure by adequate records or sufficient evidence corroborating his own statements. 26 CFR 1.274–1, 1.274–5

Retention period: See Item 4.1.

4.8 Corporations receiving distributions in complete liquidation of subsidiaries.

To keep records showing information with respect to the plan of liquidation and its adoption. 26 CFR 1.332–6

Retention period: See Item 4.1.

4.9 Qualified electing shareholders receiving distributions in complete liquidation of domestic corporations other than collapsible corporations.

To keep records in substantial form showing all facts pertinent to the recognition and treatment of the gain realized upon shares of stock owned at the time of the adoption of the plan of liquidation. 26 CFR 1.333–6

Retention period: See Item 4.1.

4.10 Persons who participate in a transfer of property to a corporation controlled by the transferor.

To keep records in substantial form showing information to facilitate the determination of gain or loss from a subsequent disposition of stock or securities and other property, if any, received in the exchange. 26 CFR 1.351–3

Retention period: See Item 4.1.

4.11 Persons who participate in a tax-free exchange in connection with a corporate reorganization.

To keep records in substantial form showing the cost or other basis of the transferred property and the amount of stock or securities and other property or money received (including any liabilities assumed upon the exchange, or any liabilities to which any of the properties received were subject), in order to facilitate the determination of gain or loss from a subsequent disposition of such stock or securities and other property received from the exchange. 26 CFR 1.368–3

Retention period: See Item 4.1.

4.12 Persons who exchange stock and securities in corporations in accordance with plans of reorganizations approved by the courts in receivership, foreclosure, or similar proceedings, or in proceedings under chapter X of the Bankruptcy Act.

To keep records in substantial form showing the cost or other basis of the

transferred property and the amount of stock or securities and other property or money received (including any liabilities assumed upon the exchange), in order to facilitate the determination of gain or loss from a subsequent disposition of such stock or securities and other property received from the exchange. 26 CFR 1.371–2

Retention period: See Item 4.1.

4.13 Corporations which are parties to reorganizations in pursuance of court orders in receivership, foreclosure, or similar proceedings, or in proceedings under chapter X of the Bankruptcy Act.

To keep records in substantial form showing the cost or other basis of the transferred property and the amount of stock or securities and other property or money received (including any liabilities assumed upon the exchange), in order to facilitate the determination of gain or loss from a subsequent disposition of such stock or securities and other property received from the exchange. 26 CFR 1.371–1

Retention period: See Item 4.1.

4.14 Railroads participating in a tax-free reorganization.

Records in substantial form must be kept by every railroad corporation which participates in a tax-free exchange in connection with a reorganization under section 374(a) of the Internal Revenue Code, showing the cost or other basis of the transferred property and the amount of stock or securities and other property or money received, including any liabilities assumed upon the exchange, in order to facilitate the determination of gain or loss from a subsequent disposition of such stock or securities and other property received from the exchange.

Retention period: Permanent. 26 CFR 1.374–3

4.15 Records required in computing depreciation allowance carryovers of acquiring corporations in certain corporate acquisitions.

Records shall be maintained in sufficient detail to identify any depreciable property to which section 1.381(c)(6)–1 of the regulations applies and to establish the basis thereof. 26 CFR 1.381(c)(6)–1

Retention period: See Item 4.1.

4.16 Corporations and shareholders for whom elections are filed with respect to the tax treatment of corporate reorganizations.

To keep permanent records of all relevant data in order to facilitate the determination of gain or loss from a subsequent disposition of stock or securities or other property acquired in the transaction in respect of which the election was filed. 26 CFR 1.393–3

Retention period: See Item 4.1.

4.16a Qualified pension or annuity plans with provisions for certain medical benefits.

To keep a separate account for record-keeping purposes with respect to contributions received to fund medical benefits described in section 401(h) of the Internal Revenue Code. 26 CFR 1.401–14

Retention period: See Item 4.1.

4.17 Employers claiming deductions for contributions to an employees' trust or annuity plan or compensating an employee under a deferred-payment plan.

To keep records substantiating all data and information required to be filed with respect to each plan and the deductions claimed thereunder.

Retention period: To be kept at all times available for inspection. 26 CFR 1.404(a)–2

4.18 Persons required to seek the approval of the Commissioner in order to change their annual accounting period.

To keep adequate and accurate records of their taxable income for the short period involved in the change and for the fiscal year proposed. 26 CFR 1.442–1

Retention period: See Item 4.1.

4.19 Persons selling by the installment method.

(a) *Installment method.* In adopting the installment method of accounting the seller must maintain such records as are necessary to clearly reflect income. A dealer who desires to compute income by the installment method shall maintain accounting records in such a manner as to enable an accurate computation to be made by such method.

(b) *Revolving credit plan.* The percentage of charges under a revolving credit plan which will be treated as sales on the installment plan shall be computed by making an actual segregation of charges in a probability sample of the revolving credit accounts in order to determine what percentage of charges in the sample is to be treated as sales on the installment plan. The taxpayer shall maintain records in sufficient detail to show the method of computing and applying the sample. 26 CFR 1.453–1, 1.453–2

Retention period: See Item 4.1.

4.19a Prepaid dues income.

A taxpayer who makes an election with respect to prepaid dues income shall maintain books and records in sufficient detail to enable the district director to determine upon audit that additional amounts were included in the taxpayer's gross income for any of the three taxable years preceding such first taxable year. 26 CFR 1.456–7

Retention period: See Item 4.1.

4.20 Persons engaged in the production, purchase, or sale of merchandise.

To keep a record of inventory conforming to the best accounting practice in the trade or business which clearly reflects income and is consistent from year to year. 26 CFR 1.471–1, 1.471–2

Retention period: See Item 4.1.

4.20a Supplemental Unemployment Benefit Trusts.

To maintain records indicating the amount of separation benefits and sick and accident benefits which have been provided to each employee. If a plan is financed, in whole or in part, by employee contributions to the trust, the trust must maintain records indicating the amount of each employee's total contributions allocable to separation benefits. 26 CFR 1.501(c)(17)–2(j)

Retention period: See Item 4.1.

4.20b Farmer's cooperative marketing and purchasing associations.

To keep permanent records of the business done both with members and nonmembers, which show that the association was operating during the taxable year on a cooperative basis in the distribution of patronage dividends to all producers. While under the Code patronage dividends must be paid to all producers on the same basis, this requirement is complied with if an association, instead of paying patronage dividends to nonmember producers in cash, keeps permanent records from which the proportionate shares of the patronage dividends due to nonmember producers can be determined, and such shares are made applicable toward the purchase price of a share of stock or of a membership in the association. 26 CFR 1.521–1

Retention period: See Item 4.1.

4.20c Controlled entities arm's length charges.

To maintain adequate books and records to permit verification of costs or deductions when a factor in determining the arm's length charge for services rendered to other members of a controlled group. 26 CFR 1.482–2(b)(3)

Retention period: See Item 4.1.

4.21 Corporations claiming deduction for dividends paid.

To keep permanent records necessary (a) to establish that dividends with respect to which the deduction is claimed were actually paid during the taxable year, and (b) to supply the information required to be filed with the income tax return of the corporation. To also keep canceled dividend checks and receipts obtained from shareholders acknowledging payment. 26 CFR 1.561–2

Retention period: See Item 4.1.

4.21a Mutual savings banks, etc., maintaining reserves for bad debts.

To maintain as a permanent part of its regular books of account, an account for: (1) a reserve for losses on nonqualifying loans, (2) a reserve for losses on qualifying real property loans, and (3) if required, a supplemental reserve for losses on loans. A permanent subsidiary ledger containing an account for each of such reserves may be maintained. 26 CFR 1.593–7

Retention period: See Item 4.1.

4.21b Mutual savings banks, etc., making capital improvements on land acquired by foreclosure.

To maintain such records as are necessary to reflect clearly, with respect to each particular acquired property, the cost of each capital improvement and

whether the taxpayer treated minor capital improvements with respect to such property in the same manner as the acquired property. 26 CFR 1.595–1

Retention period: See Item 4.1.

4.22 Persons claiming allowance for cost depletion of natural gas property without reference to discovery value or percentage depletion.

To keep accurate records of periodical pressure determinations where the annual production is not metered. 26 CFR 1.611–2

Retention period: See Item 4.1.

4.23 Persons claiming an allowance for depletion and depreciation of mineral property, oil and gas wells, and other natural deposits.

(a) *General.* To keep a separate account in which shall be accurately recorded the cost or other basis of such property together with subsequent allowable capital additions to each account and all other required adjustments; and, to assemble, segregate, and have readily available at his principal place of business, all the supporting data which is used in compiling certain summary statements required to be attached to returns.

(b) *Mineral property.* The information on which the summary statement is based and for which supporting data must be kept includes:

(1) An adequate map showing the name, description, location, date of surveys, and identification of the deposit or deposits;

(2) A description of the character of the taxpayer's property, accompanied by a copy of the instrument or instruments by which it was acquired;

(3) The date of acquisition of the property, the exact terms and dates of expiration of all leases involved, and if terminated, the reasons therefor;

(4) The cost of the mineral property and improvements, stating the amount paid to each vendor, with his name and address;

(5) The date as of which the mineral property and improvements are valued, if a valuation is necessary to establish the basis;

(6) The value of mineral property and improvements on that date with a statement of the precise method by which it was determined;

(7) An allocation of the cost or value among the mineral property, improvements and the surface of the land for purposes other than mineral production;

(8) The estimated number of units of each kind of mineral at the end of the taxable year, and also at the date of acquisition, if acquired during the taxable year or at the date as of which any valuation is made, together with an explanation of the method used in the estimation, the name and address of the person making the estimate, and an average analysis which will indicate the quality of the mineral valued, including the grade or gravity in the case of oil;

(9) The number of the units sold and the number of units for which payment was received or accrued during the year for which the return is made (in the case of newly developed oil and gas deposits it is desirable that this information be furnished by months);

(10) The gross amount received from the sale of mineral;

(11) The amount of depreciation for the taxable year and the amount of cost depletion for the taxable year;

(12) The amounts of depletion and depreciation, if any, stated separately, which for each and every prior year: (i) Were allowed, (ii) Were allowable, and (iii) Would have been allowable without reference to percentage or discovery depletion;

(13) The fractions (however measured) of gross production from the deposit or deposits to which the taxpayer and other persons are entitled together with the names and addresses of such other persons; and

(14) Any other data which will be helpful in determining the reasonableness of the valuation asserted or of the deductions claimed.

(c) *Oil and gas properties.* The following information with respect to each property is required in addition to that information set forth in paragraphs (a) and (b):

(1) The number of acres of producing oil or gas land and, if additional acreage is claimed to be proven, the amount of such acreage and the reasons for believing it to be proven;

(2) The number of wells producing at the beginning and end of the taxable year;

(3) The date of completion of each well finished during the taxable year;

(4) The date of abandonment of each well abandoned during the taxable year;

(5) Maps showing the location of the tracts or leases and of the producing and abandoned wells, dryholes, and proven oil and gas lands (maps should show depth, initial production, and date of completion of each well, etc., to the extent that these data are available);

(6) The number of pay sands and average thickness of each pay sand or zone;

(7) The average depth to the top of each of the different pay sands;

(8) The annual production of the deposit or of the individual wells, if the latter information is available, from the beginning of its productivity to the end of the taxable year, the average number of wells producing during each year, and the initial daily production of each well (the extent to which oil or gas is used for fuel on the premises should be stated with reasonable accuracy);

(9) All available data regarding change in operating conditions, such as unit operation, proration, flooding, use of air-gas lift, vacuum, shooting, and similar information, which have a direct effect on the production of the deposit; and

(10) Available geological information having a probable bearing on the oil and gas content; information with respect to edge water, water drive, bottom hole pressures, oil-gas ratio, porosity of reservoir rock, percentage of recovery, expected date of cessation of natural flow, decline in estimated potential, and characteristics similar to characteristics of other known fields.

(d) *Statement to be attached to return when depletion is claimed on percentage basis.* In addition to the requirements set forth in paragraphs (a), (b) and (c), a taxpayer who claims the percentage depletion deduction for any taxable year shall attach to his return for such year a statement setting forth in complete, summary form, with respect to each property for which such deduction is allowable, the following information:

(1) All data necessary for the determination of the "gross income from the property," as defined in 26 CFR 1.613–3, including, (i) Amounts paid as rents or royalties including amounts which the recipient treats under section 631(c) of the Internal Revenue Code, (ii) Proportion and amount of bonus excluded, and (iii) Amounts paid to holders of other interests in the mineral deposit;

(2) All additional data necessary for the determination of the "taxable income from the property computed without the allowance for depletion," as defined in 26 CFR 1.613–4. 26 CFR 1.611–2, 1.613–5

Retention period: See Item 4.1.

4.23a Mineral property, taxable income computation, allocation of section 1245 gain.

Taxpayer shall have available permanent records of all the facts necessary to determine with reasonable accuracy the portion of any gain recognized under section 1245(a)(1) of the Code which is properly allocable to the mineral property in respect of which the taxable income is being computed. In the absence of such records, none of the gain recognized under section 1245(a)(1) shall be allocable to such mineral property. 26 CFR 1.613–4

Retention period: See Item 4.1.

4.24 Persons claiming an allowance for depletion of timber property.

To keep accurate ledger accounts in which shall be recorded the cost or other basis of the property and land together with subsequent allowable capital additions in each account and all other adjustments. In such accounts there shall be set up separately the quantity of timber, the quantity of land, and the quantity of other resources, if any, and a proper part of the total cost or value shall be allocated to each after proper provision for immature timber growth. The timber accounts shall be credited each year with the amount of the charges to the depletion accounts or the amount of the charges to the depletion accounts shall be credited to depletion reserves accounts. 26 CFR 1.611–3

Retention period: See Item 4.1.

4.25 Persons electing to aggregate separate operating mineral interests.

To maintain adequate records and maps that shall contain a description of the aggregation and the operating mineral interests within the operating unit which are to be treated as separate

properties apart from the aggregation. A general description, accompanied by appropriately marked maps, which accurately circumscribes the scope of the aggregation and identifies the properties which are to be treated separately will be sufficient. There shall also be included a description of the operating unit in sufficient detail to show that the aggregated operating mineral interests are properly within a single operating unit. 26 CFR 1.614–2

Retention period: See Item 4.1.

4.26 Rules relating to separate operating mineral interests in the case of mines.

To maintain adequate records and maps that shall contain the following information:

(a) Whether the taxpayer is making an election or elections with respect to the operating unit in accordance with section 614(c)(3) (A) or (B) of the Internal Revenue Code;

(b) A description of the operating unit of the taxpayer in sufficient detail to identify the operating mineral interests which are included within such operating unit;

(c) A description of each aggregation to be formed within the operating unit, in sufficient detail to show that each aggregation consists of all the separate operating mineral interests which comprise any one mine or any two or more mines;

(d) A description of each separate operating mineral interest within the operating unit which is to be treated as a separate property, in sufficient detail to show that such interest is not a part of any mine for which an election to aggregate has been made;

(e) The taxable year in which the first expenditure for development or operation was made by the taxpayer with respect to each separate operating mineral interest within the operating unit, but if the first expenditure for development or operation has not been made with respect to a separate operating mineral interest before the close of the taxable year for which the election is made, such information should also be included;

(f) A description of each separate operating mineral interest within the operating unit which the taxpayer elects to treat as more than one such interest under section 614(c)(2) of the Internal Revenue Code, in sufficient detail to show that the separate operating mineral interest was not a part of an aggregation formed by the taxpayer under section 614(c)(1) of the Code for any taxable year prior to the taxable year for which the election under section 614(c)(2) of the Code is made, and to show that the mineral deposit representing the separate operating mineral interest is being developed or extracted by means of two or more mines;

(g) The taxable year in which the first expenditure for development or operation was made by the taxpayer with respect to each mine on the separate operating mineral interest that the taxpayer is electing to treat as more than one such interest; and

(h) The allocation of the mineral deposit representing the separate operating mineral interest between (or among) the newly formed interests and the method by which such allocation was made. 26 CFR 1.614–3

Retention period: See Item 4.1.

4.26a Persons aggregating operating mineral interests in oil and gas wells in a single tract or parcel of land.

To obtain accurate and reliable information, and keep records with respect thereto, establishing all facts necessary for making the computations prescribed for the fair market value method of determining basis on the aggregation. 26 CFR 1.614–6

Retention period: See Item 4.1.

4.26b Life insurance companies, contracts with reserves based on segregated asset accounts.

Separately account for each and every income, exclusion, deduction, asset, reserve, and other liability item which is properly attributable to such segregated asset accounts and keep such permanent records and other data relating to such contracts as is necessary to enable the district director to determine the correctness of the application of the separate accounting rules and the accuracy of the computations. 26 CFR 1.801–8(c)

Retention period: See Item 4.1.

4.26c Pooled income fund investing or reinvesting any portion of its properties jointly with other properties. [Added]

To maintain records which identify the portion of the total fund which is owned by the pooled income fund and the income earned by, and attributable to, such portion. 26 CFR 1.642(c)–5.

Retention period: See Item 4.1.

4.27 Life insurance companies distributing dividends to policyholders.

Every life insurance company claiming a deduction for dividends to policyholders shall keep such permanent records as are necessary to establish the amount of dividends actually paid during the taxable year. Such company shall also keep a copy of the dividend resolution and any necessary supporting data relating to the amounts of dividends declared and to the amounts held or set aside as reserves for dividends to policyholders during the taxable year.

Retention period: Permanent. 26 CFR 1.811–2

4.28 Life insurance companies with respect to the optional treatment of policies reinsured under modified coinsurance contracts.

The reinsured and reinsurer shall maintain as part of their permanent books of account any subsequent amendments to the original modified coinsurance contract between the reinsured and reinsurer. 26 CFR 1.820–2

Retention period: See Item 4.1.

4.29 Regulated investment companies.

To maintain records showing the information relative to the actual owners of its stock contained in the written statements to be demanded from the shareholders. For the purposes of determining whether a domestic corporation claiming to be a regulated investment company is a personal holding company the records of the company shall show the maximum number of shares of the corporation (including the number and face value of securities convertible into stock of the corporation) to be considered as actually or constructively owned by each of the actual owners of any of its stock at any time during the last half of the corporation's taxable year. Also to maintain a list of the persons failing or refusing to comply with demand for statements respecting ownership of shares. 26 CFR 1.852–6, 1.852–7

Retention period: See Item 4.1.

4.30 Real estate investment trust.

(a) To maintain in the internal revenue district in which it is required to file its income tax return such permanent records as will disclose the actual ownership of its outstanding stock.

(b) Shareholders of record may not be the actual owners of the stock; accordingly, the real estate investment trust shall demand a written statement from shareholders of record disclosing the actual owner of the stock. Section 1.856–6(d). A list of the persons failing or refusing to comply in whole or in part with the trust's demand for such statement shall be maintained as a part of the trust's records.

(c) For the purpose of determining whether a trust, claiming to be a real estate investment trust, is a personal holding company, the permanent records of the trust shall show the maximum number of shares of the trust (including the number and face value of securities convertible into stock of the trust) to be considered as actually or constructively owned by each of the actual owners of any of its stock at any time during the last half of the trust's taxable year, as provided in section 544 of the Internal Revenue Code. 26 CFR 1.857–6

Retention period: See Item 4.1.

4.31 Persons claiming credit for taxes paid or accrued to foreign countries and possessions of the United States.

To keep readily available for comparison on request the original receipt for each such tax payment, or the original return on which each such accrued tax was based, a duplicate original, or a duly certified or authenticated copy, in case only a sworn copy of a receipt or return is submitted. 26 CFR 1.905–2

Retention period: See Item 4.1.

4.32 Western Hemisphere trade corporations.

To keep records substantiating income tax statement showing that its entire business is done within the Western Hemisphere and if any purchases are made outside the Western Hemisphere, the amount of such purchases, the amount of its gross receipts from all sources, and any other pertinent information. 26 CFR 1.921–1

Retention period: See Item 4.1.

4.32a Persons or corporations seeking to come within the exception to the limitation on reduction in income tax liability incurred to the Virgin Islands, under section 934 of the Internal Revenue Code of 1954.

Must maintain such records and other documents as are necessary to determine the applicability of the exception. 26 CFR 1.934–1

Retention period: See Item 4.1.

4.32b United States shareholders of controlled foreign corporations.

To provide permanent books of account or records which are sufficient to verify for the taxable year subpart F, export trade, and certain other classes of income and the increase in earnings invested in United States property. 26 CFR 1.964–3

Retention period: See Item 4.1.

4.32c Election to use the average basis method for certain regulated investment company stock. [Added]

To maintain records as are necessary to substantiate the average basis (or bases) used on an income tax return in reporting gain or loss from the sale or transfer of shares. 26 CFR 1.1012–1

Retention period: See Item 4.1.

4.33 Executors or other legal representatives of decedents, fiduciaries of trusts under wills, life tenants and other persons to whom a uniform basis with respect to property transmitted at death is applicable.

To make and maintain records showing in detail all deductions, distributions, or other items for which adjustment to basis is required to be made. 26 CFR 1.1014–4

Retention period: See Item 4.1.

4.34 Persons making or receiving gifts of property acquired by gift after December 31, 1920.

To preserve and keep accessible a record of the facts necessary to determine the cost of the property and, if pertinent, its fair market value as of March 1, 1913, or its fair market value as of the date of the gift, to insure a fair and adequate determination of the proper basis. 26 CFR 1.1015–1.

Retention period: See Item 4.1.

4.35 Persons participating in exchanges or distributions made in obedience to orders of the Securities and Exchange Commission.

To keep records in substantial form showing the cost or other basis of the property transferred and the amount of stock or securities and other property (including money) received. 26 CFR 1.1081–11

Retention period: See Item 4.1.

4.36 Stock or security holders records of distribution pursuant to the Bank Holding Company Act of 1956.

Each stock or security holder who receives stock or securities or other property upon a distribution made by a qualified bank holding corporation under section 1101 of the Internal Revenue Code shall maintain records of all facts pertinent to the nonrecognition of gain upon such distribution. 26 CFR 1.1101–4

Retention period: See Item 4.1.

4.36a Gain upon sale or exchange of obligations issued at an original issue discount after December 31, 1954.

Taxpayer shall keep a record of the issue price and issue date upon or with each such obligation (if known or reasonably ascertainable by him). If the obligation held is an obligation of the United States received from the United States in an exchange upon which gain or loss is not recognized because of section 1037(a) of the Code (or so much of section 1031 (b) or (c) as relates to section 1037(a)), the taxpayer shall keep sufficient records to determine the issue price of such obligations for purposes of applying section 1.1037–1 of the regulations upon the disposition or redemption of such obligations. 26 CFR 1.1232–3(f)

Retention period: See Item 4.1.

4.37 Persons engaged in arbitrage operations in stock and securities.

To keep records that will clearly show that a transaction has been timely and properly identified as an arbitrage operation. Such identification must ordinarily be entered in the taxpayer's records on the day of the transaction. 26 CFR 1.1233–1

Retention period: See Item 4.1.

4.37a Grantors of straddles. [Added]

In the case of a multiple option where the number of options to sell and the number of options to buy are not the same or if the terms of all the options are not identical, the grantor must indicate in his records the individual serial number of, or other characteristic symbol imprinted upon, each of the two individual options which comprise the straddle, or by adopting any other method of identification satisfactory to the Commissioner. Such identification must be made before the expiration of the fifteenth day after the day on which the multiple option is granted and is applicable to multiple options granted after January 24, 1972, 26 CFR 1.1234–2

Retention period: See Item 4.1.

4.38 Record retention requirements for corporations and shareholders with respect to the substantiation of ordinary loss deductions on small business corporation stock.

(a) *Corporations.* The plan to issue stock which qualifies under section 1244 of the Internal Revenue Code must appear upon the records of the corporation. In addition, in order to substantiate an ordinary loss deduction claimed by its shareholders, the corporation should maintain records showing the following:

(1) The persons to whom stock was issued pursuant to the plan, the date of issuance to each, and a description of the amount and type of consideration received from each;

(2) If the consideration received is property, the basis in the hands of the shareholders and the fair market value of such property when received by the corporation;

(3) Which certificates represent stock issued pursuant to the plan;

(4) The amount of money and the basis in the hands of the corporation of other property received after June 30, 1958, and before the adoption of the plan for its stock, as a contribution to capital and as paid-in surplus;

(5) The equity capital of the corporation on the date of adoption of the plan; and

(6) Information relating to any tax-free stock dividend made with respect to stock issued pursuant to the plan and any reorganization in which stock is transferred by the corporation in exchange for stock issued pursuant to the plan.

(b) *Shareholders.* Any person who claims a deduction for an ordinary loss on stock under section 1244 of the Code shall file with his income tax return for the year in which a deduction for the loss is claimed a statement setting forth:

(1) The address of the corporation that issued the stock;

(2) The manner in which the stock was acquired by such person and the nature and amount of the consideration paid; and

(3) If the stock was acquired in a nontaxable transaction in exchange for property other than money—the type of property, its fair market value on the date of transfer to the corporation, and its adjusted basis on such date.

In addition, a person who owns "section 1244 stock" in a corporation shall maintain records sufficient to distinguish such stock from any other stock he may own in the corporation. 26 CFR 1.1244(e)–1

Retention period: See Item 4.1.

4.38a Foreign investment companies.

To maintain and preserve such permanent books of account, records, and other documents as are sufficient to establish what its taxable income would be if it were a domestic corporation. Generally, if the books and records are maintained in the manner prescribed by regulations under section 30 of the Investment Company Act of 1940, the requirements shall be considered satisfied. 26 CFR 1.1247–5

Retention period: See Item 4.1.

4.38b Recomputed basis of section 1245 property and additional depreciation adjustments to section 1250 property when such property is sold, exchanged, transferred, or involuntarily converted. [Added]

To maintain permanent records which include (1) the date and manner in which the property was acquired, (2) the basis on the date the property was acquired and the manner in which the basis was determined, (3) the amount and date of all adjustments to basis, and (4) similar information with respect to other property having an adjusted basis reflecting depreciation or amortization adjustments by the taxpayer, or by an-

other taxpayer on the same or other property. 26 CFR 1.1245–2, 1.1250–2

Retention period: See Item 4.1.

4.39 Persons involved in the liquidation and replacement of lifo inventories.

To keep detailed records such as will enable the Commissioner, in his examination of the taxpayer's return for the year of replacement, readily to verify the extent of the inventory decrease claimed to be involuntary in character and the facts upon which such claim is based, all subsequent inventory increases and decreases, and all other facts material to the replacement adjustment authorized. 26 CFR 1.1321–1, 1.1321–2

Retention period: See Item 4.1.

4.40 Unincorporated business enterprise electing to be taxed as a domestic corporation.

(a) *General.* Except as otherwise provided in paragraph (b), any unincorporated business enterprise electing to be taxed as a domestic corporation under section 1361 of the Internal Revenue Code is required to keep records, render statements, and make returns in the same manner as a domestic corporation.

(b) *Other records.* The following other records shall be maintained by a "section 1361 corporation:"

(1) Separate records shall be maintained for payments to owners of a "section 1361 corporation" in order that a determination may be made as to whether such payments are compensation for personal services to which section 1361(j) of the Internal Revenue Code applies, or are distributions which may be treated either as corporate distributions or as distributions of personal holding company income.

(2) In the case of a partnership, separate capital accounts shall be maintained for each partner. Such accounts shall set forth the original capital contribution, adjustments thereto (for example, because of an owner's share of undistributed personal holding company income), and any other information necessary to establish each partner's interest in the "section 1361 corporation."

(3) A "section 1361 corporation" shall maintain records of all transfers of interests by its owners made at any time during the period the election under section 1361 applies, showing the names of the transferor and the transferee, the relationship between them, and the interest transferred.

(4) The records of a "section 1361 corporation" shall be maintained in such a manner that assets, liabilities, income, and expenses of the "section 1361 corporation" are shown separately and distinctly from assets, liabilities, income, and expenses of the owners which do not relate to the enterprise. Moreover, separate records shall be maintained for personal holding income and deductions attributable thereto.

(5) A "section 1361 corporation" shall maintain an earnings and profits account which shall be computed in accordance with the rules applicable generally to domestic corporations, except that the receipt and distribution of personal holding company income (and expenses attributable thereto) shall not be taken into account in determining the amount of earnings and profits for the taxable year or accumulated earnings and profits. 26 CFR 1.1361–10, 1.1361–14

Retention period: See Item 4.1.

4.41 Records by small business corporations of (1) distributions of previously taxed income and (2) undistributed taxable income.

A small business corporation must keep records of (1) distributions of the net share of the previously taxed income of each shareholder and (2) each person's share of undistributed taxable income. In addition, each shareholder of such corporation shall keep a record of his own net share of previously taxed income and undistributed taxable income and shall make such record available to the corporation for its information. 26 CFR 1.1375–4; 1.1375–6

Retention period: See Item 4.1.

4.41a Persons required to withhold tax on nonresident aliens, foreign corporations, and tax-free covenant bonds on payments of income made on and after January 1, 1957.

To keep copies of Forms 1042 and 1042S. 26 CFR 1.1461–2

Retention period: See Item 4.1.

4.41b Affiliated group; (1) intercompany transactions, accounting for deferred gain or loss, and (2) allocation of Federal income tax liability.

(1) Maintain permanent records (including work papers) which will properly reflect the amount of deferred gain or loss and enable the group to identify the character and source of the deferred gain or loss to the selling member and apply the applicable restoration rules. (2) If an affiliated group elects to use the method of allocating Federal income tax liability provided in section 1.1502–33(d)(2)(i) of the regulations, it must maintain specific records to substantiate the tax liability of each member on a separate return basis for purposes of paragraphs (a)(1) and (b)(1) of such subdivision (i). In addition, allocations of tax liability may be made in accordance with any other method approved by the Commissioner, but a condition of such approval shall be that the group maintain specific records to substantiate its computations pursuant to such method. 26 CFR 1.1502–13(c)(5), 1.1502–33, 1.1552–1

Retention period: See Item 4.1

4.41c Withholding agents making payment to nonresident aliens, foreign partnerships, or foreign corporations after December 31, 1971, which are subject to a reduced rate or an exemption from tax pursuant to a tax treaty. [Added]

To maintain Form 1001, Ownership, Exemption, or Reduced Rate Certificate.

Retention period: *Coupon bond interest* at least 4 years after the close of the calendar year in which the interest is paid; *Income other than coupon bond interest or dividends* at least 4 years after the close of the calendar year in which the interest is paid; *Noncoupon bond interest* at least 4 years after the interest is paid. 26 CFR 1.1441–6, 1.1461–1.

4.42 Tax-exempt organizations. [Amended]

(a) *General.* To keep records and books of account pertaining to information included in the annual return, including items of gross income, receipts, disbursements, and contributions and gifts received, and to keep other pertinent information which will enable the district director to inquire into the organization's exempt status. An organizations claiming an exception from the filing of an information return must maintain adequate records to substantiate such claim. 26 CFR 1.6001–1, 1.6033–1, 1.6033–2

(b) *Employees' trusts.* To keep as a part of its records, written notification from an employer to the trustee that the employer has or will timely file the information required under section 404 of the Internal Revenue Code. 26 CFR 1.6033–1, 1.6033–2

(c) *Group returns.* The central organization shall retain the certified statements of those local organizations authorizing their inclusion in a group return. 26 CFR 1.6033–1, 1.6033–2

Retention period; (a) and (b) See Item 4.1; (c), for taxable years prior to January 1, 1970, permanent; for taxable years after December 31, 1969, until the expiration of 6 years after the last taxable year for which a group return includes the local organization.

4.42a Banking institutions, trust companies, or brokerage firms, who elect to file Form 1037, Nominee's Information Return, for each actual owner for whom it acts as nominee.

Must maintain such records as will permit a prompt substantiation of each payments of dividends made to the actual owner. 26 CFR 1.6042–1

Retention period: See Item 4.1.

4.42b Any trustee, insurance company, or other person, which is notified under section 6047(b) of the Code that contributions to a trust or under a retirement plan have been made on behalf of an owner-employee.

Shall maintain a record of such notification.

Retention period: Until all funds of the trust or under the plan on behalf of the owner-employee have been distributed. 26 CFR 1.6047–1

4.42c Persons making payments of estimated tax installments in foreign currency.

Maintain a copy of the statement certified by the foundation, commission, or other person having control of the payments to the taxpayer in nonconvertible foreign currency which are expected to be received during the taxable year for the purpose of exhibiting it to the disbursing officer when making installment deposits of foreign currency. 26 CFR 301.6316–6

Retention period: See Item 4.1.

4.43 Persons engaged in construction of aircraft for the Army and the Air Force.

To keep books, records, and original evidences of costs pertinent to the determination of the true profit, excess profit, deficiency in profit, or net loss from the performance of a contract or subcontract.

Retention period: So long as the contents thereof may become material in the administration of the act of March 27, 1934, as amended. 26 CFR App. A 16.13

4.44 Persons engaged in construction of naval vessels or aircraft for the Navy.

To keep books, records, and original evidences of costs pertinent to the determination of the true profit, excess profit, deficiency in profit, or net loss from the performance of a contract or subcontract.

Retention period: So long as the contents thereof may become material in the administration of the act of March 27, 1934, as amended. 26 CFR App. A 17.14

4.44a Domestic building and loan associations.

To maintain adequate records to establish to the satisfaction of the district director that various assets tests are met for taxable years beginning after October 16, 1962, and ending before November 1, 1964. 26 CFR 301.7701–13

Retention period: See Item 4.1.

4.44b Organizations seeking classification as private nonoperating foundations. [Added]

To maintain adequate records substantiating that all contributions received in taxable years ending in either 1970 or 1971 were distributed not later than the 15th day of the third month after the close of the taxable year or by the 30th day after final regulations under section 170(b)(1)(E)(ii) are published in the Federal Register, whichever is later. 26 CFR 13.15.

Retention period: See Item 4.1.

ESTATE TAX

4.45 Executors of estates.

To keep detailed records of the affairs of the estate as will enable the district director to determine the amount of the estate tax liability, including copies of documents relating to the estate, appraisal lists of items included in the gross estate, copies of balance sheets or other financial statements relating to value of stock, and any other information necessary in determining the tax.

Retention period: Not specified. 26 CFR 20.6001–1

GIFT TAX

4.46 Persons making transfers of property by gift.

To maintain books of account or records as are necessary to establish the amount of the total gifts together with the deductions allowable in determining the amount of taxable gifts, and other information required to be shown in their gift tax returns.

Retention period: Permanent. 26 CFR 25.6001–1

EMPLOYMENT TAX

4.47 General record retention requirements for employment taxes.

(a) *Form of records.* Records shall be kept accurately, but no particular form is required. Such forms and systems of accounting shall be used as will enable the district director to ascertain whether liability for tax is incurred and, if so, the amount thereof.

(b) *Copies of returns, schedules, and statements.* Every person who is required to keep any copy of any return, schedule, statement, or other document, shall keep such copy as a part of his records.

(c) *Records of claimants.* Any person (including an employee) who claims a refund, credit, or abatement, shall keep a complete and detailed record with respect to the tax, interest, addition to the tax, additional amount, or assessable penalty to which the claim relates. Such record shall include any records required of the claimant by paragraph (b) of this section which relate to the claim.

(d) *Records of employees.* While not mandatory (except in the case of claims), it is advisable for each employee to keep permanent, accurate records showing the name and address of each employer for whom he performs services as an employee, the dates of beginning and termination of such services, the information with respect to himself which is required to be kept by employers, and all receipts furnished by employers.

(e) *Place for keeping records.* All records required shall be kept, by the person required to keep them, at one or more convenient and safe locations accessible to internal revenue officers, and shall at all times be available for inspection by such officers.

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. The records of claimants required by paragraph (c) shall be maintained for a period of at least 4 years after the date the claim is filed. 26 CFR 31.6001–1

4.48 [Reserved]

4.49 Employers required to deduct and withhold income tax on wages which include sick pay.

To keep records with respect to payments (sick pay) made directly by the employer to his employees after December 31, 1955, under a wage continuation plan showing, with respect to each employee, the beginning and ending dates of each period of absence from work for which any such payment was made, and sufficient information to establish the amount and weekly rate of each such payment; and, to the extent that income tax is not withheld on the amount of any such payment excludable from the gross income of the employee, the amount of the payment and the excludable portion thereof, and data substantiating the employee's entitlement to the exclusion from gross income.

Retention period: So long as the contents thereof may become material in the administration of any internal revenue law. 26 CFR 31.3401(a)–1, 31.6001–5 (retention: 1.6001–1)

4.50 Employers liable for tax under the Federal Insurance Contributions Act.

(a) *General.* (1) To keep records of all remuneration, whether in cash or in a medium other than cash, paid to his employees after 1954 for services (other than agricultural labor which constitutes or is deemed to constitute employment, domestic service in a private home of the employer, or service not in the course of the employer's trade or business) performed for him after 1936; and records of all remuneration in the form of tips received by employees after 1965 and reported to him. Records shall show with respect to each employee receiving such remuneration:

(i) The name, address, and account number of the employee and such additional information with respect to the employee as is required when the employee does not advise the employer what his account number and name are as shown on an account number card issued to the employee by the Social Security Administration.

(ii) The total amount and date of each payment of remuneration (including any sum withheld therefrom as tax or for any other reason) and the period of services covered by such payment.

(iii) The amount of each such remuneration payment which constitutes wages subject to tax.

(iv) The amount of employee tax, or any amount equivalent to employee tax, collected with respect to such payment, and, if collected at a time other than the time such payment was made, the date collected.

(v) If the total remuneration payment and the amount thereof which is taxable are not equal, the reason therefor.

(2) Every employer shall keep records of the details of each adjustment or settlement of taxes under the Federal Insurance Contributions Act and a copy of each statement furnished.

(3) Every employer shall keep employee statements of tips furnished him (unless the information disclosed by such statements is recorded on another document retained by the employer) and copies of employer statements furnished employees.

(b) *Agricultural labor, domestic service, and service not in the course of employer's trade or business.* (1) Every employer who pays cash remuneration after 1954 for the performance for him after 1950 of agricultural labor which constitutes or is deemed to constitute employment, of domestic service in a private home of the employer not on a farm operated for profit, or of service

not in the course of his trade or business shall keep records of all such cash remuneration with respect to which he incurs, or expects to incur, liability for the taxes imposed by the Federal Insurance Contributions Act, or with respect to which amounts equivalent to employee tax are deducted. Such records shall show with respect to each employee receiving such cash remuneration:

(i) The name of the employee.

(ii) The account number of each employee to whom wages for such services are paid and such additional information as is required when the employee does not advise the employer what his account number and name are as shown on the account number card issued to the employee by the Social Security Administration.

(iii) The amount of such cash remuneration paid to the employee (including any sum withheld therefrom as tax or for any other reason) for agricultural labor which constitutes or is deemed to constitute employment, for domestic service in a private home of the employer not on a farm operated for profit, or for service not in the course of the employer's trade or business; the calendar month in which such cash remuneration was paid; and the character of the services for which such cash remuneration was paid. When the employer incurs liability for the taxes imposed by the Federal Insurance Contributions Act with respect to any such cash remuneration which he did not previously expect would be subject to the taxes, the amounts of any cash remuneration not previously made a matter of record shall be determined by the employer to the best of his knowledge and belief.

(iv) The amount of employee tax, or any amount equivalent to employee tax, collected with respect to such cash remuneration and the calendar month in which collected.

(v) To the extent material to a determination of tax liability, the number of days during each calendar year after 1956 on which agricultural labor which constitutes or is deemed to constitute employment is performed by the employee for cash remuneration computed on a time basis.

(2) Every person to whom a "crew leader" furnishes individuals for the performance of agricultural labor after December 31, 1958, shall keep records of the name; permanent mailing address, or if none, present address; and identification number, if any, of such "crew leader."

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. 26 CFR 31.6001–2 (retention: 31.6001–1)

4.51 Persons subject to the Railroad Retirement Tax Act.

(a) *Records of employers.* (1) To keep records of all remuneration (whether in money or in something which may be used in lieu of money) other than tips, paid to his employees after 1954 for services rendered to him (including "time lost") after 1954. Such records shall show with respect to each employee:

(i) The name and address of the employee.

(ii) The total amount and date of each payment of remuneration to the employee (including any sum withheld therefrom as tax or for any other reason) and the period of service (including any period of absence from active service) covered by such payment.

(iii) The amount of such remuneration payment with respect to which the tax is imposed.

(iv) The amount of employee tax collected with respect to such payment, and, if collected at a time other than the time such payment was made, the date collected.

(v) If the total payment of remuneration and the amount thereof with respect to which the tax is imposed are not equal, the reason therefor.

(2) The employer shall keep records of the details of each adjustment or settlement of taxes under the Railroad Retirement Tax Act.

(b) *Records of employee representatives.* Every individual liable for employee representative tax under the Railroad Retirement Tax Act shall keep records of all remuneration (whether in money or in something which may be used in lieu of money) paid to him after 1954 for services rendered (including "time lost") by him as an employee representative after 1954. Such record shall show:

(1) The name and address of each employee organization employing him.

(2) The total amount and date of each payment of remuneration for services rendered as an employee representative (including any sum withheld therefrom as tax or for any other reason) and the period of service, including any period of absence from active service, covered by such payment.

(3) The amount of such remuneration payment with respect to which the employee representative tax is imposed.

(4) If the total payment of remuneration and the amount thereof with respect to which the employee representative tax is imposed are not equal, the reason therefor.

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. 26 CFR 31.6001–3 (retention: 31.6000–1)

4.52 Employers subject to tax under the Federal Unemployment Tax Act.

(a) *Records of employers.* To keep such records as are necessary to establish:

(1) The total amount of remuneration (including any sum withheld therefrom as tax or for any other reason) paid to his employees during the calendar year for services performed after 1938.

(2) The amount of such remuneration which constitutes wages subject to the tax.

(3) The amount of contributions paid by him into each State unemployment fund, with respect to services subject to the law of such State, showing separately (i) payments made and neither deducted nor to be deducted from the remuneration of his employees, and (ii) payments made and deducted or to be deducted from the remuneration of his employees.

(4) The information required to be shown on the prescribed return and the extent to which the employer is liable for the tax.

(5) If the total remuneration paid and the amount thereof which is subject to the tax are not equal, the reason therefor.

(6) To the extent material to the determination of a tax liability, the dates, in each calendar quarter, on which each employee performed services not in the course of the employer's trade or business, and the amount of cash remuneration paid at any time for such services performed within such quarter.

The term "remuneration," as used in this paragraph, includes all payments whether in cash or in a medium other than cash, except that the term does not include payments in a medium other than cash for services not in the course of the employer's trade or business.

(b) *Records of persons who are not employers.* Any person who employs individuals in employment during any calendar year but who considers that he is not an employer subject to the tax shall, with respect to each such year, be prepared to establish by proper records (including, where necessary, records of the number of employees employed each day) that he is not an employer subject to the tax.

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. 26 CFR 31.6001–4 (retention: 31.6001–1)

4.53 Employers required to deduct and withhold income tax on wages paid.

(a) Every employer required to deduct and withhold income tax upon the wages of employees shall keep records of all remuneration paid to such employees and tips received by employees and reported to him. Such records shall show with respect to each employee:

(1) The name and address of the employee and, after December 31, 1962, the account number of the employee.

(2) The total amount and date of each payment of remuneration (including any sum withheld therefrom as tax or for any other reason) and the period of services covered by such payment.

(3) The amount of such remuneration payment which constitutes wages subject to withholding.

(4) The amount of tax collected with respect to such remuneration payment and, if collected at a time other than the time such payment was made, the date collected.

(5) If the total remuneration payment and the amount thereof which is taxable are not equal, the reason therefor.

(6) Copies of any statements furnished by the employee relating to per-

manent residents of the Virgin Islands. (See 26 CFR 31.3401(a)–1(b)(12).)

(7) Copies of any statements furnished by the employee relating to nonresident alien individuals. (See 26 CFR 31.3401(a)(6)–1 and 31.3401(a)(7)–1.)

(8) Copies of any statements furnished by the employee relating to residence or physical presence in a foreign country. (See 26 CFR 31.3401(a)(8)(A)–1.)

(9) Copies of any statements furnished by the employee relating to citizens resident in Puerto Rico. (See 26 CFR 31.3401(a)(8)(C)–1.)

(10) The fair market value and date of each payment of noncash remuneration, made to an employee after August 9, 1955, for services performed as a retail commission salesman, with respect to which no income tax is withheld.

(11) With respect to payments made in 1955 under a wage continuation plan, the records required to be kept in respect of such payments must (i) separately show the amounts of such payments, and distinguish such amounts from all other payments, and (ii) establish the facts necessary to show that the employee is entitled to the exclusion, either by means of a written statement from the employee as to the injury, illness, or hospitalization, or by any other information which the employer believes to be accurate and which he is willing to accept. (See 26 CFR 31.3401(a)–1(b)(8)(i).)

(12) With respect to payments made directly by an employer after December 31, 1955, under a wage continuation plan, the records must show (i) the beginning and ending dates of each period of absence from work for which any such payment was made; and (ii) sufficient information to establish the amount and weekly rate of each such payment.

(13) The withholding exemption certificates (Forms W–4 and W–4E) filed with the employer by the employee.

(14) The agreement, if any, between the employer and the employee for the withholding of additional amounts of tax. (See 26 CFR 31.3402(i)–1.)

(15) To the extent material to a determination of tax liability, the dates, in each calendar quarter, on which the employee performed services not in the course of the employer's trade or business, and the amount of cash remuneration paid at any time for such services performed within such quarter. (See 26 CFR 31.3401(a)(4)–1.)

(16) Every employer shall keep employee statements of tips furnished him (unless the information disclosed by such statements is recorded on another document retained by the employer) and copies of employer statements furnished employees. (See 26 CFR 31.3401(a)(11)–1, 31.3401(a)(16)–1.)

(17) The employer shall keep records of the details of each adjustment or settlement of income tax withheld. (See 26 CFR 31.3402.)

(18) The written request of an employee to have the amount of tax withheld from his wages computed on the basis of his cumulative wages, and any notice of revocation thereof. (See 26 CFR 31.6001–5)

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is later. 26 CFR 31.6001–5 (retention: 31.6001–1)

4.54 Employers claiming a refund, credit, or abatement of tax under the Federal Insurance Contributions Act or Railroad Retirement Tax Act.

Every employer who has filed a claim for refund, credit, or abatement of employee tax under section 3101 or section 3201 of the Internal Revenue Code, or a corresponding provision of prior law, collected from an employee shall retain as part of his records the written receipt of the employee showing the date and amount of the repayment, or the written consent of the employee, whichever is used in support of the claim. Where employee tax was collected under section 3101 of the Code, or a corresponding provision of prior law, from an employee in a calendar year prior to the year in which the credit or refund is claimed, the employer shall also retain as part of his records a written statement from the employee (a) that the employee has not claimed refund or credit of the amount of the overcollection, or if so, such claim has been rejected, and (b) that the employee will not claim refund or credit of such amount.

Retention period: 4 years after the date the claim is filed. 26 CFR 31.6402(a)–2, 31.6404(a)–1 (retention: 31.6001–1)

4.55 Repayment by employer of tax erroneously collected from employee under the Federal Insurance Contributions Act or the Railroad Retirement Tax Act and of income tax withheld from wages.

(a) Before employer files return. To obtain and keep as part of his records the written receipt of the employee showing the date and amount of the repayment.

(b) *After employer files return.* If the amount of an overcollection is repaid to an employee, the employer shall obtain and keep as part of his records the written receipt of the employee, showing the date and amount of the repayment. If in any calendar year, an employer repays or reimburses an employee in the amount of an overcollection of employee tax under section 3101 of the Internal Revenue Code, or a corresponding provision of prior law, which was collected from the employee in a prior calendar year, the employer shall obtain from the employee and keep as part of his records a written statement (a) that the employee has not claimed refund or credit of the amount of the overcollection, or if so, such claim has been rejected, and (b) that the employee will not claim refund or credit of such amount.

Retention period: 4 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. The records of claimants shall be maintained for a period of at least 4 years after the date the claim is filed. 26 CFR 31.6413(a)–1 (retention: 31.6001–1)

EXCISE TAX

4.56 Persons required to file a return and pay tax on the sale or use of any article subject to manufacturers' excise tax, or disposing of articles free of tax.

To keep accurate records, including duplicates of returns, and accounts of all transactions. To keep, in the case of dispositions of products to other manufacturers free of tax, accurate records of all such transactions including certificates from purchasers certifying to the fact that the products are purchased for further manufacture of taxable articles, with supporting invoices, etc. To maintain evidence with respect to sales for export, or shipment to a possession of the United States, and sales to States or political subdivisions thereof, upon which no tax is due, and other tax-free sales, and evidence required to support a claim for credit or refund.

Retention period: 4 years from the date the tax became due; with respect to tax-free sales, for a period of 4 years from the last day of the month following the month in which the sale was made; and with respect to credits or refunds, 4 years from the date any credit is taken or refund is claimed. 26 CFR 40.4220–3, 40.4220–4, 48.4041–5—48.4041–9, 48.4071–2, 48.6416, 48.6420, 48.6421; App. D 314.62, 316.7, 316.202

4.57–4.59 [Reserved]

4.59a Persons acquiring secondhand highway motor vehicles.

To maintain as part of his records evidence showing whether there was taxable use of such vehicle at any time in the taxable period prior to the time when the vehicle was registered in his name. If evidence is not obtained showing whether there was such use, the person must keep as part of his records a written statement of the reasons why he was unable to obtain such evidence.

Retention period: At least 3 years after the date the tax becomes due or the date the tax is paid, whichever is later. 26 CFR 41.4481–2 (retention: 41.6001–1)

4.60 Persons subject to the tax on use of certain highway motor vehicles.

(a) *Person in whose name vehicle registered.* Every person in whose name any highway motor vehicle having a taxable gross weight in excess of 26,000 pounds is registered at any time in the taxable period shall keep certain specified records with respect to each vehicle to enable the district director to determine whether such person is liable for the tax and, if so, the amount thereof.

(b) *Transit systems.* Every person engaged in the operation of a transit system who claims exemption from tax with respect to a transit-type bus shall keep records sufficient to show, with respect to each taxable period, whether he meets the 60-percent passenger fare revenue test for the period prescribed as

the test period for such system for such taxable period.

(c) *Claimants.* Any person claiming refund, credit, or abatement of the tax, interest, additional amount, addition to the tax, or assessable penalty, shall keep a complete and detailed record with respect to the claim.

Retention period: Records required by paragraphs (a) and (b) shall be maintained for a period of at least 3 years after the date the tax becomes due or the dates the tax is paid, whichever is later. Records required by paragraph (c) (including any record required by paragraph (a) or (b) which relates to the claim) shall be maintained for a period of at least 3 years after the date the claim is filed. 26 CFR 41.6001–1

4.61 Persons required to collect taxes on amounts paid for local and toll telephone services and teletypewriter services.

To keep accurate records and accounts of all such services and facilities furnished upon which the tax is imposed and evidence of the right to exemption relative to any such services or facilities furnished in respect of which tax is not collected. A complete and detailed record of all credits taken and a duplicate of the return shall also be kept.

Retention period: 4 years from the date the tax is due; with respect to evidence of the right to exemption, 4 years from the date the tax would have become due if applicable; and, with respect to credits, 4 years from the date of the return on which the credit appears. 26 CFR 49.4253–11; App. D 130.71, 130.77

4.62–4.64 [Reserved]

4.65 Persons required to collect taxes on amount paid for the transportation of persons and seating or sleeping accommodations in connection therewith.

To keep accurate records to show with respect to each ticket or order sold or fare collected, or other individual transaction, the amount of tax collected or evidence of the right to exemption where tax is not collected. A complete and detailed record of all credits taken and a duplicate of the return shall also be kept.

Retention period: (a) Except as provided in paragraph (b) *below*, 4 years from the date the tax is due; with respect to evidence of the right to exemption, 4 years from the date the tax would have become due if payable; and, with respect to credits, 4 years from the date of the return on which the credit appears.

(b) On or after October 1, 1956, carriers furnishing transportation or facilities paid by a State, a Territory of the United States, or any political subdivision thereof, or the District of Columbia, shall retain all exemption certificates accepted, with the record of services and facilities rendered for a period of at least 3 years from the date the tax would have become due if payable. 26 CFR 42.4292–1(b), 49.4261–6(e); App. D 130.54, 130.62, 130.71, 130.77

4.65a Shippers or other persons making payment subject to tax on transportation of property by air; exportation by continuous movement.

To maintain the duplicate of Form 1363, Export Exemption Certificate, with the shipping papers or other evidence of exportation. Carrier shall maintain the original certificate.

Retention period: 3 years from the last day of the month during which shipment was made from the point of origin. 26 CFR 154.2–1

4.66 Persons required to pay excise tax on wagering.

(a) *General.* To keep records as will clearly show as to each day's operation: (a) Gross amount of all wagers accepted; (b) gross amount of each class or type of wager accepted on each separate event, contest, or other wagering medium; (c) separately, the gross amount of wagers: (1) accepted directly by the taxpayer or at any registered place of business of the taxpayer (other than laid-off wagers), (2) accepted for his account by agents at other than a registered place of business of the taxpayer (other than laid-off wagers), (3) accepted as laid-off wagers from persons subject to the excise tax; (d) with respect to wagers laid-off with others: (1) The name, address and registration number of each person with whom placed, (2) the gross amount laid-off with each person showing separately the gross amounts of laid-off wagers with respect to each contest, event, or other wagering medium; and (e) the gross amount of tax collected from or charged to bettors as a separate item. To keep, in the case of the taxpayer's employees or agents receiving wagers on his behalf, separate records showing the name, address, the period of employment of, and number of the special tax stamp issued to, such employee or agent. To also keep duplicates of returns and a complete and detailed record of each overpayment.

(b) *Records of agent or employee.* Every person who is engaged in receiving for or on behalf of another person (at any place other than a registered place of business of such other person) wagers of a type subject to tax shall keep a record showing for each day (1) the gross amount of such wagers received by him, (2) the amount, if any, retained as a commission or as compensation for receiving such wagers, and (3) the amount turned over to the person on whose behalf the wagers were received, and the name and address of such person.

(c) *Records of claimants.* Any person claiming a credit or refund shall keep a complete and detailed record of each overpayment and of each laid-off wager for which credit is taken or refund is claimed, including a copy of the required certificate.

(d) *Place for keeping records.* Every person required to pay the tax on wagering shall keep or cause to be kept, at his office or principal place of business, or, if he has no office or principal place of business, at his residence or some other convenient or safe location, all such records as are required pursuant to paragraphs (a) and (c).

Retention period: All records required by the regulations in this part shall at all times be available for inspection by internal revenue officers. Records required by § 44.4403–1 and by paragraph (a) of this section shall be maintained for a period of at least 3 years from the date the tax became due. Records required by paragraph (b) of this section shall be maintained for a period of at least 3 years from the date the wager was received. Records required by paragraph (c) of this section shall be maintained for a period of at least 3 years from the date any credit is taken or refund is claimed. 26 CFR 44.4403–1, 44.6001–1

4.67 [Reserved]

4.68 Manufacturers of white phosphorus matches.

(a) *General.* Every manufacturer is required to keep a daily record showing the total of each material used each day and the total number of matches produced and the number of stamped packages and original packages in which packed; also the total number of stamped packages and original packages, together with the total number of matches, disposed of each day.

(b) *Names of customers.* The names of customers to whom matches are consigned and the quantities so sold will not be entered in the manufacturers' daily record and quarterly returns, but the manufacturer shall, upon request of any internal revenue officer, furnish a record of all sales for such period as may be desired.

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. 26 CFR 45.4804–10 (retention: 45.6001–1)

4.69 Persons making contracts of sale of cotton for future delivery, and persons who act in the capacity of a clearing house or association for such transactions.

(a) All persons who make contracts of sale of cotton for future delivery at, on, or in any exchange, board of trade, or similar institution or place of business, whether said contracts shall be cleared and adjusted through a clearing association, or direct between seller and buyer, or otherwise, shall keep a record (in accordance with forms prescribed in § 45.4872–3 of the regulations) thereof showing: (1) name and address of contracting person keeping record; (2) name and address of other party to contract; (3) date contract was made; (4) quantity of cotton involved, in bales or pounds; (5) time specified in contract for delivery; (6) whether transaction is a purchase or a sale; (7) whether the contract is a contract subject to section 4863, 4864, or 4865 of the Internal Revenue Code, and the basis grade; (8) grade, type, sample, or description of

cotton, if not basis grade; (9) specified price per pound; (10) date of delivery or settlement; (11) method of actual fulfillment or settlement; and (12) amount of tax paid (or, if exempt, so state).

(b) All persons who act in the capacity of a clearinghouse or clearing association for the purpose of clearing, settling, or adjusting transactions mentioned in section 4851(a) of the Internal Revenue Code shall keep a record (see forms prescribed in § 45.4872–3 of the regulations) thereof showing: (1) name and address of clearinghouse or clearing association keeping record; (2) name and address of person for whom contract is cleared; (3) date contract was made; (4) quantity of cotton involved, in bales or pounds; (5) time specified in contract for delivery; (6) whether transaction is a purchase or a sale; (7) whether the contract is a contract subject to section 4863, 4864, or 4865 of the Internal Revenue Code, and the basis grade; (8) grade, type, sample, or description of cotton, if not basis contract; (9) specified price per pound; (10) date of delivery or settlement; and (11) method of actual fulfillment or settlement.

(c) *Records to be kept in separate books and open for inspection.* All records required by the regulations in this subpart must be in writing and shall be kept in separate books, and not mixed with records of other accounts or transactions, and shall be open to inspection, when demand is made therefor by officers and agents of the Internal Revenue Service. Agents duly appointed shall have authority to examine the books and records kept in pursuance to §§ 45.4872–1 to 45.4872–3, inclusive, and may require the production of any other books, papers, records, or statements of account necessary to determine any liability to the tax imposed by section 4851 of the Internal Revenue Code.

Retention period: Not less than 3 years. 26 CFR 45.4872–1, 45.4872–2 (retention: 45.4872–4)

4.70 [Reserved]

4.71 Persons subject to certain miscellaneous stamp taxes.

(a) *General.* The records required by Part 45 of the regulations shall be kept accurately, but no particular form is required for keeping such records. See, however, the requirements in § 45.4804–10, relating to form for daily record in the case of manufacturers of white phosphorus matches, and §§ 45.4872–1 to 45.4872–4, inclusive, relating to records regarding sales of cotton for future delivery. Such forms and systems of accounting shall be used as will enable the district director to ascertain whether liability for tax is incurred and, if so, the amount thereof.

(b) *Copies of returns, schedules, and statements.* Every person who is required, by the regulations in this part or by instructions applicable to any form prescribed thereunder, to keep any copy of any return, schedule, statement, or other document, shall keep such copy as a part of his records.

(c) *Records of claimants.* Any person who, pursuant to the regulations in this part, claims a refund, credit, or abatement, shall keep a complete and detailed record with respect to the tax, interest, addition to the tax, additional amount, or assessable penalty to which the claim relates. Such record shall include any records required of the claimant by paragraph (b) and by §§ 45.6001–2 to 45.6001–5, inclusive, which relate to the claim.

(d) *Place for retention of records.* All records required by the regulations in this part shall be maintained, by the person required to keep them, at one or more convenient and safe locations accessible to internal revenue officers, and shall at all times be available for inspection by such officers.

(e) *Microfilm reproduction.* General books of account, such as cash books, journals, voucher registers, ledgers, etc., shall be maintained and preserved in their original form. However, microfilm reproductions of supporting records of details, such as invoices, vouchers, production reports, sales records, certificates, proofs of exportation, etc., may be kept in lieu of the original records provided the person required to keep such records retains such microfilmed copies for the required period, provides adequate facilities for the preservation of such films and for the ready inspection and location thereof, including a projector for viewing such records in the event inspection is necessary for tax purposes, and makes any transcription which may be required of the information contained on the microfilm.

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. The records of claimants required by paragraph (c) shall be retained for a period of at least 3 years after the date the claim is filed. 26 CFR 45.6001–1

4.72 Manufacturers of adulterated butter, process or renovated butter, or filled cheese.

(a) *General.* A manufacturer shall keep at his place of business separate records of adulterated butter, of process or renovated butter, and of filled cheese. If the record is kept as hereinafter prescribed in the manufacturer's own books or in other convenient form no other record will be necessary. Care should be taken to exclude from the record any product other than adulterated butter, process or renovated butter, filled cheese, and the materials or ingredients used in the manufacture of each product.

Entry shall be made not later than the day following that on which each transaction occurred. Quantities reported shall be as indicated by the tax-paid stamps affixed to the packages, except that where the product is withdrawn free of tax for export, or where the product is returned to the factory, the actual quantity will be recorded. A fraction of a pound shall be accounted as a pound.

(b) *Item.* The record must show:

(1) The number of pounds of each material or ingredient used in the production of adulterated butter, process or renovated butter, or filled cheese, and the number of such materials used for other purposes.

(2) The number of pounds of each product produced.

(3) The number of pounds in each lot disposed of, the name of the consignee, the address to which delivered, and the date of shipment.

(4) The number of pounds in each lot returned to the factory, the name of the person by whom returned, the address from which returned, and the date of receipt.

(5) The number of pounds reworked, disposed of as grease, dumped, or otherwise destroyed.

(6) The total value of tax stamps purchased and used.

(c) *Transactions.* The following rules will apply:

(1) *Samples.* Sample packages of tax-paid adulterated butter, process or renovated butter or filled cheese distributed gratuitously shall be recorded in the same manner as if the packages were sold.

(2) *Transfers to self.* Where adulterated butter, process or renovated butter, or filled cheese is transferred by a manufacturer to himself as a wholesale or retail dealer, the transaction shall be recorded in the same manner as a transfer to another person.

(3) *Sales to chain stores.* Where adulterated butter, process or renovated butter, or filled cheese is shipped to one person doing business at different places, as in the case of chain stores, the deliveries to each address shall be recorded separately.

(4) *Drop shipment.* Where a manufacturer receives an order from one person to ship adulterated butter, process or renovated butter, or filled cheese to another, the transaction shall be recorded in the name and address of the consignee, followed by "acc't. of" and the name and address of the person for whose account the shipment was made. A manufacturer shall not record consignments on orders in the names of agents, solicitors, or other persons transmitting an order for another party.

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later.

The records of claimants required by paragraph (c) of § 45.6001–1 of the regulations shall be retained for a period of at least 3 years after the date the claim is filed. 26 CFR 45.6001–2 (retention: 45.6001–1)

4.73 Wholesale dealers in adulterated butter.

(a) *General.* A wholesale dealer shall keep at his place of business records of transactions in adulterated butter. If the record is kept as hereinafter prescribed in the dealer's own books or in other convenient form no other record will be necessary. Care should be taken to exclude from the record any product other than tax-paid and branded adulterated butter.

Entry shall be made not later than the day following that on which the transaction occurred. Quantities reported shall be as indicated by the tax-paid stamp affixed to the packages, except that where goods are returned to or by the wholesaler the actual quantity shall be recorded. A fraction of a pound shall be accounted as a pound.

(b) *Items.* The record must show:

(1) The number of pounds in each consignment of adulterated butter received, the name and address of the consignor, and the date of receipt.

(2) The number of pounds in each lot disposed of, the name of the consignee, the address to which delivered, and the date of shipment.

(c) *Transactions.* The following rules will apply:

(1) *Samples.* Sample packages of tax-paid adulterated butter received and disposed of gratuitously shall be recorded in the same manner as adulterated butter which is purchased and sold.

(2) *Transfers to self.* Where adulterated butter is transferred by a wholesale dealer to himself as a retail dealer, the transaction shall be recorded in the same manner as a sale to another person.

(3) *Sales to chain stores.* Where adulterated butter is shipped to one person doing business at different places, as in the case of chain stores, the deliveries to each address shall be recorded separately.

(4) *Drop shipments.* A wholesale dealer shall not record the receipt of adulterated butter which he orders delivered direct to a third party. The dealer's connection with the transaction shall be shown by the manufacturer as provided in paragraph (c) of § 45.6001–2. Where a wholesale dealer receives an order from one person to ship adulterated butter to another, the transaction shall be recorded in the name and address of the consignee followed by "acc't. of" and the name and address of the person giving the order. A wholesale dealer shall not record consignments in the names of agents, solicitors, or other persons transmitting orders for other parties.

(5) *Returned goods.* Where adulterated butter is returned by a customer to a wholesale dealer the transaction shall be recorded separately from other receipts. The sale of repossessed goods shall be recorded with other disposals. Adulterated butter returned by a wholesale dealer to the manufacturer or other wholesale dealer from whom received shall be recorded separately from other disposals (see paragraph (c)(6) of § 45.4821–3 as to resales).

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid whichever is the later. The records of claimants required by paragraph (c) of section 45.6001–1 of the regulations shall be retained for a period of at least 3 years after the date the claim is filed. 26 CFR 45.6001–3 (retention: 45.6001–1)

4.74 Wholesale dealers in filled cheese.

Every wholesale dealer in filled cheese shall keep at his place of business a daily record of (a) the number of pounds in each consignment of filled cheese received by him, giving the name and address of the consignor and date of receipt, and (b) the number of pounds of filled cheese disposed of in each instance, name of person to whom shipped or delivered, date of shipment or delivery, and address to which sent.

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. The records of claimants required by paragraph (c) of section 45.6001–1 of the regulations shall be retained for a period of at least 3 years after the date the claim is filed. 26 CFR 45.6001–4 (retention: 45.6001–1)

4.75 Persons liable for miscellaneous excise taxes payable by return.

(a) *General.*—(1) *Form of records.* Records shall be kept accurately, but no particular form is required. Such forms and systems of accounting shall be used as will enable the District Director of Internal Revenue to ascertain whether liability for tax is incurred and, if so, the amount thereof.

(2) *Copies of returns, schedules, and statements.* Every person who is required to keep any copy of any return, schedule, statement, or other document, shall keep such copy as a part of his records.

(3) *Records of Claimants.* Any person who claims a refund, credit, or abatement, shall keep a complete and detailed record with respect to the tax, interest, addition to the tax, additional amount, or assessable penalty to which the claim relates. Such record shall include any record required of the claimant by paragraph (a)(2), and by paragraph (b) below.

(4) *Place for keeping records.* All records required shall be kept, by the person required to keep them, at one or more convenient and safe locations accessible to internal revenue officers, and shall at all times be available for inspection by such officers.

(5) *Microfilm reproductions.* General books of account, such as cash books, journals, voucher registers, ledgers, etc., shall be maintained and preserved in their original form. However, microfilm reproductions of supporting records of details, such as invoices, vouchers, production reports, sales records, certificates, proofs of exportation, etc., may be kept in lieu of the original records provided the person required to keep such records (i) retains such microfilmed copies for the specified retention period, (ii) provides adequate facilities for the preservation of such films and for the ready inspection and location thereof, including a projector for viewing such records in the event inspection is necessary for tax purposes, and (iii) makes any transcription which may be required of the information contained on the microfilm.

(b) *Manufactured sugar*—(1) *Manufacturing records.* Every person who manufactured sugar shall keep an accurate monthly record of the manufacturing done by him.

(2) *Content of records.* Such records shall show:

(i) The quantity of manufactured sugar and other sugar on hand at the beginning of the month;

(ii) The quantity received during the month;

(iii) The quantity of manufactured sugar produced during the month;

(iv) The quantity sold during the month;

(v) The quantity of manufactured sugar used during the month in the production of other articles for sale; and

(vi) The quantity of manufactured sugar and other sugar on hand at the end of the month.

For periods prior to August 31, 1963, the records shall show the polariscopic test or total sugars of each grade and type of sugar and manufactured sugar.

For periods after August 30, 1963, the records shall show the total sugars of each grade and type of sugar and manufactured sugar.

Retention period: 3 years after the due date of such tax for the return period to which the records relate, or the date such tax is paid, whichever is the later. The records of claimants required by paragraph (a)(3) shall be maintained for a period of at least 3 years after the date the claim is filed. 26 CFR 46.6001–1, 46.6001–2 (retention: 46.6001–1)

4.76–4.78 [Reserved]

4.79 Persons required to keep records with respect to foreign insurance policies.

(a) *Records to be kept by solicitors, brokers, etc.* Each person, solicitor, or broker, accepting, placing, soliciting, or making, directly or indirectly, or paying or receiving compensation with respect to, a policy or other instrument subject to the tax imposed by section 4371 of the Code shall keep a record of such policy or other instrument with respect to the issuance thereof and shall be prepared to furnish full information to the district director at any time upon demand.

(b) *Records to be kept by policy holder.* The person having control or possession of a policy of insurance, or reinsurance, or other instrument to which documentary stamps must be affixed shall retain such instrument with respect to the issuance thereof to enable internal revenue officers to ascertain whether the requisite stamps have been affixed and cancelled.

(c) *Records to be kept by persons paying premiums on or after January 1, 1966.* Resident persons making premium payments to a foreign insurer, reinsurer, nonresident agent, solicitor or broker shall keep or cause to be kept accurate records of all policies or other instruments, identifying each such policy or instrument to establish (1) gross premium paid, (2) policy of casualty insurance or bond, life, sickness or accident insurance, annuity contract, or

reinsurance policy, (3) identity of insured, (4) identity of foreign insurer or reinsurer, and (5) total premiums charged and if paid in installments, the amount and anniversary date of such installment.

Retention period: (a) and (b) At least 3 years from date any part of the tax was paid, 26 CFR 47.6001–2; (c) 3 years from date any part of the tax became due or date tax is paid, whichever is later, 26 CFR 46.6001–4.

4.80–4.81 [Reserved]

4.82 Sellers of tax-free sales and purchases of aircraft fuel for non-taxable purposes.

To maintain exemption certificates and proper supporting records such as invoices, orders, etc., relative to tax-free sales.

Retention period: 4 years from the last day of the month following the month in which the sale was made. 26 CFR 154.1–1

4.83 Persons claiming exemption from tax on the sale or use of diesel fuel, special motor fuel, and lubricating oil.

(a) *Bulk purchases by users.* Persons who purchase taxable liquid in bulk delivered into storage tanks or other containers and use it for various purposes, both taxable and nontaxable, or in both registered and nonregistered vehicles, must maintain adequate records of all fuel used for each purpose to permit verification of the tax paid and any of the credits, refunds, or exemptions claimed.

(b) *Dual use of taxable liquid.* If the taxable liquid used in a separate motor, or during a period the vehicle does not have the essential characteristics of a motor vehicle, is drawn from the same tank as the one which supplies fuel for the propulsion of the vehicle, a reasonable determination of the quantity of taxable liquid used in such separate motor or during such period will be acceptable for purposes of application of the tax. Such determination must be based, however, on the operating experience of the person using the taxable liquid and the taxpayer must maintain records which will support the allocation used.

(c) *Use as supplies for vessels or aircraft.* Seller must obtain and retain a properly executed exemption certificate, maintain records of invoices, orders, etc., relative to tax-free sales.

(d) *Use on a farm for farming purposes.* Maintain adequate records to establish that the taxable liquid was used on a farm for farming purposes.

(e) *Sales to State, Territory of the United States or a political subdivision or the District of Columbia.* Vendor must retain clearly identified orders or contracts properly signed by an authorized officer that the liquid sold was purchased for the exclusive use of a State, Territory of the United States, or a political subdivision, or the District of Columbia.

(f) *Sales for export.* Vendor must maintain adequate records, such as export bill of lading, certificate of carrier or customs officer, or statement of foreign consignee, to establish that the liquid was sold for export and actual exportation.

(g) *Sales to nonprofit educational organizations.* Retailer must obtain from purchaser and retain a properly executed exemption certificate.

Retention period: 4 years from the date the tax became due or, in the case of tax-free sales, for a period of at least 4 years from the last day of the month following the month in which the sale was made. 26 CFR 48.4041–5, 48.4041–6, 48.4041–8, 48.4041–9, 148.1–4 (retention: App. D 314.62, 324.42)

4.83a Manufacturers, producers, or importers selling automobile tires or tread rubber.

To maintain records of tires sold with metal rims or rim bases attached which will establish what portion of the finished product represents the weight of the tire exclusive of the metal rim or base; and for tax-free sales of tread rubber, to retain exemption certificates and to keep records of invoices, orders, etc., for inspection by the district director.

Retention period: Not specified. 26 CFR 48.4071–2, 48.4073–3

4.84 Sales on or after July 1, 1966, of lubricating oil seldom used as a lubricant.

Manufacturers must obtain from the purchaser and retain in his possession a properly executed exemption certificate. The certificates and proper records of invoices, orders; etc., relative to such sales must be kept for inspection by the district director.

Retention period: So long as the contents thereof may become material in the administration of any internal revenue law. 26 CFR 48.4091–6

4.85 Claims by suppliers for credit or refund due to repeal of tax by Excise Tax Reduction Act of 1965.

(1) An inventory statement of articles held for sale on the first moment of June 22, 1965, by a retailer, and not used, must be kept in the supplier's records; (2) either evidence that the supplier has reimbursed the retailer or the written consent of the retailer to the allowance of the credit or refund to the supplier must be kept in the supplier's records.

Retention period: Not specified. 26 CFR 48.6011(c)–1

4.86 Persons claiming a credit or refund for diesel fuel, special motor fuel, lubricating oil, or gasoline used for certain nonhighway purposes, by a local transit system, or for farming purposes.

(a) *General.* To keep in accordance with the form outlined in the regulations an accurate record of the number of gallons purchased and the dates of purchases, the name and address of each vendor, the number of gallons used during the period covered by the claim and such other information as is necessary to establish the correctness of the claim.

(b) *Local transit systems.* In addition to the records required by paragraph (a), to keep records that establish for each calendar quarter: (1) the total passenger fare revenue (not including with respect to gasoline used before November 16, 1962, the tax imposed by section 4261 of the Internal Revenue Code) derived from scheduled common carrier public passenger land transportation service along regular routes, and (2) the commuter fare revenue derived from such scheduled service.

(c) *Farming purposes.* To keep a record of the gasoline purchased and used by the claimant on a farm which he is the owner, tenant, or operator, and to show, in cases where trucks or other vehicles are used both on and off the farm an allocation of the number of gallons used in such trucks or vehicles for farming purposes. Where the claimant is entitled to claim payment for gasoline used on his farm by a person other than the owner, tenant, or operator thereof, the records must show: (1) the name and address of the person who performed the farming operation, (2) a description of the type of work and the type of equipment used, (3) the date or dates on which the work was done, and (4) the number of gallons of gasoline so used.

Retention period: At least 3 years from the last date prescribed for the filing of the claim. 26 CFR 48.6416(b)–2, 48.6420(f)–1, 48.6421(g)–1

4.86a Manufacturer of tires and tubes floor stocks inventories October 1, 1966.

Maintain physical inventory of tires and inner tubes held at each retail outlet as of 12:01 a.m., on October 1, 1966.

Retention period: Not specified. 26 CFR 144.1–2(d)

4.87–4.88 [Reserved]

4.88a Persons seeking credit or refund due to tax reduction or repeal.

(a) *Floor stocks.* Every manufacturer filing a claim for credit or refund shall support the claim by keeping as a part of his records dealer's inventory statements and records showing: (1) the name and address of the dealer; (2) quantities of each article; (3) the amount of tax paid on each article held by the dealer; (4) the amount of tax computed at the new rate; (5) the total amount of reimbursement due the dealer; (6) the date the reimbursement request was received from the dealer; (7) the date and amount of each payment to the dealer or the date of receipt from the dealer of written consent to the credit or refund.

(b) *Consumer purchases.* Every manufacturer filing a claim for credit or refund shall support the claim by keeping as a part of his records: (1) the name and address of the ultimate purchaser of the article; (2) the name and address of the dealer from whom the ultimate purchaser purchased the article; (3) the date of the sale of the article to the ultimate purchaser; (4) the invoice number of the sales slip; (5) the serial or identification number of the item sold; and (6) the date and amount of reimbursement to the ultimate purchaser with a receipt or cancelled check.

(c) *Installment sales.* The vendor, either a manufacturer or retailer, shall

retain sufficient evidence of reimbursement or the reimbursement obligation.

Retention period: Not specified. 26 CFR 145.2–1, 145.2–2, 145.2–4, 145.2–5

4.88b Manufacturers making tax-free sales of supplies for vessels and aircraft.

To retain in his possession properly executed exemption certificates and supporting invoices, orders, etc., relative to the tax-free sales.

Retention period: Not specified. 26 CFR 145.4–1

4.88c [Reserved]

4.88d Interest equalization tax; acquisitions of foreign stock or debt obligations.

(a) *Exclusion of original or new Japanese issues.* A participating custodian will with respect to all debt obligations included in the original or new issue of which such debt obligation is part (and all other debt obligations with an identical description not included in such original or new issue) maintain in the United States separate records, readily available for inspection by authorized officers or employees of the Internal Revenue Service, relating to the authentication, registration, and physical replacement and conversion of all debt obligations. Such records will specifically identify each transaction involving a bond, debenture, or other written evidence of any such debt obligation. 26 CFR 147.4–7

(b) *Exemption for prior American ownership.* A nominee, member or member organization of a national securities exchange or association registered with the Securities and Exchange Commission (acting as a nominee) shall maintain records sufficient to identify the U.S. owner for whom the stock or debt obligations were held and to establish the status of such owner as a U.S. person eligible to execute a certificate of American ownership for purposes of section 4918(a) of the Code. 26 CFR 147.5–1

(c) *Participating firm withholding money.* Keep records showing: (1) the written consent of each seller to such withholding; (2) specific information concerning all sales (involving withholding) made by each seller, including daily entries denoting each amount withheld with respect to each sale; (3) specific information regarding the release of any part of the amount withheld; and (4) any document furnished by a seller to obtain a release of all or part of the amount withheld. 26 CFR 147.5–2(g)

(d) *Election to treat foreign branch office as a foreign corporation or partnership.* Foreign branch office to maintain separate books and records reasonably reflecting the assets and liabilities properly attributable to such office. 26 CFR 147.7–3, 147.7–6

(e) *Election to treat certain domestic financing companies as foreign issuers or obligors.* The electing corporation shall maintain records relating to the acquisition and sale of debt obligations as are necessary to establish their qualification for the election as well as data to substantiate the information to be furnished with the election notice. 26 CFR 147.7–7

(f) *U.S. persons' acquisitions for own account.* Keep adequate records of acquisitions after July 18, 1963, sufficient to determine tax liability with respect to such acquisitions. Retain written confirmations which accompany any acquisitions. 26 CFR 147.8–4(c)

(g) *Members or member organizations of certain securities exchanges or associations effecting transactions as brokers.* Keep separate files of (1) certificates of American ownership or blanket certificates of American ownership; (2) copies of confirmations; and (3) documents relating to acquisitions. Arrange each file in the same order as the customer accounts and chronologically within each account. 26 CFR 147.8–4(c)

(h) *Qualified lending and financing corporations acquiring or servicing debt obligations.* Maintain records to identify certificates representing its stock and debt obligations. 26 U.S.C. 4920

Retention period: So long as the contents thereof may become material in the administration of any internal revenue law. 26 CFR 147.8–4(d)

4.89–4.119 [Deleted]

4.120–4.122 [Reserved]

4.123 Persons required to file returns and pay tax on the sale or use of gasoline, lubricating oil, or matches.

To keep accurate and complete records, including accounts with respect to sales or use of gasoline, lubricating oil, or matches. Duplicates of returns, supporting information with respect to exempt or tax-free sales must also be kept.

Retention period: 4 years from the date the tax became due, or, in the case of exempt or tax-free sales, 4 years from the last day of the month immediately following that in which the sale occurs. 26 CFR App. D 314.62

4.124–4.125 [Reserved]

4.126 Persons required to file a return and pay tax on the sale or use of diesel fuel and special motor fuel.

To keep accurate records and accounts of all taxable transactions.

Retention period: 4 years from the date the tax became due. 26 CFR App. D 324.42

LIQUORS

4.127 Manufacturers recovering taxpaid alcohol.

To keep records of distilled spirits recovered from dregs or marc of percolation or extraction, or from medicines, medicinal preparations, food products, flavors, or flavoring extracts and the subsequent use to which such recovered spirits are put.

Retention period: Not less than 2 years. 26 CFR 170.617

4.128 Persons disposing of substances or articles of the character used in manufacturing distilled spirits, or disposing of containers of the character used for packaging distilled spirits.

To keep records pertaining to the disposition of such substances or articles or containers.

Retention period: 3 years. 26 CFR 173.15

4.129 Persons manufacturing liquor bottles.

To keep records of the receipt, manufacture, and disposition of liquor bottles.

Retention period: 3 years. 26 CFR 173.39 (retention: 173.15)

4.130 Wholesale dealers in distilled spirits (except proprietors of distilled spirits plants, who are subject to the record keeping provisions of 26 CFR Part 201).

To keep (a) daily records of the physical receipt and disposition of distilled spirits (including any spirits transferred between wholesale and retail departments of the dealer's own premises), copies of all invoices and delivery receipts (or bills of lading if delivered to a common carrier), and a daily (or less frequent, interval if authorized) recapitulation record showing total quantities of bottled and packaged spirits received and disposed of during the day; and (b) file copies of reports on Forms 52A and 52B (unless the requirement to prepare and submit such forms is waived) and 338.

Retention period: Not less than 2 years. (a) 26 CFR 194.231, 194.223, 194.225—194.230, 194.238; (b) 194.231, 194.234—194.238 (retention: 194.242)

4.131 Wholesale dealers in wine and/or beer.

To keep a complete record of all wines and beer received, showing the quantities thereof, from whom received, and the receiving dates.

Retention period: Not less than 2 years. 26 CFR 194.222, 194.223 (retention: 194.222, 194.242)

4.132 Retail liquor dealers.

To keep a complete record of all distilled spirits, wines, and beer received, showing the quantities thereof, from whom received, and the receiving dates; a record of each sale of distilled spirits, wines, or beer in quantities of 20 wine gallons or more to the same person at the same time, showing the date of sale, the name and address of the purchaser, the kind and quantity of each kind of liquors sold, the serial numbers of all ful cases of distilled spirits included in the sale; and the delivery receipt supporting each entry in the sales record.

Retention period: Not less than 2 years. 26 CFR 194.223, 194.238, 194.239 (retention: 194.242)

4.133 Liquor dealers packaging alcohol for industrial uses.

To keep records, daily, showing bulk alcohol received, dumped for packaging, packaged, strip stamped, and disposed of, including the name and address of each consignor and consignee. To keep copies of quarterly reports of strip stamp transactions (Form 2260) and monthly reports of bulk alcohol transactions (Form 2733).

Retention period: Not less than 2 years. 26 CFR 194.271 (retention: 194.242)

4.134 Proprietors of vinegar factories.

To keep daily records of operations, showing the kind and quantity of fermenting and distilling material received, produced, used and removed from the premises, the quantity of mash set, the quantity of low wines produced and used, the quantity of vinegar produced and removed, and the identity of each consignor and consignee; and copies of monthly reports (Form 1623).

Retention period: Not less than 2 years. 26 CFR 195.152, 195.153, 195.155, 195.159—195.161, 195.175, 195.176 (retention: 195.177)

4.135 Manufacturers and vendors of distilling apparatus.

(1) In the case of any distilling apparatus removed for exportation without payment of tax, to keep a copy of each bill of lading covering exportation or consignment to a foreign-trade zone;

(2) In the case of distilling apparatus for domestic use for purposes other than distilling (as defined in 26 CFR 196.10), to keep a record showing the apparatus manufactured, received, and removed or otherwise disposed of, the name and address of each purchaser, and the purpose for which each still is to be used.

Retention period: Not less than 2 years. 26 CFR 196.62, 196.80, 196.82

4.136 Manufacturers of nonbeverage products claiming drawback.

(a) To keep a copy of each approved quantitative formula (Form 1678).

Retention period: Not less than 2 years from the date of filing last claim for drawback under such formula. 26 CFR 197.95 (retention: 197.133)

(b) To keep records showing the distilled spirits received and used, the products produced, and the disposition of such products; and all Forms 179 and bills of lading relating to the spirits shipped to him.

Retention period: Not less than 2 years. 26 CFR 197.95, 197.99, 197.130–197.132 (retention: 197.133)

4.137 Proprietors of volatile fruit-flavor concentrate plants.

(a) To keep daily records showing processing material used; processing material removed and the reason for such removal; concentrate produced, used, and removed, and returned concentrates received; substances received for use in rendering concentrate unfit for use as a beverage, and the use or other disposition of such substances; and the name and address of each person to whom processing material or concentrate is shipped and, in the case of concentrates shipped to or returned by a bonded wine cellar, the registry number of such bonded wine cellar and the identity of such concentrate.

(b) To keep file copies of Form 3874, Notice of Transfer of Fruit-Flavor Concentrate.

(c) To keep file copies of monthly reports (Form 1695).

Retention period: Not less than 2 years. 26 CFR 198.111, 198.112, 198.116, 198.117, 198.121—198.125 (retention: 198.121)

4.138 Scientific institutions and colleges of learning authorized to conduct experimental or research operations.

To keep records, daily, of quantities of spirits produced, received, and used.

Retention period: Not less than 4 years. 26 CFR 201.72 (retention: 201.612)

4.139 Persons receiving distilling material from the bonded premises of a distilled spirits plant.

To keep records of the receipt, use, and disposition of such material.

Retention period: Not less than 4 years. 26 CFR 201.74 (retention: 201.612)

4.140 Proprietors of distilled spirits plants.

(a) *Production.* To keep, as prescribed by regulations, records and copies of the applications, schedules, notices, and reports of transactions and operations relating to production facilities, including the receipt, use, and disposition of fermenting and distilling materials; the production of spirits and denatured spirits; the production and disposition of distillates and chemical byproducts; losses in production processes; inventories; and the taking of samples.

Retention period: Not less than 4 years. 26 CFR 201.261, 201.262, 201.264, 201.265, 201.268, 201.269, 201.271, 201.274, 201.275, 201.278, 201.279, 201.562, 201.582, 201.587, 201.603, 201.611, 201.612, 201.616–201.620, 201.626, 201.627, 201.630, 201.632, 201.633 (retention: 201.612)

(b) *Storage in bond.* To keep, as prescribed by regulations, records and copies of the applications, schedules, notices, and reports of transactions and operations relating to the receipt and storage of spirits and denatured spirits; quick-aging; addition of oak chips or caramel; repairing, filling, and changing packages; mingling and consolidation of spirits; blending of beverage rums or brandies; losses and voluntary destruction; inventories; and the taking of samples.

Retention period: Not less than 4 years from the date thereof, the date transferred to an inactive file, or the date the spirits covered thereby are removed from the proprietor's bonded premises, as applicable. 26 CFR 170.125, 170.131, 201.291, 201.292, 201.294, 201.295, 201.298, 201.302–201.308, 201.311, 201.312, 201.212c, 201.313, 201.562, 201.582, 201.583, 201.587, 201.603, 201.611, 201.612, 201.616–201.618, 201.622, 201.626–201.630, 201.632–201.634 (retention: 201.612)

(c) *Bottling on bonded premises.* To keep, as prescribed by regulations, records and copies of applications and reports relating to bottling operations on bonded premises, including bottling in bond, bottling of alcohol before taxpayment, bottling losses and gains, strip stamp transactions, and rebottling, relabeling, and restamping operations.

Retention period: Not less than 4 years from the date the bottled spirits are removed from the proprietor's bonded premises. 26 CFR 201.322, 201.327, 201.336–201.338, 201.341–201.343, 201.346–201.348, 201.352, 201.543, 201.546, 201.611, 201.612, 201.616–201.618, 201.622, 201.624, 201.632, 201.633, 201.633a (retention: 201.612)

(d) *Transfers and withdrawals.* To keep, as prescribed by regulations, records and copies of applications, notices, and withdrawal and taxpayment forms relating to transfer and withdrawal of spirits and denatured spirits, including transfers between bonded premises, removals from storage to production facilities, determination and payment of tax and removal of spirits after taxpayment, withdrawals without payment of tax, and withdrawals free of tax.

Retention period: Not less than 4 years from the date thereon, the date transferred to an inactive file, or the date the spirits covered thereby are removed from the proprietor's bonded premises, as applicable. 26 CFR 201.363, 201.364, 201.366–201.380, 201.381–201.385, 201.387, 201.388, 201.390, 201.393, 201.394, 201.602, 201.603, 201.606, 201.611, 201.612, 201.614, 201.616–201.618, 201.622, 201.624, 201.628, 201.629, 201.632, 201.633 (retention: 201.612)

(e) *Denaturation.* To keep, as prescribed by regulations, records and copies of statements, certifications, applications, notices, and reports relating to denaturing transactions and operations, including receipt, test, use, and disposition of denaturants and the denaturation of spirits (including redenaturation and restoration of recovered denatured spirits and articles).

Retention period: Not less than 4 years. 26 CFR 201.404, 201.406–201.408, 201.410, 201.602, 201.603, 201.611, 201.612, 201.614, 201.616-201.618, 201.621, 201.626, 201.630, 201.632, 201.633 (retention: 201.612)

(f) *Rectification and bottling on bottling premises.* To keep, as prescribed by regulations, records and copies of applications, affidavits, statements, reports, and taxpayment forms relating to transactions and operations on bottling premises, including the receipt, use, and disposition of flavoring materials and of taxpaid spirits and wines; rectification of spirits and wines; production of vodka and gin by redistillation; packaging, bottling, and removal of rectified and unrectified spirits and wines; tax liability accounts; tax payment; stamping; operational losses; disaster losses; voluntary destruction of spirits; inventories; and rebottling, relabeling, and restamping operations.

Retention period: Not less than 4 years. 26 CFR 170.60, 170.61, 170.62, 201.426, 201.427, 201.430, 201.432, 201.435, 201.444, 201.446, 201.448, 201.450, 201.451, 201.452, 201.454, 201.455, 201.460, 201.463–201.466, 201.470, 201.470f, 201.482–201.484, 201.487, 201.490, 201.492, 201.543, 201.551, 201.562, 201.563, 201.611, 201.612, 201.614, 201.616–201.618, 201.623, 201.624, 201.627, 201.630, 201.632, 201.633, 201.633a (retention: 201.612)

(g) *Wholesale liquor dealer and taxpaid storeroom operations.* To keep daily records of the receipt and disposition of distilled spirits and wines at such premises, and of restamping operations, and to keep copies of periodic reports of

spirits received at and removed from such premises.

Retention period: Not less than 4 years. 26 CFR 201.611, 201.612, 201.614, 201.616, 201.618, 201.625, 201.634 (retention: 201.612)

(h) *Receipt, use, and disposition of liquor bottles.* To keep, as prescribed by regulations, records covering the receipt, use, and disposition of liquor bottles in such manner as to enable any internal revenue officer to verify and trace the receipt and disposition of such bottles.

Retention period: Not less than 4 years. 26 CFR 201.630a (retention: 201.612)

4.141 Dealers in and users of completely denatured alcohol.

To keep such records as will enable an internal revenue officer to verify and trace the receipt, storage, and disposal of such alcohol.

Retention period: 3 to 6 years. 26 CFR 211.118, 211.125, 211.261, 211.273, 211.274 (retention: 211.273)

4.142 Manufacturers of and dealers in proprietary anti-freeze made with completely denatured alcohol.

To keep such records as will enable an internal revenue officer to verify and trace the production, receipts, storage, and disposal of such products.

Retention period: 3 to 6 years. 26 CFR 211.125, 211.262, 211.273, 211.274 (retention: 211.273)

4.143 Persons recovering completely denatured alcohol and articles.

To keep such records as will enable an internal revenue officer to verify and trace recovery, redenaturation (if any) and reuse; to keep copies of monthly reports.

Retention period: 3 to 6 years. 26 CFR 211.212, 211.214, 211.215, 211.218, 211.263, 211.269, 211.273, 211.274 (retention: 211.273)

4.144 Dealers in specially denatured spirits.

To keep records and copies of all applications, notices, and reports reflecting details of procurement, packaging, losses, and disposition of specially denatured spirits.

Retention period: 3 to 6 years. 26 CFR 211.139, 211.145, 211.148, 211.234, 211.241, 211.243, 211.251–211.253, 211.255, 211.264, 211.270, 211.272–211.274, 211.285 (retention: 211.273)

4.145 Users of specially denatured spirits.

To keep records and copies of all applications, notices, and reports reflecting details of (a) specially denatured spirits received, used, recovered (including redenaturation), lost, and otherwise disposed of, and (b) products and articles manufactured and the disposition of such products and articles.

Retention period: 3 to 6 years. 26 CFR 211.139, 211.168, 211.212, 211.214, 211.215, 211.218, 211.241–211.243, 211.251–211.253, 211.255, 211.265–211.267, 211.271–211.274 (retention: 211.273)

4.146 Reprocessors, repackagers, and bottlers of bay rum, skin and hair lotions, and similar products and purchasers of such products in containers larger than 1 gallon for resale.

To keep records of receipt, manufacture, packaging, bottling, and sales.

Retention period: 3 to 6 years. 26 CFR 211.265–211.267, 211.272–211.274 (retention: 211.273)

4.147 Dealers in and users of proprietary solvents and special industrial solvents.

To keep records of receipt, use, and disposition.

Retention period: 3 to 6 years. 26 CFR 211.268, 211.272–211.274 (retention: 211.273)

4.148 Users of tax-free alcohol.

To keep records and copies of all applications, notices, and reports relating to receipt, use, recovery (including restoration), losses, and inventories of tax-free alcohol.

Retention period: 3 to 6 years. 26 CFR 213.116, 213.134, 213.151–213.153, 213.161–213.163, 213.165, 213.171–213.176 (retention: 213.175)

4.149 Proprietors of taxpaid wine bottling houses.

To keep records of wine received, bottled, packaged, and removed, and of semiannual and special inventories.

Retention period: 3 years. 26 CFR 231.110–231.114 (retention: 231.114)

4.150 Persons (other than proprietors of bonded wine cellars) producing wine for family use.

To keep the copy of the registration (Form 1541), with production data entered thereon, at the place of manufacture.

Retention period: While the wine produced pursuant thereto remains on hand. 26 CFR 240.542

4.151 Universities, colleges of learning, and institutions of scientific research authorized to conduct wine experimental or research operations.

To keep copies of approved applications and appropriate records of experiments and research.

Retention period: 3 to 6 years. 26 CFR 240.546–240.549, 240.731, 240.732, 240.924 (retention: 240.924)

4.152 Proprietors of vinegar plants receiving wine free of tax for use in manufacturing vinegar.

To keep records showing receipt and use of wine, and vinegar produced and disposed of.

Retention period: Not specified. 26 CFR 240.656, 240.657

4.153 Proprietors of bonded wine cellars.

(a) Production of wine, nonbeverage wine, distilling material, vinegar stock, and commercial fruit products. To keep, as prescribed by regulations, records and copies of all applications, notices, statements, and reports of transactions and operations relating to the receipt and use or other disposition of basic winemaking materials such as fruit, or juice, or concentrated juice, and of sugar, acids, chemicals, preservatives, distillates, wine spirits, volatile fruit-flavor concentrates, and other materials used in production of wine, nonbeverage wine, and allied products and in cellar and finishing operations; fermentation; amelioration and sweetening; baking; use of carbon dioxide in still wines; removal of excess color in white wine; reduction of acid content; and other cellar and finishing treatment of wines.

Retention period: 3 to 6 years. 26 CFR 170.683, 170.686, 170.690, 240.359a, 240.362, 240.363, 240.366, 240.367, 240.368, 240.375–240.379, 240.382–240.385, 240.402, 240.406, 240.407, 240.408, 240.409, 240.443, 240.484–240.487, 240.491, 240.525–240.527a, 240.532, 240.537, 240.771, 240.773, 240.822, 240.826, 240.832–240.834, 240.836, 240.837, 240.890, 240.892, 240.900, 240.904, 240.908–240.911, 240.913–240.919, 240.922–240.925 (retention: 240.924)

(b) Storage in bond, filling bottles and containers, voluntary destruction, reconditioning of foreign wine, losses, and inventories. To keep, as prescribed by regulations, records and copies of all applications, notices, and reports relating to the receipt and storage of wine, wine spirits, nonbeverage wine, and volatile fruit-flavor concentrates on bonded premises; bottling, casing, and the filling of containers; losses and voluntary destruction; and semiannual and special inventories.

Retention period: 3 to 6 years. 26 CFR 170.691, 240.359a, 240.534, 240.561, 240.751, 240.753, 240.783, 240.786–240.789, 240.804, 240.854–240.858, 240.871, 240.900, 240.903, 240.912, 240.913, 240.916, 240.922–240.925 (retention: 240.924)

(c) Transfers and removals. To keep, as required by regulations, records and copies of all applications, notices, transfer and withdrawal forms, and returns relating to wine, wine spirits, and nonbeverage wine, including transfers between bonded premises, return of wine to bonded storage, return of concentrates to volatile fruit-flavor concentrate plants, tax payment and removal, withdrawal free of tax and without payment of tax, disposition of lees and other residues, and the disposition of commercial fruit products and other allied products.

Retention period: 3 to 6 years. 26 CFR 170.687, 240.359b, 240.590–240.592, 240.600, 240.613–240.615, 240.618–240.620, 240.630, 240.633, 240.652, 240.660, 240.662, 240.672, 240.722, 240.726, 240.730, 240.732, 240.741, 240.743, 240.746, 240.761–240.763, 240.802, 240.804, 240.839, 240.871, 240.892, 240.900–240.902, 240.904, 240.920, 240.922–240.925 (retention: 240.924)

(d) Taxpaid storeroom operations. To keep records of receipt and disposition.

Retention period: 3 to 6 years. 26 CFR 170.690, 240.801, 240.921–240.925 (retention: 240.924)

4.154 Brewers.

To keep, as required by regulations, records and copies of all applications,

statements, notices, tax returns, and reports of brewery operations and transactions relating to receipt and use or disposition of brewing materials; production of beer and cereal beverages; production of wort, wort concentrate, malt sirup, and malt extract for sale or removal; beer entered into concentration process; concentrate produced, received, and used in reconstituting beer; beer reconstituted; transfers of beer and beer concentrate between breweries of same ownership; removals of yeast and malt; removal of beer unfit for beverage use; racking and bottling operations; losses; voluntary destruction; beer returned to the brewery; beer procured from another brewer; removal of cereal beverage; removal of beer for sale or consumption; removal of beer free of tax; removal of beer and beer concentrate without payment of tax; removal of wort, wort concentrate, malt sirup, and malt extract; beer consumed at the brewery and inventories of brewing materials, beer and cereal beverage in process, concentrate, and finished beer and cereal beverage on hand.

Retention period: Not less than 4 years. 26 CFR 245.135, 245.136, 245.145–245.148, 245.152, 245.153, 245.155, 245.157, 245.158, 245.161, 245.205–245.208, 245.210, 245.215, 245.225–245.227, 245.230, 245.232, 245.233, 245.243, 245.245 (retention: 245.232)

4.154a Proprietors of pilot brewing plants. [Amended]

To keep, as required by regulations, records including information sufficient to account for the receipt, production, and disposition of all beer received or produced on the premises and the receipt (and disposition, if removed) of all brewing materials.

Retention period: Not less than 4 years. 26 CFR 245.256 (retention: 245.232)

4.155 Proprietors of bonded warehouses or bonded processing rooms in Puerto Rico withdrawing spirits of Puerto Rican manufacture for shipment to the United States.

To keep file copies of Forms 2899, 2901, 2925, and 2630.

Retention period: Not less than 2 years. 26 CFR 250.78–250.81, 250.112 (retention: 250.276)

4.156 Proprietors of rectifying plants in Puerto Rico withdrawing spirits of Puerto Rican manufacture for shipment to the United States.

To keep file copies of Forms 2925 and 2926.

Retention period: Not less than 2 years. 26 CFR 250.85 (retention: 250.276)

4.157 Proprietors of bonded premises in Puerto Rico withdrawing wine of Puerto Rican manufacture for shipment to the United States.

To keep file copies of Forms 2900, 2927, and 2928.

Retention period: Not less than 2 years. 26 CFR 250.93–250.96, 250.112 (retention: 250.276)

4.158 Proprietors of bonded premises in Puerto Rico withdrawing beer of Puerto Rican manufacture for shipment to the United States.

To keep file copies of Forms 2900, 2929, and 2930.

Retention period: Not less than 2 years. 26 CFR 250.102–250.105, 250.112 (retention: 250.276)

4.159 Shippers of liquors and articles of Puerto Rican manufacture to the United States.

To keep file copies of Forms 487–B and 3039.

Retention period: Not less than 2 years. 26 CFR 250.88, 250.89, 250.116 (retention: 250.276)

4.160 Persons, other than tourists, bringing liquors into the United States from Puerto Rico or the Virgin Islands (except proprietors of distilled spirits plants).

To keep records and copies of reports pertaining to receipt and disposition of such liquors (except while in customs custody) in accordance with 26 CFR Part 194 (Liquor Dealer).

Retention period: At least 2 years. 26 CFR 250.163, 250.272 (retention: 194.242)

4.161 Proprietors of distilled spirits plants bringing liquors into the United States from Puerto Rico or the Virgin Islands.

To keep records and copies of reports of transactions pertaining to such liquors in accordance with 26 CFR Part 201 (Distilled Spirits Plants).

Retention period: Not less than 4 years. 26 CFR 250.164, 250.273 (retention: 201.612)

4.162 Importers bringing bottled distilled spirits into the United States from the Virgin Islands.

To keep daily records and copies of strip stamp reports.

Retention period: Not less than 2 years. 26 CFR 250.270, 250.271 (retention: 250.276)

4.162a Importers of distilled spirits receiving and storing used liquor bottles pending return to Puerto Rico or the Virgin Islands or exportation.

To keep records of the receipt and disposition of used liquor bottles.

Retention period: Not less than 2 years. 26 CFR 250.319, 251.209 (retention: 250.276, 251.137)

4.163 Importers of distilled spirits.

To keep daily records and copies of strip stamp reports.

Retention period: Not less than 2 years. 26 CFR 251.130, 251.131 (retention: 251.137)

4.164 Importers of distilled spirits, wines, or beer (except proprietors of premises qualified under the provisions of Chapter 51, I.R.C.).

To keep records and copies of reports of the receipt and disposition of such liquors (except while in customs custody) in accordance with 26 CFR Part 194 (Liquor Dealers).

Retention period: At least 2 years. 26 CFR 251.133 (retention: 251.137)

4.165 Proprietors of premises qualified under the provisions of Chapter 51, Internal Revenue Code, importing liquors.

To keep records and copies of reports of transactions in accordance with the regulations governing the operations of such premises.

Retention period: Not less than 2 years. 26 CFR 251.134 (retention: 251.137)

4.166 Importers of liquors.

To keep records, documents or copies of documents supporting such records, and copies of reports required to be submitted to the assistant regional commissioner or to the collector of customs.

Retention period: Not less than 2 years. 26 CFR 251.136, 251.137 (retention: 251.137)

4.167 Proprietors of distilled spirits plants who transfer distilled spirits from customs custody to their bonded premises.

To keep file copies of Form 2609.

Retention period: Not less than 2 years. 26 CFR 251.172 (retention: 251.137)

4.168 Proprietors or claimants exporting liquors under the provisions of 26 CFR Part 252.

To keep file copies of all export forms involved, and the records, documents, or copies of the records and documents supporting such forms.

Retention period: Not less than 2 years. 26 CFR 252.45

4.169 Proprietors of distilled spirits plants.

(1) To keep a copy of each Form 206 (with attached Form 2630, if any) covering distilled spirits withdrawn without payment of tax for exportation, use on vessels and aircraft, transfer to a foreign-trade zone, or transfer to a manufacturing bonded warehouse, and any return of the spirits so withdrawn to the distilled spirits plant.

Retention period: Not less than 2 years. 26 CFR 252.107, 252.118 (retention: 252.45)

(2) To keep a copy of each Form 206 (with attachments, if any) covering the withdrawal of specially denatured spirits, free of tax, for exportation or transfer to a foreign-trade zone, and any return of the spirits so withdrawn to the distilled spirits plant.

Retention period: Not less than 2 years. 26 CFR 252.153 (retention: 252.45)

4.170 Proprietors of bonded wine cellars.

To keep a copy of each Form 206 covering the withdrawal of wine without payment of tax for exportation, use on vessels and aircraft, or transfer to a manufacturing bonded warehouse, and any return of the wine so withdrawn to the bonded wine cellar.

Retention period: Not less than 2 years. 26 CFR 252.125, 252.133 (retention: 252.45)

4.171 Brewers.

To keep a copy of each Form 1689 covering beer removed without payment of tax for use as supplies on vessels and aircraft; and a copy of each Form 1689 covering beer, and Form 3021 covering beer concentrate, removed without payment of tax for exportation or transfer to a foreign-trade zone, and any return to the brewery of the beer or beer concentrate so removed.

Retention period: Not less than 2 years. 26 CFR 252.145, 252.146, 252.150f—252.150h (retention: 252.45)

4.172 [Reserved]

4.173 Bottlers or packagers of distilled spirits stamped or restamped and marked, especially for export with benefit of drawback.

To keep a copy of each Form 1582 (with attachments, if any) on which claim for drawback is filed.

Retention period: Not less than 2 years. 26 CFR 252.195, 252.195a (retention: 252.45)

4.174 Exporters of wine.

To keep a copy of each Form 1582–A on which claim for drawback is filed and the supporting tax certification Form 2605.

Retention period: Not less than 2 years. 26 CFR 252.215, 252.218 (retention: 252.45)

4.175 Brewers.

To keep a copy of each Form 1582–B on which a claim for drawback is filed.

Retention period: Not less than 2 years. 26 CFR 252.225–252.227 (retention: 252.45)

4.176 Airlines withdrawing distilled spirits or wines from its stock held in customs custody.

To keep a copy of each requisition.

Retention period: Not less than 2 years. 26 CFR 252.280 (retention: 252.45)

TOBACCO

4.177 Manufacturers of tobacco products.

To keep authorizations to employ alternate methods or procedures, to employ emergency variations from requirements, to engage in another business within the factory, to use alternate means for marking packages of cigars or cigarettes, to repackage cigars or cigarettes, to remove cigars or cigarettes in bond for experimental purposes, to temporarily store cigars or cigarettes outside of factory, and to destroy cigars or cigarettes without supervision.

Retention period: 3 years following close of calendar year in which operations under authorizations granted under Parts 270 and 295 are concluded. Not specified for authorizations granted under Part 290. 26 CFR 270.45, 270.46, 270.47, 270.212, 270.217, 270.232, 270.251, 270.253, 290.72, 290.73, 290.184, 295.21, 295.22 (retention under Part 270: 270.185)

4.178 Manufacturers of tobacco products.

To keep receipted copy of each semimonthly tax return, Form 3071, and of each prepayment tax return, Form 2617.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 270.162, 270.167 (retention: 270.185)

4.179 Manufacturers of tobacco products.

To keep daily records of his operations, either commercial records or internal revenue Form 3065 or Form 3066, together with auxiliary and supplemental records from which such records are compiled, supporting records of cigars and cigarettes removed subject to tax and transferred in bond, and separate records with respect to Puerto Rican cigars and cigarettes released from customs custody, without payment of tax. To keep daily records of his operations in tobacco.

Retention period: 3 years following close of calendar year in which made. 26 CFR 270.181, 270.182, 270.183, 270.184, 270.186, 275.139 (retention: 270.185, 275.22)

4.180 Manufacturers of tobacco products.

To keep a copy of each inventory, Form 3067.

Retention period: 3 years following the close of calendar year in which made. 26 CFR 270.201 (retention: 270.185)

4.181 Manufacturers of tobacco products.

To keep a copy of each monthly report, Form 3068, together with copy of any supplemental report covering cigars and cigarettes of Puerto Rican manufacture.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 270.202, 275.141 (retention: 270.185, 275.22)

4.182 Manufacturers of tobacco products.

To keep a copy of each claim for abatement or refund, Form 843, and of each claim for allowance, credit, or remission, Form 2635, together with any verified supporting schedules, Form 3069.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 270.281, 270.282, 270.283, 270.284, 270.286, 270.287 (retention: 270.185)

4.183 Manufacturers of tobacco products.

To keep a copy of each notice of release, Form 2145 or Form 3072, covering the release from customs custody without payment of tax or certain duty of imported, returned, or Puerto Rican cigars, cigarettes, or cigarette papers or tubes.

Retention period: 3 years following close of calendar year in which release is made. 26 CFR 275.86, 275.138 (retention: 275.22)

4.184 Manufacturers of tobacco products.

To keep a copy of each notice of removal, Form 2149, covering shipment of cigars and cigarettes removed, without payment of tax, for export, and notice of removal, Form 2150, covering the return of such products to the factory.

Retention period: 2 years following close of calendar year in which shipment was removed or received. 26 CFR 290.199, 290.201

4.185 Manufacturers of tobacco products.

To keep a supporting record showing appropriate entries with respect to removals of cigars and cigarettes, without payment of tax, for use of the United States.

Retention period: 3 years following close of year in which removal was made. 26 CFR 295.51

4.186 Manufacturers of cigarette papers and tubes.

To keep a copy of each notice of release, Form 2145 or Form 3072, covering the release from customs custody without payment of tax or certain duty of imported, returned, or Puerto Rican cigarette papers or tubes.

Retention period: 3 years following close of calendar year in which release is made. 26 CFR 275.86, 275.138 (retention: 275.22)

4.187 Manufacturers of cigarette papers and tubes.

To keep a receipted copy of each monthly tax return, Form 2137.

Retention period: 3 years following close of calendar year in which made. 26 CFR 285.25 (retention: 285.31)

4.188 Manufacturers of cigarette papers and tubes.

To keep authorizations to employ alternate methods or procedures and to employ emergency variations from requirements.

Retention period: 3 years following close of calendar year in which operations under authorizations granted under Parts 285 and 295 are concluded. Not specified for authorizations under Part 290. 26 CFR 285.34a, 285.35, 290.73, 295.21, 295.22 (retention under Part 285: 285.31)

4.189 Manufacturers of cigarette papers and tubes.

To keep a copy of each inventory, Form 2132.

Retention period: 3 years following close of calendar year in which made. 26 CFR 285.91 (retention: 285.31)

4.190 Manufacturers of cigarette papers and tubes.

To keep daily records of his operations and transactions, and also separate records with respect to Puerto Rican cigarette papers and tubes released from customs custody, without payment of tax.

Retention period: 3 years following close of calendar year in which made. 26 CFR 275.139, 285.101 (retention: 275.22, 285.31)

4.191 Manufacturers of cigarette papers and tubes.

To keep a copy of each report, Form 2138, together with copy of any supplemental report covering cigarette papers and tubes of Puerto Rican manufacture.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.141, 285.111 (retention: 275.22, 285.31)

4.192 Manufacturers of cigarette papers and tubes.

To keep a copy of each claim for abatement or refund, Form 843, and of each claim for allowance, credit, or remission, Form 2635, together with any verified supporting schedules, Form 3069.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 285.171, 285.172, 285.173, 285.174 (retention: 285.175)

4.193 Manufacturers of cigarette papers and tubes.

To keep a copy of each notice of removal, Form 2149, covering shipment of cigarette papers and tubes removed, without payment of tax, for export, and notice of removal, Form 2150, covering the return of such articles to the factory.

Retention period: 2 years following close of calendar year in which shipment was removed or received. 26 CFR 290.199, 290.201

4.194 Manufacturers of cigarette papers and tubes.

To keep a supporting record showing appropriate entries with respect to removals of cigarette papers and tubes, without payment of tax, for use of the United States.

Retention period: 3 years following close of year in which removal was made. 26 CFR 295.51

4.195 Persons shipping Puerto Rican cigars, cigarettes, or cigarette papers or tubes to the United States.

To keep receipted copy of each prepayment return, Form 3073.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.105 (retention: 275.22)

4.196 Persons shipping Puerto Rican cigars, cigarettes, or cigarette papers or tubes to the United States.

To keep certified copy of notice of release, Form 3072.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.137 (retention: 275.22)

4.197 Puerto Rican manufacturer shipping cigars, cigarettes, or cigarette papers or tubes to the United States.

To keep receipted copy of semimonthly tax return, Form 2988.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.112 (retention: 275.22)

4.198 Importers of cigars, cigarettes, or cigarette papers or tubes.

To keep receipted copy of each return made on customs form.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.81 (retention: 275.22)

4.199 Importers of cigars, cigarettes, and cigarette papers and tubes.

To keep authorizations to employ alternate methods or procedures and to employ emergency variations from requirements.

Retention period: 3 years following close of calendar year in which operation under the authorization is concluded. 26 CFR 275.26, 275.27 (retention: 275.22)

4.200 Persons filing claims for tax assessed or paid on imported cigars, cigarettes, and cigarette papers and tubes.

To keep a copy of each claim for abatement or refund, Form 843, together with verified supporting schedules, Form 3069.

Retention period: 3 years following close of calendar year in which filed. 26 CFR 275.161, 275.163 (retention: 275.22)

4.201 Proprietors of bonded internal revenue tobacco export warehouses.

To keep authorizations to employ alternate methods or procedures and to employ emergency variations from requirements.

Retention period: Not specified. 26 CFR 290.72, 290.73

4.202 Proprietors of bonded internal revenue tobacco export warehouses.

To keep complete and adequate daily records of operations of his warehouse, with a copy of each notice of removal, Form 2149 or 2150, covering receipt of cigars, cigarettes, and cigarette papers and tubes from a manufacturer, another export warehouse proprietor, or customs warehouse proprietor, and of each Form 2150 covering such articles removed from his warehouse.

Retention period: 2 years following close of calendar year in which shipment was removed or received. 26 CFR 290.142, 290.199, 290.200, 290.201

4.203 Proprietors of bonded internal revenue tobacco export warehouses.

To keep a copy of each inventory made.

Retention period: 2 years following close of calendar year in which made. 26 CFR 290.143

4.204 Proprietors of bonded internal revenue tobacco export warehouses.

To keep a copy of each monthly report, Form 2140.

Retention period: 2 years following close of calendar year in which filed. 26 CFR 290.147

4.204a Proprietors of bonded internal revenue tobacco export warehouses.

To keep a copy of each claim for remission, Form 2635, and for refund, Form 843.

Retention period: 2 years following close of calendar year in which filed. 26 CFR 290.152, 290.154

4.205 Proprietors of customs bonded manufacturing warehouse, class 6.

To keep a copy of each notice of removal of cigars, Form 2149, withdrawn from the customs warehouse, without payment of tax for export, and of each notice of removal, Forms 2149 and 2150, relating to the return of cigars to the customs warehouse.

Retention period: 2 years following close of calendar year in which shipment was withdrawn or received. 26 CFR 290.201, 290.257, 290.266, 290.267

FIREARMS AND EXPLOSIVES

4.206 Persons responsible for returns and payment of tax on sales of pistols and revolvers.

To keep such records and memoranda as will clearly show the amount of the sales of pistols and revolvers for each month; evidence of the right to exemption from the tax; and a complete and detailed record of overpayments for which credits are taken. A duplicate of the return shall also be kept.

Retention period: 4 years from the date the tax becomes due and, with respect to credits, 4 years from the date the credit is taken. 26 CFR (1939) 302.9, 302.12, 302.15

4.207 Persons making exports of pistols and revolvers.

(a) *Manufacturers selling pistols and revolvers for export and in due course so exported.* To preserve the orders or contracts of sale, and certificates with respect to shipment to a foreign destination, and "proofs of exportation."

(b) *Persons, other than manufacturers, exporting pistols and revolvers.* To carefully preserve in their own files copies of export bills of lading or other shipping documents and all other papers bearing on the transactions.

Retention period: Not specified. 26 CFR (1939) 302.16, 302.17, 302.18

4.208 Licensed firearms manufacturers, importers, dealers, and collectors.

To maintain complete and adequate records and supporting documents reflecting the production, importation, receipt, and disposition of all firearms and ammunition produced, imported, received or disposed of in the course of licensed operations, except that no record need be kept of retail sales of shotgun ammunition, ammunition suitable for use only in rifles, or components for such shotgun and rifle ammunition.

Retention period: For ammunition 2 years from date transaction occurs. For firearms—permanent. Upon discontinuance of business, firearms and ammunition records must be delivered to successor, or, if discontinuance of the business is absolute, to Assistant Regional Commissioner, Alcohol, Tobacco and Firearms. 26 CFR 178.122–178.127, Public Law 91–128 (83 Stat. 269)

4.209 Transferees of firearms. [Amended]

To maintain the application (filed by the transferor and approved by the Director, Alcohol, Tobacco and Firearms Division) for the transfer of a firearm. This includes transfers exempt from, as well as subject to, the transfer tax.

Retention period: Transferee retains approved application for duration of his ownership of the related firearm. 26 CFR 179.84–179.93

4.210 Manufacturers, importers, or dealers in firearms (including pawnbrokers). [Amended]

To keep records showing (a) the manufacture, receipt, transfer or other disposition of all firearms taxable under the Internal Revenue Code, (b) date of such manufacture, receipt, transfer or disposition, (c) the number, model, and trade name or other mark identifying each firearm, (d) the name and address of the person to whom any firearm is transferred.

Retention period: At least 4 years from date of disposition of the firearm. 26 CFR 179.131

4.211 Licensed explosives manufacturers, importers limited-manufacturers, dealers and permittees. [Added]

To take true and accurate inventory of explosives material on hand as of February 12, 1971, or at time of commencing business. To maintain complete and adequate records and supporting documents reflecting the production, importation, receipt, and disposition of all explosives material.

Retention period: 5 years from date transaction occurs. Upon discontinuance of business, explosives records must be delivered to successor, or if discontinuance of business is absolute, to Assistant Regional Commissioner, Alcohol, Tobacco and Firearms. 26 CFR 181.121–181.129

4.212 Registered importers of arms, ammunition, or implements of war, shown on the Import List.

Importers who are required to register under 26 CFR Part 180 shall maintain records of articles on the U.S. Munitions Import List that are imported, their acquisition and disposition.

Retention period: 6 years. The Director, Alcohol, Tobacco and Firearms Division may prescribe a longer or shorter period in individual cases as he deems necessary. 26 CFR 180.24

5. Office of Foreign Assets Control

5.1 Persons engaged in transactions subject to Foreign Assets Control Regulations, Transaction Control Regulations, Cuban Assets Control Regulations, Foreign Funds Control Regulations, and Rhodesian Sanctions Regulations.

To keep a full record of each transaction subject to the provisions of 31 CFR Ch. V, whether effected pursuant to license or not.

Retention period: Shall be available for examination at least 2 years after date of transaction. 31 CFR 500.601, 500.804, 505.40, 505.60, 515.601, 515.804, 520.601, 520.804, 530.601, 530.804.

6. Office of Domestic Gold and Silver Operations

6.1 Persons authorized by license or by 31 CFR 54.18 or 54.21 to acquire, hold, process, and dispose of gold.

To keep full and accurate records of all operations and transactions respecting gold, including the name, address, and Treasury gold license number of each person from whom it is acquired or to whom it is delivered (or, when no Treasury gold license is held, the section of regulations in this part pursuant to which the gold was held or acquired by such person), the amount, date, description and purchase or sales price of each acquisition and delivery, any other papers and records required to be kept by a Treasury Department gold license, and costs and expenses in computation of total domestic value of articles of fabricated or semiprocessed gold.

Retention period: Until end of the fifth calendar year (or fifth fiscal year, if accounts are so maintained). 31 CFR 54.26

6.2 Licensed importers of gold-bearing materials for reexport of gold refined therefrom.

To cause to be kept at the plant of first treatment an exact record of percentages and weights as specified, for each importation, an attested copy of such record to be filed with the assay office at New York or the assay office at San Francisco, whichever is designated.

Retention period: At least 1 year after date of disposition of gold. 31 CFR 54.32

6.3 Persons delivering silver to a mint or assay office pursuant to the Coinage Act of 1965.

To maintain records of all acquisitions and dispositions of newly-mined domestic silver.

Retention period: 5 years following date of transaction to which they relate. 31 CFR 81.8, 81.10

7. [Reserved]

8. [Deleted]

XII. DEPARTMENT OF TRANSPORTATION

1. Federal Aviation Administration

1.1 Aircraft and related products manufacturers.

To maintain records of inspection identified with the completed product and records of Materials Review Board action applying to materials, parts, assemblies, and the completed product.

Retention period: At least 2 years. 14 CFR 21.125

1.2 Aircraft and related products manufacturers.

To maintain records of inspection applying to the manufacture of replacement or modification parts and identifiable with the completed part.

Retention period: At least 2 years. 14 CFR 21.303

1.3 Certificated air carrier and commercial operator.

To keep records pertaining to the maintenance, rebuilding, and alteration, of aircraft, airframes, aircraft engines, propellers, appliances, or parts thereof, including: (a) For major repairs, major alterations, and rebuilding—identification of the approved data under which the work was performed, the individual approving the work, and the date of approval; (b) for the last complete overhaul; (c) for all other maintenance, repairs and alterations—a description of the work, the date the work was completed, the person performing the work if performed by a person other than the certificate holder, and the individual approving the work.

Retention period: (a) Until work is repeated, superseded or until the aircraft, etc., is sold or retired; (b) until next complete overhaul; (c) until the earliest of (1) work repeated or superseded, (2) the aircraft, etc., on which work was performed is overhauled, (3) 1 year after work performed. Records transferred on sale—all maintenance, rebuilding, and alteration records required to be kept at time product or appliance sold (in plain language unless transferee elects to receive in coded form). 14 CFR 121.380, 121.698, 127.141, 127.308

1.4 Certificated repair stations or airframe, powerplant, propeller, or appliance manufacturers.

To maintain a duplicate copy of the customer's work order, when accepted in lieu of the Major Repair and Alteration Form (FAA–337 or equivalent).

Retention period: At least 2 years. 14 CFR Part 43, App. B

1.5 Domestic, flag, and supplemental air carriers and commercial operators of large aircraft.

To retain information taped by flight recorders.

Retention period: At least 60 days or, for a particular flight or series of flights, for a longer period if requested by a representative of the Federal Aviation Administration or the National Transportation Safety Board. 14 CFR 121.343

1.6 Domestic, flag, and supplemental air carriers and commercial operators of large aircraft.

To maintain current records of every crewmember and aircraft dispatcher, as is necessary to show compliance with the appropriate requirements of Federal Aviation Regulations and each action taken concerning the release from employment or physical or professional disqualification of flight crewmembers or aircraft dispatchers.

Retention period: At least 6 months after termination of employment. 14 CFR 121.683

1.7 Domestic, flag, and supplemental air carriers and commercial operators of large aircraft.

To maintain (a) records of total time in service, time since last overhaul, and time since last inspection on major components of airframe, engines, propellers, and where practicable, appliances; (b) an aircraft maintenance log; (c) copies of alteration and repair reports; and (d) copies of airworthiness release forms.

Retention period: Not specified for (a), (b), and (c); 2 months for (d). 14 CFR 121.699, 121.701, 121.707, 121.709

1.8 Flag and domestic air carriers.

To maintain a list of aircraft in current operation and airplanes operated under interchange agreements.

Retention period: Not specified. 14 CFR 121.685

1.9 Flag and domestic air carriers.

To retain copies of load manifests, dispatch releases, and flight plans.

Retention period: 3 months. 14 CFR 121.695

1.10 Flag and domestic air carriers.

To maintain records pertaining to radio contacts by or with pilots en route.

Retention period: 30 days. 14 CFR 121.711

1.11 Air taxi operators and commercial operators of small aircraft.

To maintain at principal business office (a) a current list of aircraft used or available for use and the operations for which each is equipped and (b) an individual record of each pilot used (including name, certificate and ratings held, aeronautical experience, current duties, medical certificate, etc.).

Retention period: 6 months. 14 CFR 135.43

1.12 Registered owners or operators of civil aircraft.

To keep separate, current maintenance record for aircraft and each engine, including kind and extent of maintenance and alteration, and date work is done; listing of compliance with mandatory service bulletins, airworthiness directives, and method of compliance; current empty weight, empty center of gravity, and useful load; addition or removal of optional equipment, or of required equipment in exchange for optional equipment; total time in service of aircraft; and total time in service and history of each engine overhauled, repaired or reassembled to standards other than those for rebuilt engines.

Retention period: Not specified, but records must go to next owner. 14 CFR 91.173

1.13 Air carriers (utilizing helicopters in scheduled interstate air transportation).

To keep (a) maintenance records of such information as total time in service, time since last overhaul, and time since last inspection on all major components of the airframe, engines, rotors, and appliances, and (b) a maintenance log for all data specified in (a), except time since last overhaul.

Retention period: Not specified. 14 CFR 127.309, 127.311

1.14 Air carriers (utilizing helicopters in scheduled interstate air transportation).

To maintain records of every crewmember as is necessary to show compliance with the appropriate requirements of Federal Aviation Regulations and each action taken concerning the release from employment or physical or professional disqualification of any flight crewmember.

Retention period: At least 3 months. 14 CFR 127.301

1.15 Air carriers (utilizing helicopters in scheduled interstate air transportation).

To retain copies of load manifest, flight release, and airworthiness release forms.

Retention period: At least 60 days. 14 CFR 127.307, 127.319

1.16 Air carriers.

To retain copy of shipper's certification for transportation of explosives and other dangerous articles.

Retention period: Not specified. 14 CFR 103.3

1.17 Pilots.

To keep a reliable record of the flight time used to meet the experience requirements for pilot certificate or rating, or the recent flight experience requirements of 14 CFR 61.47, including as to each flight such general data as points of departure and arrival, date, duration, and identification mark; type of piloting time; and conditions of flight.

Retention period: Not specified. 14 CFR 61.39

1.18 Airline transport pilots.

To keep an accurate and legible record of flying time in a bound logbook arranged for easy reference, including specified information on each flight. Pilot must certify solo flying time entries, and his instructor must certify entries on instruction.

Retention period: Not specified. 14 CFR 61.41

1.19 Flight instructors.

To maintain separately or in his logbook a record of (a) the name of each person to whom he has given flight instruction or whose student pilot certificate he has endorsed, and the date and type of each flight instruction period or endorsement, and (b) the name of each person for whom he has signed a recommendation for a written or flight test, under this part, the kind of test, and the date of recommendation.

Retention period: 3 years. 14 CFR 61.174

1.20 Flight navigator training course operators.

To keep an accurate record of each student, including a chronological log of all instructions, subjects covered, and course examinations and grades.

Retention period: During continuation of approval of course. 14 CFR Part 63, App. B, para. (f)

1.21 Certificated parachute riggers.

To keep a record of the packing, maintenance, and alteration of parachutes performed or supervised by him.

Retention period: At least 2 years after the date record is made. 14 CFR 65.131

1.22 Aircraft dispatcher course operators.

To keep an accurate record of each student including a chronological log of all instructions, subjects covered, and course examinations and grades.

Retention period: During continuation of approval of course. 14 CFR Part 65, App. A, para. (g)

1.23 Certificated pilot schools.

To keep a current, accurate, and individual record of each student's participation and accomplishments in the course for which he is enrolled, including a chronological log of his instruction, attendance, subjects covered, tests, and test grades.

Retention period: 1 year following student's graduation or termination of his participation in the training course. 14 CFR 141.21

1.24 Certificated domestic repair stations and applicants for a domestic repair station certificate and rating.

To maintain a roster of its supervisory and inspection personnel, and a summary of the employment of each person whose name is on the roster containing enough information to show compliance with experience requirements.

Retention period: Not specified. 14 CFR 145.43

1.25 Certificated domestic repair stations.

To maintain adequate records of work performed, naming the certificated mechanic or repairman who performed or supervised the work, and the inspector of that work.

Retention period: At least 2 years. 14 CFR 145.61

1.26 Certificated foreign repair stations.

To keep a record of the maintenance and alteration performed on United States registered aircraft.

Retention period: Not specified. 14 CFR 145.79

1.27 Certificated aviation maintenance technician schools.

To keep (a) current record of each student enrolled showing his attendance, tests, and grades received on subjects required, instruction credited by reason of instruction completed at another aviation maintenance technician school (or other specified source), and authenticated transcript of his grades; and (b) current progress chart or individual progress record showing the projects or laboratory work completed, or to be completed, by the student in each subject.

Retention period: At least 2 years after the end of the student's enrollment as to (a); (b) not specified. 14 CFR 147.33

1.28 Holders of parachute loft certificates.

To maintain records of work performed, including names of persons doing the work.

Retention period: At least 2 years. 14 CFR 149.15

1.29 Owners of VOR, nondirectional radio beacon, and instrument landing system facilities.

To keep for each facility the following records on the forms named, or on an

equivalent form acceptable to the Regional Director: (a) Record of meter readings and adjustments—Form FAA-198 (1 copy); (b) Radio equipment operation record—Form FAA-418 (original); and (c) VOR check error data, FAA Forms 2396 and 2397 (originals—for VOR facilities only).

Retention period: Permanent for (a); not specified for (b) and (c). 14 CFR 171.13, 171.33, 171.73

1.30 Manufacturers of aircraft.

To maintain at factory, for each product type certificated under the delegation option procedures, current records containing the following: (a) technical data file including type design drawings, reports on tests, and original type inspection report and amendments; (b) data (including amendments) required with original application for each production certificate; (c) record of all rebuilding and alteration performed; (d) complete inspection record for each product manufactured; (e) record of reported service difficulties.

Retention period: (a), (b), and (c) for the duration of the manufacturing operation under the delegation option authorization; (d) and (e), 2 years. 14 CFR 21.293

1.31 Contractors for construction of public airports.

To keep payrolls and basic records during the course of the work for all laborers and mechanics as specified in the Appendix cited.

Retention period: 3 years from the completion of the work. 14 CFR 151.49; Part 151, App. H, para. C(1)

1.32 Sponsors of the construction of public airports.

To keep records of all affidavits and copies of payrolls furnished by the contractor.

Retention period: 3 years from the date of the completion of the contract. 14 CFR 151.53

1.33 Sponsors of the construction of public airports.

To retain in its files documentary evidence supporting each item of project cost, such as invoices, cost estimates and payrolls. Also evidence of all payments for items of project costs including vouchers, canceled checks or warrants, and receipts for cash payments

Retention period: 3 years after final grant payment. 14 CFR 151.55

1.34 Supplemental air carriers and commercial operators.

To maintain originals or copies of load manifests, flight releases, flight plans, airworthiness releases, and pilot route certification.

Retention period: 6 months. 14 CFR 121.697

1.35 Commercial operators using large aircraft.

To retain a copy of each contract under which it provides service, or a memorandum stating elements of oral contracts, and of each contract amendment.

Retention period: 1 year after date of execution of contract or amendment. 14 CFR 121.713

1.36 Commercial agricultural aircraft operators.

To maintain records showing name and address of persons for whom service was provided, date of service, name and quantity of material dispersed for each operation conducted, and the name, address, and certificate number of each pilot used, and the date he met the requirements of 14 CFR 137.19(c).

Retention period: At least 12 months. 14 CFR 137.71

1.37 Designated alteration stations.

To maintain current records of technical data (including drawings, photographs, specifications, instructions, and reports) for each product for which it has issued a supplemental type certificate; list of products by make, model, manufacturer's serial number, etc.; and a file of information on alteration difficulties of products altered.

Retention period: For duration of the operation under the DAS authorization. 14 CFR 21.493

1.38 Flight engineer training course operators.

To keep a record of each student's training, including a chronological log of the subject course, attendance, examinations, and grades.

Retention period: At least 2 years after student graduates, fails, or drops from course. 14 CFR Part 63, App. C, para. (g)

1.39 Domestic, flag, and supplemental air carriers.

To keep a log of each flight conducted with a provisionally certificated airplane and to keep accurate and complete records of each inspection and all maintenance performed on the airplane.

Retention period: Not specified. 14 CFR 121.207

1.40 Domestic, flag, and supplemental air carriers, and commercial operators of large aircraft.

To keep, in the event of an accident or occurrence requiring immediate notification of the National Transportation Safety Board under Part 430 of its regulations, the information recorded on cockpit voice recorders.

Retention period: At least 60 days or longer if requested by the Administrator or the Board. 14 CFR 121.359

1.41 Domestic, flag, and supplemental air carriers.

To maintain, or determine that each person with whom it arranges to perform its required inspections maintains, a current listing of persons who have been trained, qualified, and authorized to conduct required inspections.

Retention period: Not specified. 14 CFR 121.371

1.42 Aircraft and related products manufacturers holding Technical Standard Order Authorizations. [Added]

To keep records pertaining to each article manufactured including (a) a complete and current technical data file, design drawings, and specifications, and (b) complete and current inspection records.

Retention period: (a) Until the TSO article is no longer produced by the manufacturer; (b) and at least 2 years. 14 CFR 37.13

1.43 Air carriers (utilizing helicopters in scheduled interstate air transportation).

To keep a log of each flight conducted with a provisionally certificated helicopter and to keep accurate and complete records of each inspection made and all maintenance performed on the helicopter.

Retention period: Not specified. 14 CFR 127.85

1.44 Air carriers (utilizing helicopters in scheduled interstate air transportation).

To maintain, or determine that each person with whom it arranges to perform its required inspections maintains, a current listing of persons who have been trained, qualified, and authorized to conduct required inspections.

Retention period: Not specified. 14 CFR 127.135

1.45 Air travel clubs using large airplanes.

To maintain (a) current records of every crewmember and aircraft dispatcher, as is necessary to show compliance with the appropriate requirements of Federal Aviation Regulations and each action taken concerning the release from employment or physical or professional disqualification of flight crewmembers as aircraft dispatchers, and (b) an aircraft maintenance log.

Retention period: At least 6 months after termination of employment. 14 CFR 123.27 (retention: 121.683)

1.46 Sponsors of airport development projects. [Amended]

To keep records pertaining to the expenditure of the Federal grant, the total project cost, and the amount supplied by other sources.

Retention period: Not specified. 49 U.S.C. 1726

1.47 Aircraft and related products manufacturers—production under type certificate only.

To maintain at the place of manufacture the technical data and drawing necessary for the Administrator to determine whether the product and its parts conform to the type design.

Retention period: Not specified. 14 CFR 21.123

1.48 Owners of non-Federal Simplified Directional Facilities (SDF); non-Federal Distance Measuring Equipment (DME) Facilities; and non-Federal VHF Marker Beacon Facilities.

To maintain: (a) record of meter readings and adjustments (Form FAA-198) reflecting an accurate record of facility operation and adjustment and must be revised after any major repair, modification, or retuning; (b) a facility maintenance log (Form FAA-406(c)), consisting of a permanent record of all equipment malfunctioning met in maintaining the facility, including information on the kind of work and adjustments made, equipment failures, causes (if determined), and corrective action taken; (c) a radio equipment operation record (Form FAA-418) containing a complete record of meter readings, recorded on each scheduled visit to the facility.

Retention period: (a) Permanent; (b) and (c) not specified. 14 CFR 171.117, 171.163, 171.213

2. Federal Highway Administration

2.1 State highway departments or their agents.

To maintain all records and documents as may be prescribed in the "Retention Schedule of Federal-Aid Highway Records for State Highway Departments" relating to (a) projects undertaken pursuant to Federal law and regulations, and (b) toll facilities financed in part with Federal funds.

Retention period: (a) 3 years from date of final payment of Federal funds to State or as otherwise specified in the retention schedule, and (b) at least 3 years after facility has been operated on a free basis. 23 CFR 1.30

2.2 State agencies administering relocation assistance programs. [Added]

To maintain records of relocation as required in section cited.

Retention period: Not specified. 23 CFR Part 1, Appendix A, paragraph 37

2.3 Class I and II motor carriers.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1226

2.4 Class III motor carriers.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1226

2.5 Private carriers subject to Part II of the Interstate Commerce Act.

To keep records as listed in the sections cited.

Retention period: Various. 49 CFR 391.10, 394.3, 395.8, 396.2, 396.7

2.6 Motor carriers exempt under section 203(b) of the Interstate Commerce Act.

To keep records as listed in the sections cited.

Retention period: Various. 49 CFR 391.10, 394.3, 394.6, 395.8, 395.9, 396.2, 396.7

2.7 Carriers of migratory workers by motor vehicles.

To keep records as listed in the section cited.

Retention period: Various. 49 CFR 393.3

2.8 Motor carriers in interstate commerce transporting Class A or Class B explosives. [Added]

To maintain drivers' receipts for documents pertaining to safety and procedures in case of accident or delay.

Retention period: 1 year. 49 CFR 397.19

2.9 Motor carriers reviewing drivers' records.

To maintain records of all violations of motor vehicle traffic laws of which the driver has been convicted.

Retention period: Not specified. 49 CFR 391.27

2.10 All common, contract, and private motor carriers operating in interstate or foreign commerce, except private carriers of persons.

To maintain driver qualification files as listed in the section cited.

Retention period: Varies. 49 CFR 391.51

2.11 All common, contract, and private motor carriers operating in interstate or foreign commerce, except private carriers of persons.

To maintain an accident register and associated documents as set out in the section cited.

Retention period: 3 years from the date of the occurrence of any accident recorded. 49 CFR 394.3

2.12 All common, contract, and private motor carriers operating in interstate or foreign commerce, except private carriers of persons.

To maintain drivers' daily logs as set out in the section cited.

Retention period: Approximately 1 year from the date the carrier receives the daily log from the driver. 49 CFR 395.8

2.13 All common, contract, and private motor carriers operating in interstate or foreign commerce, except private carriers of persons.

To maintain records of inspection and maintenance for each motor vehicle for the period the motor vehicle is controlled by the carrier as set out in the section cited.

Retention period: Varies. 49 CFR 396.2

2.14 All common, contract, and private motor carriers operating in interstate or foreign commerce, except private carriers of persons.

To maintain daily driver reports on the condition of motor vehicles as set out in the section cited.

Retention period: 3 months from date of the report. 49 CFR 396.7

2.15 Owners of private interstate toll bridges. [Transferred from III 3.2]

To keep records relating to construction, financing, and promotion of such bridges.

Retention period: At least 3 years after completion of bridge. 33 U.S.C. 528

2.16 States or municipalities or other political subdivisions or public agencies there of taking over or acquiring or constructing an interstate toll bridges. [Transferred from III 3.3]

To keep an accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating same, and of the daily tolls collected.

Retention period: Not specified. 33 U.S.C. 529

3. United States Coast Guard

3.1 Certificates or documents issued by Coast Guard.

Certificates or documents issued to the public, as required by laws, rules, or regulations, shall be retained for the applicable period of time.

Retention period: If the certificate or document (a) specifies a definite period of time for which it is valid, it shall be retained for so long as it is valid unless it is required to be surrendered; (b) does not specify a definite period of time for which it is valid, it shall be retained for that period of time such certificate or document is required for operation of the vessel; or, (c) is evidence of a person's qualifications, it shall be retained for so long as it is valid unless it is required to be surrendered. 46 CFR 2.95-1

3.2 Owners, masters or persons in charge of vessels required to have cargo gear certificates and/or registers, and records regarding such gear.

To keep on board the current, valid cargo gear certificate and/or register, and records regarding such gear, such as inspections and tests or examinations, original or certified copies of certificates of manufacturers and/or testing laboratories, companies, or organizations for loose cargo gear, wire rope, or the annealing of gear, and records of all tests and examinations conducted by or under the supervision of surveyors of organizations or associations approved by the Commandant.

Retention period: The cargo gear certificate and/or register shall be retained for so long as it is valid unless it is required to be surrendered, and in addition until the next Coast Guard inspection for certification of the vessel. The certificates of manufacturers and/or testing laboratories, companies, or organizations shall be maintained so long as the gear described in such certificates is on board the vessel. The records of inspections by ship's officers shall be maintained on the vessel for that period of time which agrees with the period covered by the

current Coast Guard certificate of inspection issued to the vessel. 46 CFR 31.10–16, 31.37–75, 71.25–25, 71.47–75, 91.25–25, 91.37–75 (retention: 2.95–5)

3.3 Owners, masters, or persons in charge of vessels required to have performed tests and inspections of all firefighting equipment.

To keep on board records of required tests and inspections of all firefighting equipment.

Retention period: Shall be kept for the period of validity of the current Coast Guard certificate of inspection for the vessel. 46 CFR 31.10–18, 78.17–80, 97.-15–60, 196.15–60(b)

3.4 Owners, masters or persons in charge of new vessels having cargo gear described in approved plans.

To keep on board a set of approved plans of cargo gear showing a stress diagram with the principal details of the gear and a diagram showing arrangement and safe working loads.

Retention period: During period such cargo gear is on board vessel. 46 CFR 31.37–15, 31.37–20, 71.47–15, 71.47–20, 91.37–15, 91.37–20 (retention: 2.95–5)

3.5 Masters of tank vessels or vessels towing tank barges transporting flammable or combustible cargo.

To keep on board a bill of lading manifest or shipping document giving name of consignee and the delivery point, the kind, grades, and approximate quantity of each kind and grade of cargo, and for whose account the cargo is being handled.

Retention period: During period of transportation or storage. 46 CFR 35.01–10 (retention: 2.95–5)

3.6 Masters or persons in charge of vessels required to conduct fire and lifeboat drills.

To make entries in the ship's logs relating to the fire and lifeboat drills and examinations of emergency equipment.

Retention period: Until official log book is required to be surrendered to the Coast Guard, or for a vessel not required to use the official log book such logs shall be kept for a period of one year after date entries were made. 46 CFR 35.07–5, 35.07–10, 35.10–5, 78.17–50, 78.37–3, 78.-37–5, 97.15–35, 97.35–3, 97.35–5, 196.15–35

3.7 Owners, agents, masters, or persons in charge of vessels involved in marine casualties.

To keep such voyage records of the vessel as are maintained by the vessel, such as both rough and smooth deck and engineroom logs, bell books, navigation charts, navigation work books, compass deviation cards, gyro compass records, stowage plans, records of draft, aids to mariners, radiograms sent and received, the radio log, and crew and passenger lists.

Retention period: Until notification of completion of investigation is received from Coast Guard. 46 CFR 35.15–1, 78.07–15, 97.07–15, 136.05–15, 167.65–65, 196.07–15

3.8 Masters or senior deck officer of tank ships in charge of transfer of flammable and combustible cargo.

To keep on board copy of Declaration of Inspection Prior to Bulk Cargo Transfer.

Retention period: During period of transportation or storage. 46 CFR 35.35–30

3.9 Fabricators to keep welders' qualification test records and pipe welding process records. [Amended]

To maintain qualification test records with identification data.

Retention period: For period of validity of welder's certificate. 46 CFR 57.02–3 (retention: 2.95–5)

3.10 Owners, masters, or persons in charge of nuclear vessels required to have "Operating Manuals."

To keep on board a copy of the approved "Operating Manual," which shall be kept up to date.

Retention period: At all times vessel has a nuclear reactor on board. 46 CFR 99.20–1

3.11 Masters of passenger vessels other than those making foreign or intercoastal voyages.

To have official logbook (or equivalent) available for review by Coast Guard Inspectors.

Retention period: At least 1 year after last date to which record refers. 46 CFR 78.37–3

3.12 Masters of passenger vessels where an official logbook is not required (except ferry vessels).

To keep a record of the correct count of all passengers received and delivered from day to day. This record shall be open to inspection by the Coast Guard at all times.

Retention period: 1 year after date to which the records refer. 46 CFR 78.37–10

3.13 Owners, masters, or persons in charge of vessels required to display plans.

To keep on board for guidance of officer in charge the general arrangement plans of passenger vessels of 1,000 gross tons and over, passenger vessels of any tonnage on an international voyage, cargo barges with sleeping accommodations for more than six persons, self-propelled cargo vessels and manned oceanographic vessels.

Retention period: At all times vessel is in navigation. 46 CFR 78.45–1, 97.36–1, 196.36–1

3.14 Masters of cargo and miscellaneous vessels other than those making foreign or intercoastal voyages.

To have official logbook (or equivalent) available for review by Coast Guard Inspectors.

Retention period: At least 1 year after last date to which record refers. 46 CFR 97.35–3

3.15 Masters of vessels storing explosives for a period exceeding 24 hours (other than barges, magazine vessels, and oceanographic vessels).

To keep records of temperature readings.

Retention period: 1 year for vessels; not specified for oceanographic vessels. 46 CFR 146.02–12, 196.85–1

3.16 Owners of vessels.

To keep shipping orders, manifests, or other shipping documents, cargo lists, cargo stowage plans, reports, papers, and records as required to be prepared, unless persons or corporations charter or engage or contract for the use of these vessels under such terms and conditions that they have full and exclusive control of the management and operation of such vessels.

Retention period: 1 year. 46 CFR 146.02–22

3.17 Persons or corporations chartering or engaging or contracting for the use of vessels under such terms and conditions that they have full and exclusive control of the management and operation thereof.

To keep shipping orders, manifests, or other shipping documents, cargo lists, cargo stowage plans, reports, papers and records as required to be prepared.

Retention period: 1 year. 46 CFR 146.02–22

3.18 Vessel operators.

To keep copies of delivery receipts covering domestic deliveries and exportation of explosives or other dangerous articles or substances, and combustible liquids.

Retention period: 1 year. 46 CFR 146.05–12, 146.05–13

3.19 Owners, charterers, agents, or masters of vessels.

To keep memoranda describing the shipments of explosives or other dangerous articles or substances, and combustible liquids being transported, conveyed or stored on board vessels.

Retention period: 1 year. 46 CFR 146.05–12

3.20 Masters of vessels transporting or storing explosives or other dangerous articles or substances, and combustible liquids, as cargo.

To keep on board dangerous cargo manifests or lists.

Retention period: During the period of transportation or storage. 46 CFR 146.06–12, 151.45–7

3.21 Owners, charterers, or agents of vessels transporting or storing explosives or other dangerous articles or substances, and combustible liquids, as cargo.

To keep ashore copies of dangerous cargo manifests or lists.

Retention period: 1 year. 46 CFR 146.06–12 (retention: 146.02–22)

3.22 Contractors and subcontractors, with vessel repair, alteration, or conversion contracts.

To maintain books, documents, papers, and records involving transactions related to the contract.

Retention period: 3 years after final payment under the contract. 41 CFR 12B–7.5001–31

3.23 Manufacturers of equipment or material which must be approved or found satisfactory for use.

To keep the required drawings, plans, blueprints, specifications, production models (if any), qualification tests, and related correspondence containing evidence that the Coast Guard has found such equipment satisfactory, during the period of time the approval or listing is valid.

Retention period: Not specified. Most of the specifications containing detailed descriptions of records to be retained are contained in 46 CFR Parts 160—164.

3.24 Each voluntary association holding a Certification of Authorization under the Great Lakes Pilotage Uniform Accounting System.

To keep all books, records and memoranda and file them in such a manner to readily permit the audit and examination thereof by representatives of the U.S. Coast Guard. Also, the records must be housed or stored in such a manner as to afford protection from loss, theft or damage by fire, flood or otherwise.

Retention period: 10 years unless otherwise authorized by the Commandant. 46 CFR Part 403

3.25 Masters or operators of vessels subject to Oil Pollution Act of 1961, as amended.

To keep on board an Oil Record Book and enter therein a descriptive statement of the circumstances of and reasons for discharge of oil or oily mixtures, the escape of oil or oily mixtures, or the discharge of residue arising from purification or clarification of fuel oil or lubricating oil, and entries regarding various activities which may result in discharging oil or oily mixtures.

Retention period: 2 years from the date of the last entry, or until surrendered to the U.S. Government. 33 CFR 151.35

3.26 Owners, operators, and/or masters of oceanographic vessels.

(a) To keep official logbook, or (b) for vessels not required to have such a logbook, to keep their own logs or records as prescribed by regulations.

Retention period: (a) 1 year or for period of validity of vessel's current certificate of inspection, whichever is longer; (b) 1 year, except for separate records of tests and inspections of firefighting equipment, which shall be maintained for the period of validity of the vessel's certificate of inspection. 46 CFR 196.35–3

3.27 Masters of ships subject to International Convention on Load Lines, 1966.

To enter in the ships logs, before departure from loading port, the data required by section 6 of the load line acts, including statements of load line marks applicable to the voyage, position of load line marks, and actual drafts of the vessel.

Retention period: Until official logbook is surrendered to Coast Guard, or 1 year for ships not required to use official logbook. 46 CFR 42.07–20

3.28 Manufacturers of marine sanitation devices. [Amended]

To maintain records required to determine compliance with the act.

Retention period: Not specified. 33 U.S.C. 1163

3.29 Nonprofit firms or associations designated to certify containers for international transport under Customs seal.

To maintain copy of each Certificate of Approval by design type issued, together with copy of plans and applications to which approval refers, and records of manufacturer's serial number assigned to containers manufactured under each approval.

Retention period: Not specified. 49 CFR 421.30

4. Federal Railroad Administration

4.1 Railroad companies. [Amended]

To keep records as listed in the part cited.

Retention period: Various. 49 CFR 213.241, Part 1220

4.2 Electric railway companies.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1221

4.3 [Reserved]

4.4 Express companies.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1223

4.5 Pipeline companies.

To keep maps and records as indicated in the citation.

Retention period: Various. 49 CFR 195.404, Part 1224

5. National Transportation Safety Board

5.1 Operators of aircraft (involved in an accident or incident).

To preserve to the extent possible all records, including tapes of flight recorders and voice recorders, pertaining to the operation and maintenance of the aircraft and to the airmen involved in an accident or incident for which notification must be given to the Board.

Retention period: Until the Board takes custody thereof or a release is granted by an authorized representative of the Board. 14 CFR 430.10

5.2 Operators of aircraft involved in an accident or incident.

To retain all records and reports, including all internal documents and memoranda dealing with the accident or incident.

Retention period: Until authorized by the Board to the contrary. 14 CFR 430.10

6. Office of the Secretary

6.1 Welders of steel materials to be used in pipelines.

To keep records of welding procedures that have been qualified under either section IX of the ASME Boiler and Pressure Vessel Code or section 2 of API Standard 1104.

Retention period: As long as procedure is used. 49 CFR 192.225(c)

6.2 Operators of natural gas pipelines.

Records must be retained showing by milepost, engineering station, or by geographic feature, the number of girth welds made, the number nondestructively tested, the number rejected and the disposition of the rejects whenever nondestructive testing is required under § 192.241(b).

Retention period: Life of the pipeline. 49 CFR 192.243(f)

6.3 Operators of natural gas pipelines.

To keep records of safety tests required with names of those involved, methods used, and results of the tests.

Retention period: Duration of pipeline's use. 49 CFR 192.517

6.4 Operators of natural gas pipelines.

To retain records of each segment of pipeline that has been uprated showing each investigation required by the subpart, all work performed and each pressure test conducted in connection with the uprating.

Retention period: Life of the segment of pipeline. 49 CFR 192.553(b)

6.5 Operators of natural gas pipelines.

To keep records necessary to administer the operating and maintenance plan established for each segment of pipeline.

Retention period: Not specified. 49 CFR 192.603(b)

6.6 Operators of natural gas pipelines.

To establish written emergency procedures.

Retention period: Not specified. 49 CFR 192.615

6.7 Operators of natural gas transmission lines.

To keep records governing each leak discovered, repair made, transmission line break, leakage survey, line patrol and inspection.

Retention period: As long as the segment of transmission line involved remains in service. 49 CFR 192.709

6.8 Operators of liquid pipelines.

To retain records of the nondestructive testing of welds, including (if radiography is used) the developed film, with so far as practicable, the location of the weld.

Retention period: 3 years following the placement of the line in operation. 49 CFR 195.234(g)

6.9 Operators of liquid pipelines.

To maintain records showing the total number of girth welds and the number nondestructively tested, including the number rejected and the disposition of each rejected; the amount, location, and cover of each size of pipe installed; the location of each crossing of another pipeline; the location of each buried utility crossing; the location of each overhead crossing; the location of each valve, weighted pipe, corrosion test station, or other item connected to the pipe.

Retention period: Life of each facility. 49 CFR 195.266

6.10 Operators of liquid pipelines.

To retain records of each hydrostatic test including the recording gauge charts, deadweight tester data, and the reasons for any failure during a test. Where elevation differences in the section under test exceed 100 feet, a profile of the pipeline that shows the elevation and test sites over the entire length of the test section must also be included.

Retention period: As long as the facility tested is in use. 49 CFR 195.310

6.11 Operators of liquid gas pipelines.

To maintain maps and records of its pipeline systems including at least the location and identification of all major facilities, all crossings of public roads, railroads, rivers, buried utilities and foreign pipelines, the maximum operating pressure of each pipeline, the diameter, grade, type and nominal wall thickness of all pipe.

Retention period: Not specified. 49 CFR 195.404(a)

6.12 Operators of liquid pipelines.

To maintain daily operating records that indicate the discharge pressures at each pump station and any unusual operations of a facility.

Retention period: At least 3 years. 49 CFR 195.404(b)

6.13 Operators of liquid pipelines.

To maintain records that indicate the date, location and description of each repair made to its pipeline systems as well as a record of each inspection and test required by the subpart.

Retention period: Useful life of the part of the pipeline system to which the record relates. 49 CFR 195.404(c)

6.14 State agencies participating in relocation assistance programs. [Added]

(a) To maintain all documents associated with an appeal.

Retention period: Not specified. 49 CFR 25.21(b)(4)

(b) To maintain relocation records as cited in Appendix A of Part 25.

Retention period: 3 years. 49 CFR 25.23

6.15 Operators of natural or other gas pipelines. [Added]

To maintain corrosion control records and maps as indicated in section cited.

Retention period: Length of pipeline service. 49 CFR 192.491

6.16 Manufacturers of compressed gas cylinders. [Added]

To maintain data sheets recording the results of visual inspections of certain compressed gas cylinders.

Retention period: Permanent. 49 CFR 173.34(e)(10)

6.17 Motor carriers operating MC 330 and MC 331 cargo tanks. [Added]

To maintain a record of the withdrawal of certification that a cargo tank meets the applicable specification.

Retention period: 3 years after the date of withdrawal of the certification. 49 CFR 177.824(i)

7. National Highway Traffic Safety Administration [Revised]

7.1 States participating in the National Highway Safety Program.

To maintain records described in Highway Safety Program Standards 1, 2, 5, 10, and 14.

Retention period: Not specified. 23 CFR 204.4

7.2 Manufacturers of complete or incomplete motor vehicles.

To maintain list of names and addresses of first purchasers or subsequent purchasers to whom a warranty has been transferred and vehicle identification number involved in each safety defect notification campaign.

Retention period: 5 years after defect information report is submitted to the Administrator. 49 CFR 573.6

7.3 Manufacturers, brand name owners, distributors, and dealers of new and retreaded tires.

To maintain records of name and address of tire purchaser and tire seller, and the tire identification number.

Retention period: 3 years from date information is submitted. 49 CFR 574.7, 574.8

7.4 Tire manufacturers.

To maintain records of each distributor or dealer purchasing tires directly from him and selling them to purchasers, number of tires purchased, and number of tires for which reports have been received from distributor or dealer.

Retention period: Not specified. 49 CFR 574.7

7.5 Manufacturers of motor vehicles.

To maintain records of tires on or in each vehicle shipped to a distributor or dealer, and the name and address of the first purchaser.

Retention period: 3 years. 49 CFR 574.10

XIII. ACTION [Added]

1.1 State agencies or other public and nonprofit private agencies participating in the retired citizens volunteer program.

To maintain accounting and other records as determined by the Commissioner.

Retention period: Accounting records—3 years after end of budget period or if audit has not occurred, until audit or 5 years following end of budget period, whichever is earlier, or until resolution of any audit questions; other records—not specified. 45 CFR 906.10 (retention: 901.4)

1.2 State agencies, organizations, or grantees administering a project under the Foster Grandparent program.

To maintain records to assure correctness and verification of such reports required by this section.

Retention period: Not specified. 45 CFR 907.15

XIV. APPALACHIAN REGIONAL COMMISSION

1.1 Recipients of grants.

To maintain accurate and complete records of transactions and activities financed with Federal funds under section 302 of the Appalachian Regional Development Act of 1965, as amended.

Retention period: Not specified. 40 App., U.S.C. 302(c)(2)

The Commission requires, as a condition in all grants and contracts under this section, that records be retained, usually for 3 years following last disbursement.

XV. ATOMIC ENERGY COMMISSION

1.1 Cost-type contractors.

To keep justifications in support of subcontracts and purchase orders adequate to reflect the procurement practices and procedures used and the circumstances supporting particular transactions.

Retention period: Not specified. 41 CFR 9–1.5203

Cost-type contractors and subcontractors are also required to retain records in accordance with the provisions of their contracts or subcontracts. AEC Manual Chapter Appendix 0230 contains established retention periods for more than 900 record items of cost-type contractors and subcontractors. 41 CFR 9–7.5006–1

1.2 Licensees receiving, possessing, using, or transferring byproduct material, source material, or special nuclear material.

To maintain records (a) used in preparing Form AEC–4, "Occupational External Radiation Exposure History"; (b) showing individual exposure to radiation and to radioactive material pursuant to 10 CFR 20.401(a) and records of bio-assays, including results of whole

body counting examinations under 10 CFR 20.108; (c) showing the results of surveys made to evaluate the radiation hazards incident to the production, use, release, disposal or presence of radioactive materials or other sources of radiation; and (d) of disposals of licensed material by release into sanitary sewerage systems, by burial in soil or pursuant to procedures specifically authorized by license.

Retention period: Until disposal is specifically authorized by the Commission. 10 CFR 20.102, 20.401

1.3 Holders of access permits. [Amended]

To keep written agreements from all individuals who will have access to Restricted Data under the access permit to give effect to waivers of claims (a) for damages under 35 U.S.C. 183; (b) for compensation under section 173 of the Atomic Energy Act of 1954, as amended; and (c) against the United States and the Commission arising in connection with use of information supplied. To establish a document accountability procedure for documents containing Secret Restricted Data and maintain records to show disposition of all such documents which have been in his custody at any time.

Retention period: Not specified. 10 CFR 95.34

1.4 Nonexempt licensees manufacturing, producing, transferring, receiving, acquiring, owning, possessing, importing, or exporting byproduct material. [Added]

To maintain records showing the receipt, transfer, export, and disposal of such byproduct material.

Retention period: Not specified. 10 CFR 30.51

1.5 Licensees utilizing sealed sources of byproduct material for radiography.

To maintain (a) records of the dates of calibration for each radiation survey instrument possessed by the licensee; (b) records of results of leak tests of sealed sources; (c) records of quarterly physical inventories of all sealed sources received and possessed under the license; (d) current logs showing for each sealed source a description of the radiographic exposure device or storage container, the identity of the radiographer to whom assigned, and the plant or site where used and dates of use; (e) film badge reports and records of pocket dosimeter and pocket chamber readings; (f) records of physical radiation surveys required under 10 CFR 34.43.

Retention period: Not specified. (a) 10 CFR 34.24; (b) 10 CFR 34.25; (c) 10 CFR 34.26; (d) 10 CFR 34.27; (e) 10 CFR 34.33; (f) 10 CFR 34.43

1.6 Licensees receiving, using, transferring, delivering, importing, or exporting source material.

To maintain (a) such records as may be determined by the Commission to be necessary or appropriate to effectuate the purposes of the Atomic Energy Act of 1954, as amended, and the regulations issued thereunder; (b) records showing the receipt, transfer, export, and disposal of such source material.

Retention period: Not specified. (a) 10 CFR 40.41; (b) 10 CFR 40.61

1.7 Licensees and holders of construction permits.

To maintain (a) such records as may be required by conditions of the license or permit or by rules, regulations, and orders of the Commission and (b) records sufficient to furnish evidence of activities affecting quality.

Retention period: Not specified. (a) 10 CFR 50.71; (b) 10 CFR Part 50, App. B, sec. XVII

1.8 Lessees of uranium deposits on land controlled by the Atomic Energy Commission.

To keep records of (1) shifts worked; (2) wages and salaries paid; (3) expenditures for supplies and services and costs of operation of every kind; (4) tonnage and grade of ore mined; (5) development work and drilling performed; and (6) such other matters as in the Commission's opinion would be of assistance to it in determining the cost of the operations.

Retention period: At least 3 years after termination or expiration of the lease. 10 CFR 60.8

1.9 Licensees receiving special nuclear material.

To keep (a) such records of receipt, possession, use, and transfer of special nuclear material as may be incorporated as a condition or requirement in any license and (b) records showing the receipt, inventory, and transfer of special nuclear material.

Retention period: Not specified. (a) 10 CFR 70.32; (b) 10 CFR 70.51

1.10 Holders of construction and operating authorizations for certain nuclear reactors exempt from licensing requirements.

To maintain records as may be required by the conditions of the authorization or by the rules, regulations and orders of the Commission.

Retention period: Not specified. 10 CFR 115.51

1.11 Licensees and other persons subject to financial protection requirements and indemnity agreements.

To maintain records as deemed necessary by the Commission for the administration of the regulations concerning financial protection requirements and indemnity agreements.

Retention period: Not specified. 10 CFR 140.6

1.12 Contractors having negotiated contracts with Atomic Energy Commission (except foreign governments, agencies thereof, and foreign producers) and their subcontractors.

To keep directly pertinent books, documents, papers, and records.

Retention period: The General Accounting Office shall, until the expiration of 3 years after final payment, have access to and the right to examine the above-mentioned records, provided that earlier disposal of contractor and subcontractor records is possible in accordance with records disposal schedules agreed upon between the Commission and the General Accounting Office. 41 CFR 9-7.5004-10. 42 U.S.C. 2206

1.13 Licensees packaging radioactive material for transport.

To keep records of each shipment of fissile material and of a large quantity of licensed material in a single package.

Retention period: 2 years after its generation. 10 CFR 71.62

1.14 Contractors whose contract contains the safety, health, and fire protection clause prescribed in 41 CFR 9-7.5006-47.

To maintain individual occupational radiation exposure records generated in performance of contract work.

Retention period: Until disposal is specifically authorized by the Commission; or at the option of the contractor delivered to the Commission upon completion or termination of the contract. 41 CFR 9-7.5006-60

1.15 Licensees transporting special nuclear materials.

To maintain records of names and addresses of all authorized personnel, results of tests and inspections of security containers and protected areas, shipments of special nuclear material and information to comply with requirements of this part and sec. 73.31, and procedures for controlling access to protected areas.

Retention period: Not specified. 10 CFR 73.41

1.16 Licensees manufacturing, distributing, or transferring exempt quantities of byproduct material.

To maintain records of name and address of each person to whom material is transferred, and kinds and quantity of byproduct material transferred.

Retention period: Not specified. 10 CFR 32.20

1.17 Recipients of cost sharing contracts. [Added]

To maintain records of cost contributions and costs charged to AEC.

Retention period: Not specified. 41 CFR 9-4.5604

XVI. CIVIL AERONAUTICS BOARD

1.1 Certificated route and supplemental air carriers. [Amended]

(a) To keep at its principal or general office a complete file of all tariffs issued by it and by its agents and those issued by other carriers in which it concurs; to keep a file of current tariffs at all places where tickets are sold or property is received for transportation.

Retention period: 3 years after expiration or cancellation. 14 CFR 221.170, 221.171 (retention: 249.8, 249.13)

(b) To keep general books of account and supporting books, records, and memorandums including organization tables and charts, internal accounting manuals, minute books, stock books, reports, work sheets, memorandums, etc.

Retention period: Various. 14 CFR 241.1–5 (retention: 249.8, 249.13)

(c) To maintain records of all passes issued (and of regular tickets or bills of lading used in lieu of trip passes) and related correspondence or memorandums.

Retention period: 3 years. 14 CFR 223.5 (retention: 249.8, 249.13)

(d) To maintain a record of the names and addresses of all passengers transported on each pro rata charter trip operated in interstate or overseas air transportation.

Retention period: 6 months. 14 CFR 207.9, 208.4 (retention: 249.8, 249.13)

(e) To preserve a copy of each charter contract (exclusive of interline agreements with other air carriers or foreign air carriers).

Retention period: 2 years. 14 CFR 207.9, 208.4 (retention: 249.8, 249.13)

(f) To preserve all passenger manifests, including those filed by charterers (supplemental air carriers only).

Retention period: 6 months. 14 CFR 208.34 (retention: 249.8)

(g) To maintain records of proof of commission paid to travel agent for each pro rata charter trip.

Retention period: 2 years. 14 CFR 207.9, 207.53, 208.303 (retention: 249.8, 249.13)

1.2 Certificated route local service air carriers; certificated route air carriers furnishing transportation within Hawaii or Alaska; certificated route helicopter air carriers; and one certificated trunkline route air carrier receiving subsidy for services over part of its routes.

To maintain a record pertaining to each trade agreement entered into, including all correspondence and records concerning advertising and transportation services provided.

Retention period: Not specified. 14 CFR 225.10

1.3 [Deleted]

1.4 Foreign route air carriers. [Amended]

(a) To keep at its principal or general office a complete file of all tariffs issued by it and by its agents and those issued by other carriers in which it concurs; to keep a file of current tariffs at all places where tickets are sold or property is received for transportation.

Retention period: 3 years. 14 CFR 221.170, 221.171 (retention: 249.12)

(b) To maintain records of all passes issued (and of regular tickets or bills of lading used in lieu of trip passes) and related correspondence or memorandums.

Retention period: 3 years. 14 CFR 223.5 (retention: 249.12)

(c) To preserve a copy of each contract covering on-route charter flights originating or terminating in the United States together with all traffic documents pertaining to such on-route charters.

Retention period: 2 years. 14 CFR 212.7 (retention: 249.12)

(d) To keep available for inspection at a place in the United States true copies of all manifests, air waybills invoices, and other traffic documents covering off-route charter flights performed under a "Statement of Authorization."

Retention period: 2 years. 14 CFR 212.7 (retention: 249.12)

(e) To maintain a record of the names and addresses of all passengers transported on each pro rata charter trip originating or terminating in the United States.

Retention period: 6 months. 14 CFR 212.7 (retention: 249.12)

(f) To preserve every statement of supporting information and proof of the commission paid to any travel agent for each pro rata charter trip.

Retention period: 2 years. 14 CFR 212.7 (retention: 249.12)

1.5 [Reserved]

1.6 Holders of permits to operate foreign aircraft in the United States.

(a) To keep available for inspection at a place in the United States true copies of all manifests, air waybills, invoices, and other traffic documents covering flights originating or terminating in the United States.

(b) To keep lists of names and addresses of all passengers on charter flights originating or terminating in the United States.

Retention period: (a) 1 year; (b) 6 months. 14 CFR 249.11, 375.43

1.6a Foreign air carriers authorized to perform charter flights only. [Amended]

(a) To maintain at its principal or general office (1) every charter contract, proof of commissions paid to any travel agent, and every statement of supporting information; (2) all passenger manifests, including those filed by charterers.

Retention period: (1) 2 years; (2) 6 months. 14 CFR 214.6

(b) To keep at its principal or general office a complete file of all tariffs issued by it and by its agents and those issued by other carriers in which it concurs; to keep a file of current tariffs at all places where tickets are sold or property is received for transportation.

Retention period: 3 years. 14 CFR 221.170, 221.171 (retention: 214.6)

(c) To maintain records of all passes issued (and/or regular tickets or bills of lading used in lieu of trip passes) and related correspondence or memorandums.

Retention period: 3 years. 14 CFR 223.5 (retention: 214.6)

1.7 Air freight forwarders and international air freight forwarders.

(a) To keep at its principal or general office a complete file of all tariffs issued by it and by its agents and those issued by other carriers in which it concurs; to keep a file of current tariffs at all places where tickets are sold or property is received for transportation.

Retention period: 3 years after expiration or cancellation. 14 CFR 221.170, 221.171 (retention: 249.27)

(b) To keep other records as listed in the section cited.

Retention period: Various. 14 CFR 249.27

1.8 Air carriers (domestic and foreign).

To maintain evidence of compliance with regulations imposed under Regulation Z of the Board of Governors of the Federal Reserve System, implementing the provisions of the Truth in Lending Act and the Consumer Credit Protection Act.

Retention period: 2 years. 14 CFR 249.31

1.9 Foreign and domestic air carriers and study group charterers. [Added]

To maintain records of deposits made by each student participant, invoices, bills, and receipts from suppliers or furnishers of goods or services in connection with the study group charter.

Retention period: 2 years after completion of study group charter. 14 CFR 373.8 (retention: 249.9)

1.10 Tour operators, supplemental air carriers, and certain foreign air carriers. [Added]

To maintain records evidencing deposits made by tour participants; commissions received by, paid to, or deducted by travel agents; and all statements, bills, invoices, and receipts in connection with the tour.

Retention period: 2 years after completion of the tour. 14 CFR 378.7 (retention: 249.9)

XVII. COMMITTEE FOR PURCHASE OF PRODUCTS AND SERVICES OF THE BLIND AND OTHER SEVERELY HANDICAPPED. [AMENDED]

1.1 National Industries.

To maintain a record of all qualifying agencies for the blind and such necessary data as will enable it to equitably allocate orders among such agencies for the blind.

Retention period: Not specified. 41 CFR 51–1.4

1.2 Agencies for the blind (employing blind to extent of 75 percent of hours of employment of personnel in direct labor) selling to Government agencies and participating in the program of the Committee on Purchases of Blind-Made Products.

To keep accounting system records from which can be drawn annually a financial report and operating statement accurately reflecting operations.

To keep eye record cards containing information establishing that employees are blind (as defined in 41 CFR 51–1.1).

Retention period: Not specified. 41 CFR 51–1.9

XVIII. ENVIRONMENTAL PROTECTION AGENCY [Revised]

1.1 Persons awarded EPA grants for research, demonstration, training and fellowships, State and local government assistance, and to such other programs.

To maintain (a) payroll records, accounting, and fiscal records reflecting the amount, receipt, and disposition of the grant assistance, and (b) the total cost of the project, the amount and identification of that portion of the cost of the project supplied from other sources, including Federal assistance and any matching share incurred for the performance of the project for which the EPA grant was awarded, and (c) records subject to inspection and audit by the Grants Officer, the Comptroller General of the United States, or any other authorized representative.

Retention period: (a) 3 years from the date of final payment, date of any resulting final termination settlement, or final audit; (b) records relating to appeals, litigations, claims, or exceptions shall be retained until the case is disposed of; and (c) until completion of the project. 40 CFR 30, Appendix A.

1.2 Persons obtaining an experimental permit for use of a pesticide chemical for which a temporary tolerance is established.

To maintain temporary tolerance records of production, distribution, and performance.

Retention period: 2 years. 40 CFR 180.31(e)(4)

1.3 Manufacturers of new motor vehicles or new motor vehicle engines subject to air pollution control regulations prescribed pursuant to section 202 of the Clean Air Act, as amended.

To maintain records that (1) identify and describe vehicles or engines for which testing is required under 40 CFR 85; (2) describe emission control systems which are installed on or incorporated in each vehicle or engine; (3) describe procedures used to test such vehicles or engines; (4) contain test data which will show emissions at specified mileage or operating hours; (5) contain test data which will show performance of systems installed on or incorporated in vehicles or engines during extended mileage or operation, including all pertinent maintenance performed.

Retention period: Not specified. 40 CFR 85.9

1.4 State agencies participating in relocation assistance programs.

To maintain relocation records in accordance with the requirements of appendix A to Part 4.

Retention period: 3 years after completion of a project. 40 CFR 4.19

1.5 Owners or operators of any building, structure, facility, or installation emitting air pollutants.

To maintain records of compliance tests, monitoring equipment pertinent analyses, feed rates, and production rates.

Retention period: 2 years. 40 CFR 60.7, 60.53, 60.63, 60.73, 60.84

1.6 Applicants receiving Federal grants for solid waste disposal projects.

To maintain such records, books, documents, and papers that are pertinent to the grant received under sections 204 and 206 of the Solid Waste Disposal Act.

Retention period: Until grantee is notified in writing that the final audit has been completed. 40 CFR 79.6

XIX. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

1.1 Employers subject to title VII of the Civil Rights Act.

To maintain personnel and employment and other records having to do with hiring, promotion, demotion, transfer, lay-off or termination, rates of pay, and selection for training or apprenticeship.

Retention period: 6 months from date of making record or personnel action involved, whichever is later. Whenever a charge of discrimination has been filed, or an action brought by the Attorney General—until final disposition of the charge or action. 29 CFR 1602.14

1.2 Employers, labor organizations, and joint labor-management committees controlling apprenticeship programs.

(a) To maintain a list in chronological order of names and addresses, sex, and minority group identification of all applicants in the apprenticeship program, and any other records relating to applicants for apprenticeship, such as completed test papers, and records of interviews.

(b) To maintain any other records made solely for completing Report EEO–2, or similar reports.

Retention period: (a) 2 years or period of successful applicant's apprenticeship, whichever is later; (b) 1 year from the due date of the report. Whenever a charge of discrimination has been filed, or an action brought by the Attorney General—until final disposition of the charge or action. 29 CFR 1602.20, 1602.21

1.3 Local unions.

To maintain prescribed records concerning local union practices; and "referral unions" to maintain membership, referral, and applicant records by sex and minority group identification.

Retention period: 1 year except for other membership or referral records required of "referral unions" which are to be retained for a period of 6 months. Whenever a charge of discrimination has been filed, or an action brought by the Attorney General—until final disposition of the charge or action. 29 CFR 1602.22, 1602.28

XX. FARM CREDIT ADMINISTRATION. [Added]

1.1 Production credit associations.

To maintain applications, notes, security instruments, financial statements, and individual records pertaining to loans charged off, when loss exceeds $500, or lesser amount if prescribed by bank; and lists of obsolete records destroyed.

Retention period: Indefinitely unless otherwise approved by FCA. 12 CFR 640.382

1.2 Production credit associations.

To maintain records related to all collateral deposited with the association.

Retention period: Not specified. 12 CFR 640.321–1

XXI. FEDERAL COMMUNICATIONS COMMISSION

1.1 Licensees of standard and FM broadcast (radio) stations.

To keep at each transmitter records of equipment performance measurement data including diagrams and appropriate graphs, together with descriptions of instruments and procedures, signed by the engineers making measurements.

Retention period: 2 years. 47 CFR 73.47, 73.254

1.2 Licensees of standard, FM, noncommercial educational FM, and international radio, and television broadcast stations.

To keep records of time and results of auxiliary transmitter tests.

Retention period: 2 years. 47 CFR 73.63, 73.255, 73.555, 73.638, 73.757

1.3 Licensees or permittees of standard, FM, noncommercial educational FM, and international radio, and television broadcast stations.

To keep (in the case of standard, FM, noncommercial educational FM, and television broadcast stations) program, operating and maintenance logs; and (in the case of international radio stations) program and operating logs, including rough logs and transcribed portions thereof.

Retention period: 2 years: *Provided, however,* That logs involving communications incident to a disaster or which include communications incident to or involved in an investigation by the Commission and concerning which the licensees or permittees have been notified, shall be retained until they are specifically authorized in writing by the Commission to destroy them: *Provided, further,* That logs incident to or involved in any claim or complaint of which the licensees or permittees have been notified shall be retained until such claim or complaint has been fully satisfied or until the same has been barred by the statute limiting the time for filing of such suits upon such claims. 47 CFR 73.111—73.115, 73.281—73.285, 73.581—73.585, 73.669—73.673, 73.781—73.786

1.4 Licensees of standard, FM, noncommercial educational FM radio, and television broadcast stations.

To keep complete records of all requests for broadcast time made by or on behalf of candidates for public office, together with appropriate notations showing disposition made and charge, if any, if request is granted.

Retention period: 2 years. 47 CFR 73.120, 73.290, 73.590, 73.657

1.5 Licensees of experimental and developmental, auxiliary, and special broadcast services, including experimental television broadcast, experimental facsimile broadcast, developmental, remote pickup, aural broadcast STL and intercity relay, television pickup, television STL, television intercity relay, television broadcast translator, television broadcast booster, instructional television fixed, and community antenna relay stations.

(a) To keep adequate records of operation.

(b) To keep operating logs.

Retention period: (a) 2 years; (b) 2 years; for licensees of instructional television fixed stations, or of community antenna relay stations, not less than 2 years, with Commission reserving the right to order, in individual cases, retention of logs for a longer period of time. In cases where the licensee has notice of any claim or complaint to which information contained in the log may be pertinent, the log shall be retained until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims. 47 CFR 74.181, 74.281, 74.381, 74.481, 74.581, 74.681, 74.781, 74.881, 74.981, 74.1081

1.6 Licensees of low power broadcast auxiliary stations.

To maintain records, at the main studio or transmitter of broadcast station with which the auxiliary is principally used, which will accurately show current location of all transmitting units, periods of operation at such locations and other pertinent remarks concerning transmissions.

Retention period: 2 years. 47 CFR 74.437

1.7 Licensees of experimental stations.

To keep adequate station records of operation; of service or maintenance duties which may affect proper station operation; and of the illumination of antennas or antenna supporting structures.

Retention period: 1 year. 47 CFR 5.163, 5.165, 17.49

1.8 Licensees of radio stations holding student authorizations for experimental services.

To maintain record of date, time, and frequency of operation and brief description of experimentation being conducted.

Retention period: 1 month after termination of authorization. 47 CFR 5.410

1.9 Licensees of radio stations in the international fixed public radio communication services.

To keep station logs.

Retention period: 1 year: *Provided, however,* That logs involving communications incident to a disaster or which include communications incident to or involved in an investigation by the Commission and concerning which the licensee has been notified, shall be retained by the licensee until he is specifically authorized in writing by the Commission to destroy them: *Provided, further,* That logs incident to or involved in any claim or complaint of which the licensee has been notified shall be retained by the licensee until such claim or complaint has been fully satisfied or until same has been barred by statute limiting the time for filing of suits upon such claims. 47 CFR 23.47

1.10 Licensees of radio stations on land in the maritime service including public and limited coast stations, marine-utility stations, marine-fixed stations, marine-receiver-test stations and stations operated in the land mobile service for maritime purposes using radiotelegraphy or radiotelephony (including developmental stations). [Amended]

To keep accurate logs.

Retention period: 1 year from date of entry and for such additional periods as required as follows: (a) Station logs involving communications incident to a distress or disaster shall be retained for a period of 3 years from date of entry; (b) station logs which include entries of communications incident to or involved in an investigation by the Commission and concerning which the station licensee has been notified shall be retained by the station licensee until such licensee is specifically authorized in writing by the Commission to destroy them; (c) station logs incident to or involved in any claim or complaint of which the station licensee has notice shall be retained by such licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims. 47 CFR 81.115, 81.193, 81.194, 81.214, 81.314, 81.370, 81.458, 81.477, 81.536

1.11 Licensees of limited coast stations or marine-utility stations used on shore. [Amended]

To keep a copy of agreements with vessel owners, verifying that licensee has sole right of control of the ship radio station involved and that the vessel operators shall use the ship stations subject to the orders of the licensee of the coast station or marine utility station on shore.

Retention period: Not specified. 47 CFR 81.352

1.12 Licensees of limited coast stations, marine-utility stations, and marine-fixed stations.

To keep records which reflect the cost of the service and its nonprofit, cost-sharing, cooperative arrangement or basis on which radio communication service is rendered and make them available for inspection upon request of an authorized representative of the Commission.

Retention period: Not specified. 47 CFR 81.352, 81.451

1.13 Licensees of radiotelegraph, radiotelephone, and radar stations on shipboard in the maritime services including public and limited ship stations, marine utility ship stations, ship-radar stations, and developmental stations. [Amended]

To keep accurate logs.

Retention period: 1 year from date of entry and such additional periods as required as follows: (a) Station logs involving communications incident to a distress or disaster shall be retained by the station licensee for a period of 3 years from date of entry; (b) station logs which include entries of communications incident to or involved in an investigation by the Commission and concerning which the station licensee has been notified shall be retained by the station licensee until such licensee is specifically authorized in writing by the Commission to destroy them; (c) station logs incident to or involved in any claim or complaint of which the station licensee has notice shall be retained by such licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims (47 CFR Part 42 prescribes the requirement concerning record retention by communications common carriers); (d) a permanent installation and maintenance record is required to be kept at the station by the station licensee of each ship radar station. 47 CFR 83.111, 83.115, 83.184, 83.330, 83.368, 83.405, 83.456, 83.473, 83.548

1.14 Stations licensed in the aviation services.

All stations at fixed locations, except radionavigation land test stations (MTF), to keep adequate records of operation; and stations whose antenna structure is required to be illuminated—a record of illumination; Aeronautical Public Service Stations—to keep a file of all record communications handled and all ground stations so licensed to keep a record of radiotelephone contacts either in the form of telephone traffic tickets or as a separate list.

Retention period: The logs in the aviation services may be destroyed after a period of 30 days except: (a) That logs involving communications incident to a disaster or which include communications incident to, or involved in, an investigation by the Commission and concerning which the licensee has knowledge, shall be retained by the licensee until specifically authorized in writing by the Commission to destroy them, (b) that logs incident to or involved in any claim or complaint of which the licensee has knowledge shall be retained by the licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims. 47 CFR 87.99, 87.101, 87.103, 87.117

1.15 Public service aircraft. [Amended]

To keep adequate records to permit ready identification of individual air-

craft if in lieu of radio station call letter, the official aircraft registration number, or company flight identification is used and make them available for inspection upon request of an authorized representative of the Commission.

Retention period: Not specified. 47 CFR 87.115, 87.117

1.16 Licensees of public safety and industrial radio services stations.

To keep records as follows: By all stations—transmitter measurements, service and maintenance records, the name, address, and license information of person or persons responsible for the foregoing; base and fixed stations (except such stations in the public safety services authorized to be operated at temporary locations or for unattended operation and except such stations in the industrial radio service authorized to be operated at temporary locations)—names of persons responsible for the operation of the transmitting equipment, together with the period of their duty; for base stations in the industrial radio services; excepting base stations authorized to operate at temporary locations—identification of other base stations or fixed stations with which they communicate, and date, time, and nature of such communication, and stations whose antenna or antenna supporting structure is required to be illuminated—a record of illumination.

Retention period: 1 year. 47 CFR 89.175, 89.179, 91.160

1.17 Licensees of public safety and industrial radio stations, land transportation radio stations, and citizens radio stations sharing costs and facilities with other licensees.

To keep a copy of cooperative agreements and contracts as well as records which reflect the non-profit, cost-sharing nature of that sharing.

Retention period: The copy of the cooperative agreement shall be kept during the life of the agreement and 1 year thereafter, and the cost sharing records shall be retained for 1 year. 47 CFR 89.13, 89.14, 89.179, 91.6, 91.9, 91.160, 93.3, 93.4, 93.160, 95.87, 95.103

1.18 Nonprofit corporations or associations organized to operate radio stations in the power, petroleum, forest product, motion picture, relay press, motor carrier, railroad, taxicab, and automobile emergency radio services.

To keep records which reflect the cost-sharing nonprofit basis under which they operate.

Retention period: 1 year. 47 CFR 91.160, 91.251, 91.301, 91.351, 91.401, 91.451, 93.3, 93.251, 93.351, 93.401, 93.501

1.19 Licensees of amateur radio stations.

To keep an accurate log of station operation.

Retention period: 1 year following the last date of entry: *Provided*, That, in the case of stations in the Radio Amateur Civil Emergency Service, those portions of any log covering operation of a station in connection with any actual condition jeopardizing the public safety or affecting the National Defense shall not be destroyed unless prior approval for such destruction shall have been received from the Commission. 47 CFR 97.103, 97.105, 97.209

1.20 Radio officers of amateur civil emergency services.

To keep records of secret, tactical, or abbreviated call signs or other distinctive signals of station identification.

Retention period: Not specified. 47 CFR 97.211, 97.213

1.21 Manufacturers, owners, or distributors of radio receivers.

To keep certificate of compliance with the requirements of 47 CFR Part 15, Subpart C.

Retention period: 5 years. 47 CFR 15.69

1.22 Licensees in land transportation radio services.

To keep records as follows: By all stations—transmitter measurements, service and maintenance records, the name, address, and license information of the person or persons responsible for the foregoing; base and fixed stations (except for such stations authorized for unattended operation)—names of persons responsible for the operation of the transmitting equipment, together with the period of their duty (except in the Railroad Radio Service); for base stations at which operators are required—identification of other base or fixed stations with which they communicate, and date, time, and nature of such communications (except in the Railroad Radio Service); and stations whose antenna structure is required to be illuminated—a record of illumination.

Retention period: 1 year. 47 CFR 93.160

1.23 Licensees of citizens radio service stations.

To keep records as follows: for each station operated as a mobile station, the current authorization; for stations where the licensee installs a unit of his station on the premises of a telephone answering service, the required written agreement; and for stations whose antenna structure is required to be illuminated, a record of illumination.

Retention period: 1 year. 47 CFR 17.49, 95.89, 95.101, 95.103, 95.111

1.24 Disaster communications service radio stations.

To keep a list of all general or collective call signs, unit designators, or authorized substitutes used.

Retention period: Not specified. 47 CFR 99.25

1.25 Disaster communications service radio stations.

To keep an accurate log of all operations in the 1750–1800 kc band.

Retention period: 1 year, except that those portions of any disaster station log covering operation of such station in connection with any actual disaster shall not be destroyed unless prior approval for such destruction shall have been received from the Commission. 47 CFR 99.27

1.26 Licensees of radio stations in the domestic public radio services.

To maintain a technical log of station operations as follows: For each station—results and dates of transmitter measurements, details of servicing and maintenance of transmitters which may affect proper station operation, and time and nature of failure or erratic operation of transmitter or automatic alarm facilities; for stations having obstruction lighted antenna structure—time of daily lighting and check of proper operation, details of obstruction light failure (if any) and repair details, and results of 3-month periodic inspection (including date, condition of obstruction painting, lighting devices, indicators, and alarms, and details of adjustments, replacements, and repairs), and date and time of notice to the Federal Aviation Agency regarding failure of obstruction lighting and any resumption thereof; for stations required to maintain one or more control points—time and signature of person operating transmitting equipment each day, including class, serial number and expiration date of license if operator is required to be licensed, and identity of station or point to which transmission is made.

Retention period: 1 year: *Provided:* That (a) records involving communications incident to a disaster or which include communications incident to, or involved in, an investigation by the Commission and concerning which the licensee has knowledge, shall be retained by the licensee until specifically authorized in writing by the Commission to destroy them, (b) records incident to, or involved in, any claim or complaint of which the licensee has knowledge shall be retained by the licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for the filing of suits upon such claims. 47 CFR 21.203

1.27 Communication common carriers, including Communications Satellite Corporation and certain contractors.

To keep accounts, records, memoranda, documents, microfilm, correspondence and related indexes prepared by or on behalf of the carrier as well as records of property or services acquired by a carrier through purchase, consolidation, merger, etc.

Retention period: Records are to be preserved in accordance with the requirements and for the periods of time designated in the codified regulations. 47 CFR 25.177, 42.9

1.28 Owners or operators of industrial heating equipment.

To keep a log of inspections of industrial heating equipment.

Retention period: Not specified. 47 CFR 18.105

1.29 Owners or operators of ultrasonic equipment, industrial heating equipment, medical diathermy equipment, RF stabilized arc welders.

To keep a copy of certificate of compliance at the equipment site.

Retention period: For life of equipment. 47 CFR 18.80, 18.117, 18.141, 18.142, 18.183

1.30 Applicants, permittees, and licensees of standard, FM, noncommercial educational FM radio, and television broadcast stations. [Revised]

To maintain applications for construction permits, employment records, and such other records as may be required by section cited.

Retention period: Applicant for construction permit—while application is pending before the Commission; licensees and permittees—7 years from date of tendering for filing, except engineering material pertaining to former modes of operation—3 years, or whatever longer period is necessary to comply with requirements of section cited. 47 CFR 1.526

1.31 Licensees of standard, FM, and international radio, and television broadcast stations.

To keep a list of the chief executive officers or members of the executive committee or of the board of directors of any corporation, committee, association, or other unincorporated group which sponsors, pays for or furnishes, in whole or in part, or provides material or services for any program, other than a program advertising commercial products or services, which is broadcast by the station.

Retention period: 2 years. 47 CFR 73.119, 73.289, 73.654, 73.789

1.32 Licensees of community antenna relay (CAR) stations.

To keep records showing cost of the service and its nonprofit, cost-sharing nature when CAR licensees supply television program material to CATV systems, other than CATV systems owned or operated by the CAR licensee.

Retention period: Not specified. 47 CFR 74.1030

1.33 Licensees of operational stations in the aviation services sharing costs and facilities with other licensees.

To keep a copy of cooperative agreements and contracts as well as records which reflect the nonprofit, cost sharing nature of that sharing and make them available for inspection upon request of an authorized representative of the Commission.

Retention period: Not specified. 47 CFR 87.117, 87.467

1.34 Community Antenna Television Systems (CATV) Operating Cablecasting Facilities.

To keep complete records of all requests for cablecasting time made by or on behalf of candidates for public office, together with appropriate notations showing disposition made and charge, if any, if request is granted.

Retention period: 2 years. 47 CFR 74.1113(c)

1.35 Licensees of FM broadcast translator stations and FM broadcast booster stations.

To maintain station records of current instrument of authorization, official correspondence, maintenance records, contracts, permissions for rebroadcast, and other pertinent documents.

Retention period: 2 years. 47 CFR 74.1281

1.36 Licensees of plurality ship stations.

To keep a current list, available for inspection, of all vessel names and registration numbers authorized by the plurality ship station license.

Retention period: Not specified. 47 CFR 83.39

1.37 Licensees of ship stations authorized to transmit on frequencies in the band 400–535.

To maintain and post a written record of adjustments of transmitting and receiving equipment for operation on frequencies 410 and 500 kc/s and two working frequencies.

Retention period: Not specified. 47 CFR 83.331

1.38 Licensees of ship radiotelegraph stations provided for compliance with part II, title III of the Communications Act or the radio provisions of the Safety Convention.

To keep a record on board the ship of the direction finder calibrations, and check bearings made of their accuracy.

Retention period: 1 year. 47 CFR 83.459, 83.462

1.39 Common carrier licensees or permittees employment records.

To maintain a copy of all employment reports, exhibits, letters, documents and correspondence between Commission and licensee or permittee pertaining to reports after they are filed and all documents incorporated therein by reference.

Retention period: 2 years. 47 CFR 21.307, 23.49

1.40 Grantee of certification for door opener, field disturbance sensor. [Added]

To keep a file of technical data for each field disturbance sensor and each radio control for a door opener that has been certificated.

Retention period: Not specified. 47 CFR 15.272, 15.313

XXII. FEDERAL DEPOSIT INSURANCE CORPORATION

1.1 Insured banks.

Each insured bank, as a condition to the right to make any deduction, allowed under section 7(b) of the Federal Deposit Insurance Act (12 U.S.C. 1817), in determining its assessment base, shall maintain such records as will readily permit verification of the correctness of its assessment base.

Retention period: No insured bank shall be required to retain such records for such purpose for a period in excess of 5 years from the date of the filing of any certified statement, except that when there is a dispute between the insured bank and the Corporation over the amount of any assessment the bank shall retain such records until final determination of the issue. 12 U.S.C. 1817(b); 12 CFR 304.3

1.2 Insured banks.

To keep certified statement forms.

Retention period: Same as for item 1.1 12 CFR 304.3

XXIII. FEDERAL HOME LOAN BANK BOARD

1. Federal Savings and Loan System

1.1 Federal savings and loan associations.

To keep at home office and branch offices complete records of all business transactions, and to keep at agencies an original record of all business transacted at such agencies.

Retention period: Not specified. 12 CFR 545.15, 545.20

1.2 Federal savings and loan associations.

To maintain a detailed record of the transactions made at each mobile facility operated by the association.

Retention period: Not specified. 12 CFR 545.14–4

1.3 Federal savings and loan associations.

To establish and maintain such books, records, and accounting practices as will clearly and fully disclose the operations of a data processing service center in which two or more institutions participate.

Retention period: Not specified. 12 CFR 545.14–3

1.4 Federal savings and loan associations.

To keep records for each real estate loan, the security for which includes one or more dwelling units.

Retention period: Not specified. 12 CFR 545.6–1

1.5 Federal savings and loan associations.

To keep a record of the status of taxes, assessments, insurance premiums, and other charges on all real estate on which the association has loans or which is owned by it.

Retention period: Not specified. 12 CFR 545.6–11

1.6 Federal savings and loan associations.

To keep a signed copy of the report of the appraisal of each parcel of real estate owned made at the time of its acquisition.

Retention period: Not specified. 12 CFR 545.19

1.7 Federal savings and loan associations.

To keep signed statements of intention to make regular monthly payments of a specified amount to bonus accounts.

Retention period: Not specified. 12 CFR 545.2–2

2. Federal Savings and Loan Insurance Corporation

2.1 Institutions insured by the Federal Savings and Loan Insurance Corporation.

To establish and maintain such accounting and other records as will provide an accurate and complete record of all business transacted by it and, without any limitation on the generality of the foregoing, to establish and maintain records with respect to: (1) loans on the security of real estate, (2) property purchased subject to, or with assumption by a third party of, an institution's loan, (3) loans sold, (4) the acquisition of mortgaged security, (5) insured accounts, and (6) such other records as are required by statute or by any other regulation to which such institution is subject.

Retention period: Not specified. 12 CFR 563.17–1

2.2 Institutions insured by the Federal Savings and Loan Insurance Corporation.

To keep a dated, signed copy of each report of appraisal of each parcel of real estate owned which is a scheduled item

Retention period: Not specified. 12 CFR 563.17–2

2.3 Institutions insured by the Federal Savings and Loan Insurance Corporation.

To keep signed appraisals of real estate loans located more than fifty miles from institution's principal office.

Retention period: Not specified. 12 CFR 563.10

2.4 Institutions insured by the Federal Savings and Loan Insurance Corporation.

To keep records showing compliance with the limitations on real estate loans to one borrower if the total balances of all outstanding loans on the security of real estate owed to an institution by any one borrower exceeds $100,000.

Retention period: Not specified. 12 CFR 563.9–3

2.5 [Reserved]

2.6 Institutions insured by the Federal Savings and Loan Insurance Corporation.

(a) To establish and maintain by a separate ledger control or otherwise records showing the aggregate of outstanding balances of all accounts opened or increased as the result of the services of a broker and to make and retain an itemized record of each payment of sales commission to any broker, identifying each account and stating the amount thereof in respect to which such sales commission is paid.

(b) To retain original or signed duplicate of each agreement by which a broker is employed, engaged, or retained.

Retention period: Not specified. 12 CFR 563.25

2.7 Institutions insured by the Federal Savings and Loan Insurance Corporation.

To include in its account records evidence of any relationship pursuant to which the funds in an account are invested, such as trustee, agent, custodian or executor, which may provide a basis for additional insurance, together with any details concerning the relationship and the interests of other parties in the account, unless such details are ascertainable from the records of the accountholder maintained in good faith and in the regular course of business.

In connection with a trust account, to include in its account records the name of both the settlor (grantor) and the trustee of the trust and to keep an account signature card executed by the trustee.

In connection with joint accounts, to keep an account signature card personally executed by each co-owner.

Retention period: Not specified. 12 CFR 564.2, 564.9

2.8 Institutions insured by the Federal Savings and Loan Insurance Corporation.

In connection with the sale of real estate owned by an insured institution, to maintain records of the book value of such real estate at the time of sale and the price at which it was sold.

Retention period: Not specified. 12 CFR 563.23–1

2.9 Savings and loan holding companies.

To maintain such books and records as may be prescribed by the Federal Savings and Loan Insurance Corporation.

Retention period: Not specified. 12 CFR 584.1

2.10 [Reserved]

2.11 Institutions insured by the Federal Savings and Loan Insurance Corporation.

To maintain such books and records as will support its financial statements and reports to the Corporation.

Retention period: Not specified. 12 CFR 563.23–3

3. Federal Home Loan Bank System

3.1 Federal Home Loan Bank Members.

To maintain such records as may be required to certify compliance with liquidity requirements.

Retention period: Not specified. 12 CFR 523.13

3.2 Federal Home Loan Bank members participating in the housing opportunity allowance program. [Added]

To keep a copy of borrowers application and the originals of all other closing documents.

Retention period: Not specified. 12 CFR 527.6

XXIV. FEDERAL MARITIME COMMISSION

1.1 Independent ocean freight forwarders.

(a) To keep books of account and records, including each document prepared, processed, or obtained by the licensee, in connection with carrying on the business of forwarding.

Retention period: 5 years. 46 CFR 510.23

(b) To keep in its files a true copy, or if oral, a true and complete memorandum of every special arrangement or contract with its principal, or modification or cancellation.

Retention period: Not specified. 46 CFR 510.25

1.2 Carriers and conferences of carriers.

To keep records of votes on each question voted on.

Retention period: At least 2 years. 46 CFR 537.4

1.3 Resident representative of a conference or other rate-making group domiciled outside the United States. [Added]

To keep for a period of 2 years a complete record of requests and complaints filed with him by shippers and consignees situated in the United States and its territories.

Retention period: 2 years. 46 CFR 527.5

XXV. FEDERAL POWER COMMISSION

1.1 Public utilities and licensees.

Preservation of records.

Retention period: Specified at 18 CFR 125.1–125.3

See also Regulations to Govern the Preservation of Records of Public Utilities and Licensees, December 12, 1962. Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402.

1.2 Natural gas companies.

Preservation of records.

Retention period: Specified at 18 CFR 225.1–225.3

See also regulations to Govern the Preservation of Records of Natural Gas Companies, December 12, 1962. Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., 20402.

XXVI. FEDERAL RESERVE SYSTEM

1.1 Persons extending credit for purpose of purchasing or carrying margin securities.

To maintain such records as shall be prescribed by the Board of Governors of the Federal Reserve System to enable it to perform the functions conferred upon it by the Securities Exchange Act of 1934.

Retention period: Not specified. 12 CFR 207.3

1.2 Persons extending credit for purpose of purchasing or carrying margin securities.

To maintain statements obtained in conformity with requirements of Federal Reserve Form G–3 in connection with any extension of credit secured directly or indirectly, in whole or in part, by collateral that includes any margin security.

Retention period: 3 years after the credit is extinguished. 12 CFR 207.1

1.3 Banks extending credit for purpose of purchasing or carrying margin stocks.

To maintain statements obtained in conformity with requirements of Federal Reserve Form U–1 in connection with any credit secured directly or indirectly, in whole or in part, by any stock.

Retention period: 3 years after the credit is extinguished. 12 CFR 221.3

1.4 Brokers and dealers extending credit.

To maintain statements obtained in conformity with requirement of Federal Reserve Form T–4 for every extension of credit on a margin security (other than an exempted security) not for the purpose of purchasing or carrying or trading in securities.

Retention period: 3 years after the credit is extinguished. 12 CFR 220.7

1.5 Creditors making disclosures under the Truth in Lending Act.

To maintain evidence of compliance with Federal Reserve Regulation Z.

Retention period: 2 years after date of each disclosure. 12 CFR 226.6

1.6 Persons obtaining credit that is collateralized by securities. [Added]

To maintain such records as shall be prescribed by the Board of Governors of the Federal Reserve System to enable it to perform the functions conferred upon it by the Securities Exchange Act of 1934.

Retention period: Not specified. 12 CFR 224.4

1.7 Persons obtaining credit from outside the United States that is collateralized by securities. [Added]

To maintain records substantially in conformity with requirements of Federal Reserve Form X–1 in connection with credit obtained from sources outside the United States, with certain exceptions, if the credit is secured in any way by collateral that includes any United States security or security registered on a national securities exchange.

Retention period: 6 years after credit is extinguished. 12 CFR 224.2

XXVII. FEDERAL TRADE COMMISSION

1.1 Wool products manufacturers.

To keep records of the various fibers used in wool products. The records should show not only the fiber content of wool, reprocessed wool, and reused wool, but also any other fibers used. Such records should contain sufficient information whereby each of the wool products manufactured can be identified with its respective record of fiber content including the source of the material used therein.

Retention period: 3 years. 16 CFR 300.31

1.2 Fur products manufacturers and dealers in furs and fur products.

To keep records showing all the information required under the Fur Products Labeling Act and under rules and regulations relating to such products or furs in a manner that will permit proper identification of each fur product or fur manufactured or handled. The item number required to be assigned to a fur product and to appear on the label and on the invoice relating to such product must appear in the records in such a manner as to identify the product through the various processes of manufacture, from whom purchased and the date of purchase; if exemption on basis of cost claimed, records of cost required.

Retention period: 3 years. 16 CFR 301.39, 301.41

1.3 Dealers advertising prices of furs and fur products.

To keep records to support pricing representations where comparative prices and percentage savings claims are used in advertising.

Retention period: Not specified. 16 CFR 301.44

1.4 Persons guarantying as to flammable quality of fabrics in wearing apparel on basis of guaranties received by them.

To keep the guaranty received and identification of the fabric or fabrics guaranteed.

Retention period: 3 years after guaranty furnished. 16 CFR 302.8

1.5 Persons guarantying as to flammable quality of fabrics in wearing apparel on basis of class tests.

To keep records showing (a) identification of the class test; (b) fiber composition, construction, and finish type of the fabrics; (c) a swatch of each class of fabrics guaranteed.

Retention period: 3 years after test. 16 CFR 302.8

1.6 Persons guarantying as to flammable quality of fabrics in wearing apparel who have made tests thereof.

To keep records showing (a) style or range number, fiber composition, construction, and finish type of each fabric used in the article of wearing apparel, including a swatch of the fabric tested; (b) stock or formula number, color, thickness and general description of each film used in the article and a sample of the film; (c) results of actual tests.

Retention period: 3 years after test. 16 CFR 302.8

1.7 Textile fiber products manufacturers and distributors substituting labels.

To keep records of the various fibers used in the manufacture of textile fiber products. Such records should contain sufficient information whereby each of the textile fiber products manufactured can be identified with its respective record of fiber content including the source of the material used therein.

Those substituting labels shall keep such records as will show the information set forth on the label removed and the name of the person from whom such textile fiber product was received.

Retention period: 3 years. 16 CFR 303.39

1.8 Importers of flammable textile fabrics or articles of wearing apparel.

To maintain records which establish that the imported flammable textile fabrics or articles of wearing apparel have been shipped for appropriate flammability treatment and that such treatment has been completed, and records showing disposition of such fabrics or articles of wearing apparel subsequent to the completion of such treatment.

Retention period: Not specified. 16 CFR 302.14(c)

1.9 Persons selling flammable fabrics or using such fabrics in interlinings or other exempted unexposed parts of wearing apparel.

To maintain records which show the acquisition, disposition, and end use or intended end use of such fabrics.

Retention period: Not specified. 16 CFR 302.6(a)

1.10 Persons selling flammable fabrics or using such fabrics in hats, gloves, and footwear.

To maintain records which show the acquisition, disposition, and end use or intended end use of such fabrics.

Retention period: Not specified. 16 CFR 302.6(b)

1.11 Persons shipping flammable fabrics or articles of wearing apparel for processing.

To maintain records which establish that the flammable textile fabrics or articles of wearing apparel have been shipped for appropriate flammability treatment and that such treatment has been completed, and records showing disposition of such fabrics or articles of wearing apparel subsequent to the completion of such treatment.

Retention period: Not specified. 16 CFR 302.14(b)

1.12 Packagers or labelers engaged in retail sale price representations. [Added]

To maintain invoices or other records in compliance with sections cited for those sponsoring (a) cents-off representations; (b) introductory offers; and (c) economy size representations.

Retention period: (a) 1 year beyond year in which representation is made; (b) 1 year subsequent to offer; and (c) 1 year. 16 CFR 502.100(d), 502.101(e), 502.102(d)

1.13 Manufacturers of carpets and rugs. [Added]

To maintain records of (a) tests made to guarantee flammable quality including all identifying numbers, symbols, and specifications, a sample of carpet covered

by guaranty, a copy of each test report, and a record showing the yardage at which test was performed; (b) the guaranty received and identification of carpet or rug.

Retention period: 3 years (a) from date tests performed; (b) from date guaranty furnished. 16 CFR 302.15

XXVIII. GENERAL ACCOUNTING OFFICE

1.1 Contractor using Government bill of lading as shipper.

To keep bill of lading, memorandum copy, certified by initial carrier's agent.

Retention period: Where the bill of lading covers shipments made under a Government contract having a records retention clause, the memorandum copies should be retained together with other records pertaining to the contract for the specified period. When the shipment is made under a Government contract not having a records retention clause, the contractor's normal business practice as to retention of similar records may be followed. 4 CFR 52.18

1.2 Contractors having Government contracts negotiated without advertising. [Amended]

To keep records pertaining to the contracted project. This requirement does not apply to contracts with foreign contractors or subcontractors, including foreign governments or agencies thereof, excepted from the requirement pursuant to 10 U.S.C. 2313(c) or 41 U.S.C. 254(c). Nor does this requirement apply to certain contracts entered into with foreign governments or their agencies for service rendered to the United States or its agencies within the continental limits of the United States or to purchases made outside the continental limits of the United States under section 633(a) of the Foreign Assistance Act of 1961, 75 Stat. 424, 454, 22 U.S.C. 2393(a), as implemented by Executive Order 11223, May 12, 1965, or under the Peace Corps Act, 75 Stat. 612, 22 U.S.C. 2501 et seq., as implemented by Executive Order 11603, June 30, 1971.

Retention period: 3 years after final payment under contract. 41 U.S.C. 254; 10 U.S.C. 2313. However, subcontracts under contracts for experimental, developmental or research work may contain clauses specifying that records pertaining to such subcontract need be retained only 3 years after final payment under the subcontract. Comptroller General's decision B–101404, September 8, 1952

1.3 Contractors and subcontractors having Government contracts or subcontracts under Public Law 85–804, relating to national defense. [Revised]

To keep pertinent books, documents, papers, and records related to contracts and subcontracts, and amendments or modifications thereof, entered into without regard to other provisions of law governing contracts in order to facilitate the national defense under Public Law 85–804, August 28, 1958, as amended (50 U.S.C. 1431–1436) as implemented by Executive Order No. 10789, November 14, 1958, as amended (50 U.S.C. 1431 note). This requirement does not apply to contracts with foreign contractors or subcontractors, including foreign governments or agencies thereof, excepted from the requirement pursuant to 50 U.S.C. 1433(b).

Retention period: 3 years after final payment under contract. 50 U.S.C. 1433(b). However, subcontracts under contracts for experimental developmental or research work may contain clauses specifying that records pertaining to such subcontract need be retained only 3 years after final payment under the subcontract. Comptroller General's decision B–101404, September 8, 1952.

XXIX. GENERAL SERVICES ADMINISTRATION

1.1 War contractors and subcontractors, World War II, having contract of $25,000 or more or having termination inventory worth $5,000 or more.

To keep records essential to determining performance under the contract or subcontract and to justify the settlement thereof as required by the Contract Settlement Act of 1944 (41 U.S.C. 101–125) and 18 U.S.C. 443 (excluded from this provision are contractor or subcontractor records title to which is transferred to a Federal agency; war contractor or subcontractor records that are included by Federal agencies on records disposition schedules approved by the Congress in the manner provided in the Records Disposal Act (44 U.S.C. ch. 33), and war contractor or subcontractor records disposal of which is approved in writing by the Administrator of General Services and the Comptroller General of the United States).

Retention period: (a) 5 years after such disposition of termination inventory by such war contractor or subcontractor or Government agency, or (b) 5 years after the final payment or settlement of such war contract or subcontract, whichever applicable period is longer. 41 CFR 101–13.3

1.2 Recipients of Federal grants or allocations for collecting and publishing historical documents.

To keep such records as the Administrator of General Services shall prescribe, including records which fully disclose the amount and disposition of such funds, the total cost of the undertaking, the portion of the cost supplied by other sources, and such other records as will facilitate an effective audit.

Retention period: Not specified. 44 U.S.C. 2506

1.3 Contractors and subcontractors under negotiated contracts pursuant to 41 U.S.C. 254(c).

To maintain books, documents, papers, and records involving transactions relating to the contract or subcontract.

Retention period: 3 years after final payment under the contract or subcontract or until expiration of the time periods for certain records specified in 41 CFR Part 1–20, whichever expires earlier. 41 CFR 1–3.814–2 (e), 1–7.101–10, 1–7.602–7

1.4 Contractors with contracts containing the Small Business Subcontracting Program clause, and subcontractors with contracts containing provisions which conform substantially to the language of that clause. [Amended]

Maintain records showing information required by the clause.

Retention period: 1 year after award of the contract or subcontract or for such longer period as may be required by any other clause of the contract, subcontract, or applicable law or regulation. 41 CFR 1–1.710–3(b)

1.5 Contractors with contracts containing the Labor Surplus Area Subcontracting Program clause, and subcontractors with contracts containing provisions which conform substantially to the language of that clause. [Amended]

Maintain records showing procedures which have been adopted to comply with the policies set forth in the clause.

Retention period: 1 year after award of the contract or subcontract or for such longer period as may be required by any other clause of the contract, subcontract, or applicable law or regulations. 41 CFR 1–1.805–3(b)

1.6 Contractors with fixed-price supply contracts containing the standard inspection clause. [Amended]

Keep complete records of all inspection work by the contractor and make such records available to the Government.

Retention period: During performance of the contract and for such longer period as may be specified elsewhere in the contract. 41 CFR 1–7.101–5

1.7 Contractors with fixed-price contracts in excess of $2,500 for (a) supplies, or (b) experimental, developmental, or research work where a profit is contemplated, when such contracts contain the standard long-form Termination for Convenience of the Government clause.

Unless otherwise provided for in the contract, or by applicable statute, preserve and make available to the Government at all reasonable times at the office of the contractor but without direct charge to the Government, all his books, records, documents, and other evidence bearing on the costs and expenses of the contractor under the contract and relating to the work terminated thereunder, or, to the extent approved by the contracting officer, photographs, microphotographs, or other authentic reproductions thereof.

Retention period: 3 years after final settlement under the contract. 41 CFR 1–8.701

1.8 Contractors with fixed-price construction contracts estimated to exceed $10,000, when such contracts contain the standard Termination for Convenience of the Government clause.

Unless otherwise provided for in the contract, or by applicable statute, preserve and make available to the Government at all reasonable times at the office of the contractor but without direct charge to the Government, all his books, records, documents, and other evidence bearing on the costs and expenses of the contractor under the contract and relating to the work terminated thereunder, or, to the extent approved by the contracting officer, photographs, microphotographs, or other authentic reproductions thereof.

Retention period: 3 years after final settlement under the contract. 41 CFR 1–8.703

1.9 Sellers with fixed-price subcontracts which contain the termination clause suggested for use in such contracts.

Unless otherwise provided for in the subcontract, or by applicable statute, make available to the buyer and the Government at all reasonable times at the office of the seller all his books, records, documents, or other evidence bearing on the costs and expenses of the seller under the subcontract and in respect of the termination of work thereunder, or, to the extent approved by the Government, photographs, microphotographs, or other authentic reproductions thereof.

Retention period: 3 years after final settlement under the contract. 41 CFR 1–8.706

1.10 Contractors and subcontractors under contracts entered into, amended, or modified under the extraordinary, emergency authority granted by the act of August 28, 1958 (72 Stat. 972; 50 U.S.C. 1431–1435). [Amended]

To maintain books, documents, papers, and records involving transactions relating to the contracts.

Retention period: 3 years after final payment or until expiration of the time periods for the particular records specified in Part 1–20 of the Federal Procurement Regulations (41 CFR 1–20), whichever expires earlier. 41 CFR 1–17.206(e)

1.11 Contractors and subcontractors under contracts and amendments or modifications of contracts made prior to July 1, 1958, when such contracts and amendments or modifications were issued under title II of the First War Powers Act, 1941 (55 Stat. 838), as amended.

To maintain books, documents, papers, and records involving transactions relating to the contracts.

Retention period: Not specified. Public Law 81–921 (64 Stat. 1257)

1.12 Participants in the lead and zinc stabilization program pursuant to act of October 3, 1961 (75 Stat. 766; 30 U.S.C. 681–689).

To keep any pertinent books, documents, papers, and records of any participant involving transactions related to the program established under the regulations of 41 CFR 101–15 and authorized representatives of the United States Government shall have access to and the right to examine such records.

Retention period: 3 years after termination of the program. 41 CFR 101–15.109

1.13 Contractors and subcontractors required to submit cost and pricing data in conjunction with certain firm fixed-price or fixed-price with escalation negotiated contracts in excess of $100,000 or in conjunction with certain contract modifications in excess of $100,000.

To maintain books, records, documents, and other supporting data which will permit adequate evaluation by the contracting officer or his authorized representatives of the cost or pricing data submitted, along with the computations used therein, which were available to the contractor or subcontractor as of the date of execution of his Contractor's Certificate of Current Cost or Pricing Data.

Retention period: 3 years after final payment under the contract or subcontract or until expiration of the time periods for certain records specified in 41 CFR Part 1–20, whichever expires earlier. 41 CFR 1–3.814–2 (a) and (b), 1–7.101–30, 1–7.602–5

1.14 Contractors and subcontractors having certain cost-reimbursement type, time and material, labor-hour, incentive, or price redeterminable contracts in excess of $100,000.

To maintain books, records, documents, and other evidence and accounting procedures and practices, sufficient to reflect properly all direct and indirect costs of whatever nature claimed to have been incurred for the performance of the contract or subcontract.

Retention period: 3 years after final payment under the contract or subcontract or until expiration of the time periods for certain records specified in 41 CFR Part 1–20, whichever expires earlier; (2) if contract or subcontract is completely or partially terminated, the records relating to the work terminated shall be preserved for 3 years from the date of any resulting settlement; or (4) records which relate to appeals under the "Disputes" clause of the contract, litigation or the settlement of claims arising out of performance of the contract or subcontract, or costs and expenses of the contract or subcontract as to which exception has been taken by the contracting officer, shall be retained until disposition has been made of such appeals, litigation, claims, or exceptions. 41 CFR 1–3.814–2(c), 1–7.101–30, 1–7.602–5

XXX. INTERSTATE COMMERCE COMMISSION

1.1 Refrigerator car lines.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1220

1.2 Railroad companies.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1220

1.3 Electric railway companies.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1221

1.4 [Reserved]

1.5 Express companies.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1223

1.6 Pipeline companies.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1224

1.7 Persons furnishing cars to railroads.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1225

1.8 Rate-making organizations.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1253

1.9 Motor carriers and brokers.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1226

1.10 Water carriers.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1227

1.11 Freight forwarders.

To keep records as listed in the part cited.

Retention period: Various. 49 CFR Part 1228

XXXI. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

1.1 Contractors with negotiated fixed-price supply contracts and purchase orders or fixed-price research and development contracts, in excess of $2,500. [Amended]

To maintain books, documents, papers, and records involving transactions related to the contract.

Retention period: 3 years after final payment under the prime contract, or as specified in Appendix M of NASA Procurement Regulation. 41 CFR 18–7.104–15; 18–7.302–6

1.2 Subcontractors with contracts or purchase orders in excess of $2,500 (excluding subcontracts or purchase orders for public utility services at rates established for uniform applicability to the general public) under negotiated fixed-price supply contracts and purchase orders or fixed-price prime research and development contracts, in excess of $2,500. [Amended]

To maintain books, documents, papers, and records involving transactions related to the subcontract.

Retention period: 3 years after final payment under the subcontract, or as specified in Appendix M of NASA Procurement Regulation. 41 CFR 18–7.104–15; 18–7.302–6

1.3 Contractors with cost-reimbursement type contract, including facilities contracts. [Amended]

To maintain books, records, documents, and other evidence pertaining to the expenses for which reimbursement is claimed.

Retention period: 3 years after date of final payment, until settlement of litigation, or as specified by Appendix M of NASA Procurement Regulation. 41 CFR 18–7.203–7; 18–7.402–7; 18–7.451–7; 18–7.460–6; 18–7.702–13; 18–7.703–11; 18–7.704–5

1.4 Subcontractors with subcontracts of a cost, cost-plus-fixed-fee, time-and-material, or labor-hour type under cost-reimbursement type prime contracts, including facilities contracts. [Amended]

To maintain books, records, documents, and other evidence pertaining to all direct and indirect costs of whatever nature for which reimbursement is claimed under the subcontract.

Retention period: 3 years after date of final payment, until settlement of litigation, or as specified by Appendix M of NASA Procurement Regulation. 41 CFR 18–7.203–7; 18–7.402–7; 18–7.451–7; 18–7.460–6; 18–7.702–13; 18–7.703–11; 18–7.704–5

1.5 Subcontractors with subcontracts in excess of $2,500 on other than cost, cost-plus-fixed-fee, time-and-material or labor-hour basis (excluding subcontracts or purchase orders for public utility services at rates established for uniform applicability to the general public) under cost-reimbursement type prime contracts, including facilities contracts. [Amended]

To maintain books, documents, papers, and records involving transactions related to the subcontract.

Retention period: 3 years after final payment under the subcontract, or as specified by Appendix M of NASA Procurement Regulation. 41 CFR 18–7.203–7; 18–7.402–7; 18–7.451–7; 18–7.460–6; 18–7.702–13; 18–7.703–11; 18–7.704–5

1.6 Contractors with fixed-price contracts in excess of $2,500 for supplies or experimental, developmental or research work other than (a) construction, alterations or repair of buildings, bridges, roads, or other kinds of real property or (b) experimental, developmental or research work with educational or nonprofit institutions when no profit is contemplated.

To maintain books, records, documents and other evidence bearing on the cost and expenses of the contractor under the contract and relating to work terminated (may be kept in microfilm or other photographic form to the extent approved by the contracting officer).

Retention period: 3 years after final settlement. 41 CFR 18–8.701

1.7 Contractors with fixed-price construction contracts amounting to more than $10,000.

To maintain books, records, documents and other evidence bearing on the cost and expenses of the contractor under the contract and relating to work terminated (may be kept in microfilm or other photographic form to the extent approved by the contracting officer).

Retention period: 3 years after final settlement. 41 CFR 18–8.701

1.8 Subcontractors with fixed-price subcontracts.

To maintain books, records, documents, and other evidence bearing on the cost and expenses of the contractor under the contract and relating to work terminated (may be kept in microfilm or other photographic form to the extent approved by the contracting officer).

Retention period: 3 years after final settlement. 41 CFR 18–8.706

1.9 Contractors with construction and facilities contracts in excess of $2,000 (for work within the United States).

To keep payroll records showing name and address of each employee, classification, rate of pay, daily and weekly number of hours worked, deductions from pay and actual pay received.

Retention period: 3 years after contract work completed. 41 CFR 18–12.403–1(d); 18–7.705–5

1.10 Industrial contractors having Government furnished property.

To maintain adequate records of all Government property, whether furnished to or acquired by them for the account of the Government, in accordance with the provisions of "Control of Government Property in Possession of Contractors" (Appendix B, Subpart 3, NASA Procurement Regulation).

Retention period: Not specified. 41 CFR 18–13.702; 18–13.703

1.11 Contractors furnishing special tooling under fixed-price contracts.

To maintain property control records on all special tooling which they furnish.

Retention period: Not specified. 41 CFR 18–13.704

1.12 Nonprofit contractors having Government furnished property under research and development contracts.

To maintain records of Government property, whether furnished to or acquired by them for the account of the Government, in accordance with the provisions of "Control of Government Property in Possession of Nonprofit Research and Development Contractors" (Appendix C, Subpart 3, NASA Procurement Regulation).

Retention period: Not specified. 41 CFR 18–13.706, 18–13.707

1.13 All contractors and subcontractors other than those having firm fixed-price contracts.

To maintain books, records, documents, and other evidence and accounting procedures and practices sufficient to reflect all direct and indirect costs claimed to have been incurred and anticipated to be incurred for the performance of the contract or subcontract.

Retention period: 3 years after date of final payment or until final settlement of litigation, whichever is longer. 41 CFR 18–7.104–42; 18–7.203–29; 18–7.303–29; 18–7.350–18; 18–7.402–30; 18–7.451–30; 18–7.702–48; 18–7.703–41; 18–7.704–33

1.14 Contractors with facilities contracts providing for the use of facilities.

To maintain adequate property control procedures and records and a system of identification of the facilities.

Retention period: Not specified. 41 CFR 18–7.702–17; 18–7.704–11

1.15 Contractors with contracts containing the Small Business Subcontracting Program clause, and subcontractors with contracts containing provisions which conform substantially to the language of that clause.

To maintain records showing (a) whether each prospective subcontractor is a small business concern, (b) procedures which have been adopted to comply with the policies set forth in the contract clause entitled "Small Business Subcontracting Program", and (c) such other information required by the clause.

Retention period: Not specified. 41 CFR 18–1.707–3(b)

1.16 Contractors with contracts containing an inspection clause.

To keep complete records of all inspection work by the contractor and make such records available to the Government.

Retention period: During performance of the contract and for such longer period as may be specified elsewhere in the contract. 41 CFR 18–7.103–5; 18–7.203–5; 18–7.302–4; 18–7.402–5; 18–7.451–5; 18–7.702–6; 18–7.703–6; 18–7.704–8

1.17 Contractors with contracts containing the "Data Requirements" clause.

To maintain the following:

(a) A set of engineering drawings sufficient to enable manufacture of any equipment or items furnished under the contract, or a set of flow sheets and engineering drawings sufficient to enable any

performance of any process developed under the contract.

(b) Any subject data which is necessary to explain or to help the Government technical personnel understand any equipment, items, or process developed under the contract and furnished to the Government.

Retention period: 1 year after final payment under the contract. 41 CFR 18-9.202-1(e)

1.18 Contractors with contracts providing for progress payments.

To maintain control of progress payments and make available to the Government the books, records, and accounts thereof.

Retention period: During performance of the contract. 41 CFR 18-7.104-35

1.19 Contractors and subcontractors required to furnish cost and pricing data certificates.

To maintain books, records, documents, and other evidence which will permit adequate evaluation of the cost or pricing data submitted along with the computations and projections used therein.

Retention period: 3 years after final payment. 41 CFR 18-3.807-4

1.20 Contractors with fixed-price type letter contracts.

To maintain books, records, documents, and other evidence bearing on the cost and expenses of the contractor under the contract and relating to the work terminated (may be kept in microfilm or other photographic form to the extent approved by the contracting officer).

Retention period: 3 years after final settlement. 41 CFR 18-8.701-1

1.21 Contractors subject to the Work Hours Act of 1962.

To keep payroll records containing name, address, classification, rate of pay, hours worked, etc., for each employee.

Retention period: 3 years. 41 CFR 18-12.303-1, 18-12.403-1

1.22 Contractors and subcontractors subject to the Service Contract Act of 1965. [Added]

To keep records of each employee, name and address, basic employment, earning record, and work time schedules.

Retention period: 3 years after completion of the work. 41 CFR 18-12.1004

XXXII. NATIONAL CREDIT UNION ADMINISTRATION

1.1 Federal Credit Unions.

To keep accounting records as prescribed in section cited.

Retention period: Not specified.[10] 12 CFR 701.14

1.2 Custodians of records of Federal Credit Unions voluntarily liquidated.

To keep all records of the liquidated credit union necessary to establish that creditors were paid and that members' shareholdings were equitably distributed.

Retention period: 5 years following date of cancellation of the charter of the credit union. 12 CFR 710.11, 710.13

XXXIII. NATIONAL SCIENCE FOUNDATION

1.1 Persons or organizations engaging in weather modification activities.

Requested to maintain records, including logs, of ground and airborne or mobile weather modification activities.

Retention period: Not less than 5 years after date of entry. 45 CFR 635.5

XXXIV. OFFICE OF ECONOMIC OPPORTUNITY

1.1 Community action agencies receiving financial assistance under title II of the Economic Opportunity Act.

To keep a copy of each Administrative Cost Report, its supporting work sheets and a written explanation to explain the basis for classifying and allocating personnel costs, as part of their financial records.

Retention period: Not specified. 45 CFR 1068.3-8

XXXV. PANAMA CANAL COMPANY AND CANAL ZONE GOVERNMENT

1.1 Masters of vessels at sea, destined for ports of the Canal Zone.

To keep sanitary log or other official record of sanitary conditions and corrective measures taken.

Retention period: Discard at expiration of voyage. 35 CFR 61.151, 61.153

1.2 Masters of vessels transferring hazardous liquid cargoes at a port of the Canal Zone.

To keep original of the "Declaration of Inspection Prior to Bulk Cargo Transfer."

Retention period: Discard at expiration of voyage. 35 CFR 113.112

1.3 Vessels transiting or partially transiting Panama Canal.

To keep a full set of plans and a copy of the measurements made at the time of issue of the national tonnage certificate of the vessel, as well as the national tonnage certificate.

Retention period: Until vessel is decommissioned. 35 CFR 133.32

XXXVI. PRICE COMMISSION [Added]

1.1 Persons selling or leasing property or services subject to the price and rent stabilization requirements. [Added]

To maintain records to establish the base price for all property or services subject to Part 300 offered for sale and lease and the price at which property or services were actually sold or leased.

Retention period: 4 years after last day of calendar year in which the transaction occurred or property acquired, whichever is later. 6 CFR 300.501

1.2 Persons leasing or offering to lease real property. [Added]

To maintain records showing the base rent charged and reasons for any difference between the base rent and rent allowable after December 28, 1971.

Retention period: 4 years. 6 CFR 301.601 (retention: 301.602)

XXXVII. RAILROAD RETIREMENT BOARD

1.1 Employers subject to contributions under the Railroad Unemployment Insurance Act for any calendar quarter.

To keep such permanent records as are necessary to establish the total amount of compensation paid to employees, during each such quarter for services performed after June 30, 1939.

Retention period: At least 5 years. 20 CFR 345.24

1.2 States (employment agencies).

To make records available to Railroad Retirement Board.

Retention period: Not specified. 42 U.S.C. 503(c)(1)

1.3 Employers subject to the Railroad Retirement Act.

To keep original records necessary to establish service and compensation for a number of years prior to 1937 which, when added to the years elapsed after 1936, total at least 50.

Retention period: Not specified. 20 CFR 220.4

XXXVIII. SECURITIES AND EXCHANGE COMMISSION

1.1 Exchange members, brokers, and dealers. [Amended]

To keep books and records relating to their business including blotters; ledgers; other records of orders, purchases, and sales; records of the proof of money balances of all ledger accounts in the form of trial balances and records of the computation of aggregate indebtedness and net capital; questionnaires or applications for employment executed by associated persons of such member, broker, or dealer; and other records and accounts as specified in the sections cited.

Retention period: 6 years and 3 years as specified in the sections cited. Records may be microfilmed immediately. 17 CFR 240.17a-3, 240.17a-4

1.2 Exchange members, brokers, and dealers.

To keep all partnership articles, articles of incorporation, charters, minute books, and stock certificate books.

Retention period: Life of business and its successors. Records may be microfilmed immediately. 17 CFR 240.17a-4

1.3 National securities exchanges.

To keep copies of statements, exhibits, and other information regarding registered securities, filed pursuant to sections

[10] See Accounting Manual for Federal Credit Unions (FCU-544).

12, 13, 14, and 16 of the Securities Exchange Act of 1934.

Retention period: The foregoing materials may be destroyed after 5 years in accordance with plans submitted to and declared effective by the SEC pursuant to its Rule 17a–6. 17 CFR 240.17a–6, 240.24b–3

1.4 Mutual and subsidiary service companies in registered public utility holding company systems.

To keep uniform accounts and other records to show fully facts pertaining to all entries and supported by sufficient detail to permit ready identification and analysis. These accounts and other records include not only accounting records in a limited technical sense, but all pertinent records such as minute books, contracts, billing computations, reports, memoranda, correspondence, other papers, and documents which may be useful in developing history of or facts regarding any transaction recorded in accounts.

Retention period: On August 12, 1966, the Commission adopted its "Regulation To Govern the Preservation and Destruction of Records of Mutual and Subsidiary Service Companies," which prescribes specific retention periods and microphotographing privileges with respect to all such books of account and other records of mutual and subsidiary service companies. 17 CFR 256.01–8 and Part 256a

1.5 Registered public utility holding companies which are not also operating companies.

To keep uniform accounts and other records to show fully facts pertaining to all entries and supported by sufficient detail to permit ready identification and analysis. These accounts and other records include not only accounting records in a limited technical sense, but all records such as minute books, stock books, stockholder records, reports, memoranda, contracts, correspondence, other papers and documents which may be useful in developing history of or facts regarding any transaction recorded in accounts.

Retention periods: On November 24, 1959, the Commission adopted its "Regulation to Govern the Preservation and Destruction of Books of Account and Other Records of Companies Which Are Subject to the Uniform System of Accounts for Public Utility Holding Companies under the Public Utility Holding Company Act of 1935," which prescribes specific retention periods and microfilming privileges with respect to all such books of account and other records of registered holding companies. 17 CFR 257.0–3 and Appendix to Part 257

1.6 Registered investment companies and underwriters, brokers, dealers or investment advisers which are majority-owned subsidiaries of such companies.

To keep such accounts, books, and other documents relating to its business which constitute the record forming the basis for financial statements required to be filed pursuant to Section 30 of the Investment Company Act of 1940, and of the auditor's certificate relating thereto. For registered investment companies, these records include journals (or other records of original entry) containing an itemized daily record in detail of all securities transactions (including those in its own securities); general and auxiliary ledgers (or other records) reflecting asset, liability, reserve, capital, income and expense accounts; separate ledger accounts (or other records) for each portfolio security, for each broker-dealer or other person with or through which portfolio securities transactions are effected, and for each shareholder of record; a securities record or ledger; corporate charters, certificates of incorporation or trust agreements, bylaws, and minute books; records of brokerage orders; records showing the bases for the allocation of orders for the purchase and sale of portfolio securities to named brokers or dealers and the division of brokerage commissions or other compensation on such purchase and sale orders, including the consideration given to enumerated factors; records identifying the persons authorizing the purchase or sale of portfolio securities; and all vouchers, memoranda, correspondence, and other documents.

Every underwriter, broker, or dealer which is a majority-owned subsidiary of a registered investment company shall keep such accounts, books, and other documents as are required of brokers and dealers by rule adopted under Section 17 of the Securities Exchange Act of 1934.

Every investment adviser which is a majority-owned subsidiary of a registered investment company shall keep such accounts, books, and other documents as are required of registered investment advisers by rule adopted under Section 204 of the Investment Advisers Act of 1940.

Retention period: Registered investment companies: journals, ledgers, corporate charters, certificates of incorporation, trust agreements, by-laws, and minute books—permanently; other records—6 years. Underwriter, broker, or dealer which is a majority-owned subsidiary of a registered investment company, see rule adopted under Section 17 of the Securities Exchange Act of 1934. Investment adviser which is a majority-owned subsidiary of a registered investment company, see rule adopted under Section 204 of the Investment Advisers Act of 1940. Notwithstanding the above, records may be destroyed pursuant to a plan approved by the Securities and Exchange Commission pursuant to Rule 31a–2. Microfilming permitted after 3 years. 17 CFR 270.31a–1, 270.31a–2

1.7 Depositor of and principal underwriter for any registered investment company other than a closed-end investment company.

To keep such accounts, books, and other documents as are required of brokers and dealers by rule adopted under Section 17 of the Securities Exchange Act of 1934, to the extent such records are necessary or appropriate to record such person's transactions with such registered investment company.

Retention period: Not less than 6 years. See rule adopted under Section 17 of the Securities Exchange Act of 1934, 17 CFR 240.17a–3, 240.17a–4 (digested in par. 1.1 of this chapter). 17 CFR 270.31a–1, 270.31a–2

1.8 Investment adviser not a majority-owned subsidiary of a registered investment company.

To keep such accounts, books, and other documents as are required of registered investment advisers by rule adopted under Section 204 of the Investment Advisers Act of 1940, to the extent such records are necessary or appropriate to record such person's transactions with such registered investment company.

Retention period: Not less than 6 years. See rule adopted under Section 204 of the Investment Advisers Act of 1940, 17 CFR 275.204–2 (digested in par. 1.10 of this chapter). 17 CFR 270.31a–1, 270.31a–2

1.9 Records prepared or maintained by others than person required to maintain and preserve them.

Permits records to be maintained or prepared by others on behalf of the person required to maintain and preserve such records, subject to certain agreements required to be reduced to writing. See Rule 31a–3 for requirements as to such written agreements.

Retention period: See Rule 31a–2 for periods of preservation of records. 17 CFR 270.31a–3 (retention: 270.31a–2)

1.10 Investment advisers making use of mails or of any means or instrumentality of interstate commerce in connection with business as investment adviser (other than an adviser specifically exempted from registration pursuant to Section 203(b) of the Investment Advisers Act of 1940).

To make, keep, and retain the books and records specified in section cited.

Retention period: Various. 17 CFR 275.204–2

1.11 Nonmember brokers and dealers. [Amended]

To maintain current records for each customer as specified in the section cited.

Retention period: 6 years. Records may be kept on film after the first 2 years. 17 CFR 240.15b10–6

1.12 Brokers and dealers submitting quotations. [Added]

To maintain records as specified in section cited.

Retention period: 6 years and 3 years. Records may be microfilmed immediately. 17 CFR 240.15c2–11 (retention: 240.17a–4)

XXXIX. SMALL BUSINESS ADMINISTRATION

1.1 Corporations licensed under the Small Business Investment Act.

To maintain current financial records; minutes of meetings of stockholders, directors, executive officials, and other officers; records of time spent and charges made for management consulting services performed; and files of other documents pertinent to all transactions.

Retention period: 6 years. 13 CFR 107.1102

XL. UNITED STATES POSTAL SERVICE [Added]

1.1 Postage meter licensees.

To keep a Meter Record Book (Form 3602–A), showing register readings of metered mail on each day of operation of the meter.

Retention period: At least 1 year from date of final entry. 39 CFR 144.3, 144.7

1.2 Postage meter manufacturers.

To maintain a complete record by serial number of all meters manufactured, showing all movements of each meter from the time it is produced until it is scrapped and the reading of the ascending register each time a meter is checked into or out of service through a post office.

Retention period: At least 3 years after the meter is scrapped. 39 CFR 144.9

1.3 Apartment house managers.

To maintain a record of the number of keys supplied by manufacturers and jobbers, relating the key number to the receptable number, so that, when necessary, new keys may be ordered. Key numbers shall not be placed on the barrels of the locks, as this would make it possible for unauthorized persons to secure keys and gain access to the boxes. Apartment house managers must keep a record of the combinations of keyless locks so that new tenants may be given the combination. These records of key numbers and combinations must be kept in the custody of the manager or a trusted employee.

Retention period: The record of key numbers must be kept until the lock has been changed when it may be destroyed. The record of combinations to the keyless locks must be maintained until the combination is changed, when it may be destroyed. 39 CFR 155.6

1.4 Commercial mail receiving agencies.

To maintain a copy of Form 1583, Application for Delivery of Mail Through Agent.

Retention period: During period of agency. 39 CFR 154.2

1.5 Contractors with the Postal Service.

a. To make available to the Postal Service books and records respecting negotiated fixed-price supply contracts in excess of $5,000. (PCM, section 7–104.15).

b. To make available to the Postal Service books and records respecting cost-reimbursement supply contracts. (PCM, section 7–203.7).

c. To make available to the Postal Service books and records relating to cost or pricing data submitted by bidders or offerors. (PCM, section 3–814.2).

d. To make available to the Postal Service books and records relating to research and development contracts.

Retention period: At least 3 years after final payment under the contract. 39 CFR Part 601 (References given below are to the Postal Contracting Manual, incorporated by reference into the Code of Federal Regulations.)

XLI. VETERANS ADMINISTRATION

1.1 State owned or controlled hospitals and institutions distributing tax-free tobacco products to members or former members of the Armed Forces of the United States.

To keep copies of orders and other pertinent documents involved in the purchase, storage, and distribution of tax-free tobacco products to eligible patients.

Retention period: At least 3 years and available to the Veterans Administration and the Internal Revenue Service for inspection purposes. 41 CFR 8–11.250–2

1.2 Medical schools, hospitals, and research centers receiving grants under the Veterans Hospitalization and Medical Services Modernization Amendments of 1966. [Amended]

To keep records of amount and disposition of grant, total cost of project and amount of cost of project received from other sources.

Retention period: 3 years after final payment. 38 CFR 17.266

1.3 Holders of loans for mobile homes and lots. [Added]

To keep records of payments received, disbursements chargeable thereto, and dates thereof.

Retention period: Until Administrator ceases to be liable for loan. 38 CFR 36.4215

1.4–1.6 [Reserved]

1.7 Educational institutions furnishing education or special restorative training under chapter 34 or 35, title 38, U.S. Code.

To keep appropriate records and accounts, including but not limited to, (a) records and accounts which are evidence of tuition and fees charged to and received from or on behalf of all students and trainees; (b) records of previous education or training of veterans and eligible persons enrolled under the law at time of admission and records of advance credit granted by institution; and (c) records of the veteran's and eligible person's grades and progress.

Retention period: 3 years following termination of enrollment period, unless further retention requested by General Accounting Office or Veterans Administration not later than 30 days prior to end of 3-year period. 38 CFR 21.4209

1.8 Educational institutions having veterans and eligible persons under chapter 34 or 35, title 38, U.S. Code, supra, enrolled in courses which do not lead to standard college degree.

To keep, in addition to the records and accounts described in item 1.7, above, records of leave, absences, class cuts, makeup work, and tardiness.

Retention period: 3 years following termination of enrollment period, unless further retention requested by General Accounting Office or Veterans Administration not later than 30 days prior to end of 3-year period. 38 CFR 21.4209

1.9 Educational institutions having veterans and eligible persons under chapter 34 or 35, title 38, U.S. Code, supra, enrolled in nonaccredited courses approved under section 1776, chapter 36, title 38, U.S. Code.

To keep, in addition to records and accounts described in items 1.7 and 1.8, above, (a) records of interruptions for unsatisfactory conduct or attendance; and (b) records of refunds of tuition, fees, and other charges made to a veteran or an eligible person who fails to enter the course or withdraws or is discontinued prior to completion of the course.

Retention period: 3 years following termination of enrollment period, unless further retention requested by General Accounting Office or Veterans Administration not later than 30 days prior to end of 3-year period. 38 CFR 21.4209

1.10 Holders of loans guaranteed or insured by the Veterans Administration under chapter 37, title 38, U.S. Code.

To keep a record of each loan showing the amounts of payments received on the obligation and disbursements chargeable thereto, and the dates thereof.

Retention period: Until the Administrator ceases to be liable as guarantor or insurer of the loan. 38 CFR 36.4330

1.11 Holders of loans insured by the Veterans Administration under chapter 37, title 38, U.S. Code.

To keep an insurance account showing the amounts credited as available for the payment of losses on insured loans made or purchased by the holder and the amounts debited on account of transfers of insured loans, purchases by the Veterans Administration under 38 CFR 36.-4318, or payment of losses.

Retention period: Until effective date of closing of insurance account by the Veterans Administration. 38 CFR 36.-4370

1.12 State approving agencies, institutions, and training establishments participating in the vocational rehabilitation and education program. [Amended]

To maintain contracts, agreements, or arrangements providing for number and frequency of reports, adequate financial records to support payment for each trainee, and attendance and progress records and number of inspection, approval and supervisory visits and item-

ized vouchers for payment, including salary and travel.

Retention period: 4 years following the date of the last payment or a longer period if requested by the General Accounting Office or the Veterans Administration. 41 CFR 8–95.209

1.13 Training establishments furnishing training-on-the-job courses (other than a program of apprenticeship) approved under section 1777, chapter 36, title 38, U.S. Code.

To keep in addition to records and accounts described in item 1.7 above appropriate records pertaining to such training including, but not limited to (a) payroll records, (b) records of leave, absences, class cuts, makeup work, and tardiness.

Retention period: 3 years following termination of enrollment period, unless further retention requested by General Accounting Office or Veterans Administration not later than 30 days prior to and of 3-year period. 38 CFR 21.4209

XLII. WATER RESOURCES COUNCIL

1.1 State agencies receiving funds under the Water Resources Planning Act.

To maintain records relating to each allotment and grant and their allocability to the State comprehensive water and related land resources planning effort.

Retention period: 3 years after last disbursement of funds. 18 CFR 703.10

SUPPLEMENTS

Supplement I—Requirements Under the Second War Powers Act of 1942

The Second War Powers Act of March 27, 1942 (56 Stat. 185), provided that contractors with defense contracts placed after September 8, 1939, could be required to produce any books or records deemed relevant for audit and inspection by any agency or officer designated by the President or the Chairman of the War Production Board. The effectiveness of this Act was continued by the Act of June 30, 1953 (67 Stat. 120), for the duration of the national emergency proclaimed December 16, 1950, and for 6 months thereafter.

Supplement II—Aeronautics and Space Requirements on Availability of Credentials for Inspection in 14 CFR

Party	Competency certificate	Medical certificate
Pilots	61.3	61.3.
Mechanics	65.89	
Repairmen	65.105	
Parachute Riggers	65.111	
Control Tower Operator	65.45	65.45.
Dispatchers	65.51	
Engineers	63.3	63.3.
Navigators	63.3	63.3.
Ground Instructors	143.21	
Manufacturers:		
Type Certificate	21.49	
Production Certificate	21.161	
Airworthiness Certificate	21.181	
Pilot School Certificate	141.7	
Repair Stations	145.19	
Mechanic Schools	147.39	
Parachute Lofts	149.25	
Air Carriers:		
Domestic	121.73	
Flag	121.73	
Supplemental	121.73	
Air Carriers (Helicopter)	127.19	
Foreign Air Carrier	129.13	
Flight Crew	129.15	
Foreign Civil Aircraft	375.20	
Airmen	375.21	
Pilots	61.3	
Aircraft Operators:		
Airworthiness Certificate	91.27	
Registration Certificate	91.27	
Commercial Operators	121.73	
Rotorcraft External—Load Operators.	133.27	
ATCO Operators	135.43	
Agricultural Aircraft Operators.	137.57	
Air Travel Clubs	123.27	

INDEX

EXPLANATION: The index is a guide to the persons, groups, or products covered by the subject titles in the list. It does not purport to bring together under a given entry a complete analysis of all requirements relating to a given business or product. Thus, a requirement affecting corporations in liquidation will be found under "corporation" because the word appears in the subject title in the list. There are many other requirements, however, affecting corporations which must be sought under "taxes", "manufacturers", "employers", "contractors", name of product or other subject. In the same way general categories of persons to whom requirements may apply (such as manufacturers or importers) have been included only if they are particularly necessary in identifying the applicability of the requirements.

Items included in the index are keyed to the department (or agency) number shown in the contents. References are to agency and item numbers, not to FEDERAL REGISTER pages.

A

Accident register, motor vehicle, XII 2.11
Accidents, aircraft, XII 5.1, 5.2
Accounts, Bureau of, XI 1
ACTION, XIII
Action Planning Commissions, Regional, II 9
Adjustment assistance under the Trade Expansion Act; recipients of, II 2.1
Adult Education Act of 1966, IV 1.10, 1.27
Adult education programs, IV 1.10
Aeronautics and Space Administration, National, XXXI
Aeronautics and space credentials, Supp. II
Affirmative action compliance programs, VIII 1.8
Age Discrimination in Employment Act of 1967, VIII 2.28
Aged, medical and health insurance programs for, IV 4.2–4.6
Agency for International Development, X 2
Agents:
  Cargo and miscellaneous vessels, XII 3.7, 3.19, 3.21
  Foreign, VII 1.1
  Passenger and miscellaneous vessels, XII 3.1
  Shipping companies, II 5.1–5.9
  Withholding, XI 4.41c
Aging, activities for the, IV 5.5
Aging, Administration on, IV 5.1–5.5
Agricultural commodities:
  See also specific commodity
  Brokers, I 2.23
  Classifiers, I 2.45
  Commission merchants, I 2.23
  Crop insurance, I 8.1
  Crushers, I 5.12
  Dealers, I 2.23
  Distribution programs, I 12.1, 12.3, 12.4, 12.8
  Exporters, I 11.7
  Ginners, I 5.18
  Graders, I 2.45
  Handlers and shippers of, I 2.1–2.24
  Importing countries, I 11.8
  Inspectors, I 2.45
  Marketing orders, I 2.1–2.22
  Price support programs, I 5.2–5.8, 5.17, 5.19
  Sales for foreign currencies, I 11.8
  Suppliers, I 11.5, 11.8
  Trading in, I 6.1–6.15
  Warehousing, I 2.38–2.44, 2.46–2.48
  Weighers, I 2.45
Agricultural fireworks, IV 2.22
Agricultural Marketing Act of 1946, I 2.54
Agricultural Service, Foreign, I 1
Agricultural Stabilization and Conservation Service, I 4
Agriculture:
  Commercial aircraft operators, XII 1.36; Supp. II
  Employment of children, VIII 2.33, 2.34
Agriculture, Office of the Secretary, I 10
Agriculture Department:
  See Agricultural Stabilization and Conservation Service
    Agriculture, Office of the Secretary
    Animal and Plant Health Services
    Commodity Credit Corporation
    Commodity Exchange Authority
    Consumer and Marketing Service
    Export Marketing Service
    Farmers Home Administration
    Federal Crop Insurance Corporation
    Food and Nutrition Service
    Foreign Agricultural Service
    Packers and Stockyards Administration
AID-financed programs or projects, suppliers, X 2.2
Air carriers:
  Air taxi operators, XII 1.11
  Alaskan, XVI 1.2
  Charter trips, XVI 1.4, 1.6a, 1.9
  Combustible cargo, XII 1.16
  Commercial operators, XII 1.5–1.7, 1.11, 1.34–1.35, 1.40
  Distilled spirits or wine withdrawn from stock in customs for use as supplies on aircraft, XI 4.176
  Domestic, XII 1.5–1.10, 1.39–1.41; XVI 1.8, 1.9; Supp. II
  Explosives, transportation of, XII 1.16
  Flag, XII 1.5–1.10, 1.39–1.41; Supp. II
  Foreign, XVI 1.4, 1.6a, 1.8, 1.9, 1.10; Supp. II
  Freight forwarders, XVI 1.7
  Hawaiian, XVI 1.2
  Helicopter, XII 1.13–1.15, 1.43–1.44; XVI 1.2; Supp. II
  Importers, II 4.14; XI 3.11
  Interstate, XII 1.5–1.7, 1.13–1.15, 1.43–1.44
  Irregular and off-route, XVI 1.4

Air carriers—Continued
Large aircraft, XII 1.5–1.7, 1.35, 1.40
Local service carriers, XVI 1.2
Owners or operators, XI 3.11; XII 1.3, 1.11–1.12, 1.34–1.35, 1.40; Supp. II
Pilots, XII 1.17–1.18
Small aircraft, XII 1.11
Supplemental, XII 1.5–1.7, 1.34, 1.39, 1.41; XVI 1.1, 1.10; Supp. II
Trunkline route carriers, XVI 1.2
Air Force; contractors and subcontractors, III 1.1; XI 4.43
Air Force, Department of the, III 1
Air navigation facilities, XII 1.29
Air pollution control XVIII 1.3, 1.5
Air taxi operators, small aircraft, XII 1.11
Air travel clubs, XII 1.45; Supp. II
Aircraft and related subjects:
Accidents, XII 5.1, 5.2
Air carriers. *See* Air carriers
Air taxi operators, XII 1.11
Air travel clubs, XII 1.45; Supp. II
Civil, XII 1.12
Commercial operators, XII 1.5–1.7, 1.11, 1.34–1.36, 1.40
Contractors constructing for the Army, the Navy, and the Air Force, XI 4.43–4.44
Designated alteration stations, XII 1.37
Diesel and special motor fuel, tax exemption, XI 4.83
Dispatchers, XII 1.22; Supp. II
Engineers, Supp. II
Flight instructors, XII 1.19
Foreign:
Civil aircraft, XVI 1.6; Supp. II
Importers of repair parts, II 4.6
Repair stations, XII 1.26
Fuel, XI 4.82
Ground instructors, Supp. II
Helicopters, XII 1.13–1.15, 1.43–1.44
Instruction courses, XII 1.20, 1.22–1.23, 1.27, 1.38
Large aircraft, XII 1.5–1.7, 1.35, 1.40
Manufacturers of aircraft and related equipment, XI 4.88b; XII 1.1–1.2, 1.4, 1.30, 1.42, 1.47; Supp. II
Mechanics, XII 1.27; Supp. II
Navigators, Supp. II
Operators, XII 1.3, 1.5–1.7, 1.11–1.12, 1.34–1.36, 1.40, 5.1; XVI 1.6; Supp. II
Owners, masters, officers, employees, and agents in transportation, II 7.1; XII 1.12
Parachute loft certifications, XII 1.28; Supp. II
Parachute riggers, XII 1.21; Supp. II
Pilots, XII 1.17–1.18, 1.23; Supp. II
Public service, XXI 1.15
Radio stations and carriers, XXI 1.14–1.15, 1.33
Repair stations, XII 1.4, 1.24–1.26; Supp. II
Repairmen, Supp. II
Rotorcraft external load operators, Supp. II
Schools, XII 1.20, 1.22–1.23, 1.27, 1.38; Supp. II
Small aircraft, XII 1.11
Technicians, XII 1.27
Airports:
Air navigational facilities, XII 1.29
Beacons, XII 1.48
Contractors and sponsors for construction of public airports, XII 1.31–1.33
Control tower personnel, Supp. II
Developers, XII 1.46
Airports—Continued
Directional facilities, XII 1.48
Distance measuring equipment, XII 1.48
Public, XII 1.32–1.33
Alaska:
Air carriers, XVI 1.2
Radio stations, XXI 1.10, 1.13
Alcohol:
Denatured, dealers, XI 4.141–4.143
Industrial use, XI 4.133
Tax free, XI 4.148
Aliens, nonresident, XI 4.41c
Almonds; marketing orders, I 2.14–2.15
Aluminum; defense materials regulations, II 2.4
Ammunition. *See* Firearms
Anadromous Fish Act of 1965, II 8.8
Animal and Plant Health Service, I 3
Animals:
Exhibitors, I 3.8
Research, I 3.8
Sponsors of clinical investigations in, IV 2.6
Antibiotic drugs:
Exemption from certifications, IV 2.8
Operators of establishments processing, labeling, and shipping, IV 2.7
Shippers, IV 2.6
Antifreeze solutions manufacturers, distributors, and users, XI 4.142
Apartment house managers, XL 1.3
Appalachian Regional Commission, XIV
Appalachian Regional Development Act of 1965, VI 7.2; XIV 1.1
Apprentices and learners:
Employers of, VIII 1.9, 2.9, 2.11, 2.12, 2.15; XIX 1.2
Joint apprenticeship committees, VIII 2.10
Sponsors of programs for, VIII 1.6
Student-workers, VIII 2.12, 2.15
Apprenticeship committees, VII 2.10
Apricots; marketing orders, I 2.6
Arbitrage operations in stocks and securities, XI 4.37
Area Redevelopment Act, II 1.1–1.2
Arms, ammunition, and implements of war. *See* Firearms
Arm's length charges, XI 4.20c
Army:
Aircraft, XI 4.43
Contractors and subcontractors, III 2.1; XI 4.43; XII 2.15, 2.16
Army, Department of the, III 2
Arsenicals importers and manufacturers, IV 3.17
Assistance Payments Administration, IV 5.60
Associations:
See also Cooperative associations, etc.
Holding Certification of Authorization under the Great Lakes Pilotage Uniform Accounting System, XII 3.24
Production credit, XX 1.1, 1.2
Social work, IV 5.30
Atmospheric Administration, National Oceanic and, II 8
Atomic energy:
Contractors and subcontractors, XV 1.1, 1.12, 1.14, 1.17
Restricted data; holders of access permits to, XV
Atomic Energy Act of 1954, XV 1.3, 1.6
Atomic Energy Commission, XV
Auction sales, operators, I 3.8
Automobile tire manufacturers, producers, or importers, XI 4.83a
Aviation. *See* Air carriers; Aircraft and related subjects; *and* Airports
Aviation Administration, Federal, XII 1

B

Bank Holding Company Act of 1956, XI 4.36
Bankruptcy Act, XI 4.12, 4.13
Banks and banking institutions:
See also Housing
Building and loan associations, XI 4.21a–4.21b, 4.44a; XXIII 2.1–2.8, 2.11, 3.1, 3.2
Credit for purchasing securities, XXVI 1.3
Insured banks, XXII 1.1–1.2
Mutual savings banks, XI 4.21a–4.21b
National banks, XI 2.2–2.4, 2.6, 2.7
Nominee's Information Return, XI 4.42a
Property acquired by foreclosure, capital improvements to, XI 4.21b
Reserves for bad debts, XI 4.21a–4.21b
Savings and loan holding companies, XXIII 2.9
Barley; crop insurance, I 8.1
Beans:
Dry, crop insurance, I 8.1
Dry edible, price support program, I 5.19
Beer:
Brewers, XI 4.154
Dealers, XI 4.131–4.132
Importers, XI 4.164
Pilot brewing plants, XI 1.154a
Wholesalers, XI 4.131
Withdrawn from bonded storage for shipment to the United States, XI 4.158
Berth agents; shipping companies, II 5.1
Bilingual education programs, IV 1.28
Bills of lading:
Contractor using, as shipper, XXVIII 1.1
Diversion prohibition, II 4.15
Biological products:
Distributors, I 3.3
Manufacturers, distributors, and importers, I 3.1; IV 3.17
Research investigators or sponsors, I 3.6
Birds:
Migratory, VI 2.1–2.3, 2.5
Treatment centers, IV 3.34
Blind; agencies for the blind selling to Government agencies, XVII 1.1–1.2
Blind and Other Severely Handicapped, Committee for Purchase of Products and Services of the, XVII
Blood, whole; processors, IV 3.18
Bond and stockbrokers, XI 4.79
Bonded warehouses; proprietors and operators:
Cigars, XI 4.205
Customs, XI 3.13, 4.205
Distilled spirits, XI 4.155–4.156
Internal revenue, XI 4.201–4.204a
Smelting and refining, XI 3.12
Tobacco export, XI 4.201–4.204a
Wheat, imported, XI 3.13
Bonded wine cellars, XI 4.153, 4.170
Bonds or other evidence of indebtedness, sale or exchange of, XI 4.36a
Borrowers; FHA loans, I 7.1
Bottlers:
Distilled spirits, XI 4.173
Toiletries made with specially denatured alcohol, XI 4.146

Bottling houses, XI 4.149
Breweries, pilot, XI 4.154a
Brewers or brewers agents, XI 4.154, 4.171, 4.175
Bridges, interstate toll, XII 2.15, 2.16
Brokers:
  Foreign insurance policies, XI 4.79
  Licensed customhouse, XI 3.17
  Motor carriers, XXX 1.9
  Nominee's Information Return, XI 4.42a
  Perishable Agricultural Commodities Act of 1930, I 2.23
  Securities, XI 4.79; XXXVIII 1.1–1.3, 1.11, 1.12; XXVI 1.4
Building and loan companies. *See* Banks and banking institutions; *and* Housing
Business expenses, XI 4.2
Butter, adulterated and process or renovated; manufacturers and wholesalers, XI 4.72–4.73
Button and buckle manufacturing industry, VIII 2.18, 2.19
Buyers:
  Cotton, I 4.4, 4.7
  Peanuts, I 4.29
  Rice, I 4.31
  Tobacco, I 4.11
  Toilet preparations containing denatured alcohol purchased for resale, XI 4.146
  Wheat, I 4.27

C

Camel's hair or wool, XI 3.6–3.8
Canal Zone Government, XXXV
Candidates for public office, XXI 1.34
Cargo gear certificates, vessel, VIII 4.1, 4.2; XII 3.2
Cargo gear plans, XII 3.4
Cargo insurance, war risk, II 5.26–5.27, 5.29
Cargo tanks, XII 6.17
Carpets; manufacturers, XXVIII 1.13
Carriers:
  See also Air carriers; *and* Vessels
  Bills of lading, II 4.15
  Communication, XI 4.61; XXI 1.27
  Conferences of carriers, XXIV 1.2, 1.3
  Cotton, transportation of, I 4.7
  Declarations, alternate procedures, II 4.16c
  Employment, XXI 1.39
  Equipment owners or operators, XXI 1.28, 1.29
  Freight, XXX 1.11
  General, XXI 1.39
  Meat inspection certificates, I 2.61
  Motor carriers, XII 2.3–2.14, 6.17; XXX 1.8, 1.9
  Passengers, XI 4.65
  Private, subject to Part II of the Interstate Commerce Act, XII 2.5
  Radio stations, XXI 1.1–1.26, 1.30–1.33, 1.35–1.38
  Railroad, XII 4.1, 4.2, 4.4, 4.5; XXX 1.1–1.3, 1.5, 1.6
  Rate-making organizations, XXX 1.8
  Water carriers, transportation by, XXX 1.10
  Wheat, XI 3.13
Cars:
  Persons furnishing cars to railroads, XXX 1.7
  Refrigerator car lines, XXX 1.1
Castor beans, crushers, I 5.12
Celery; marketing orders, I 2.13a
Census, Bureau of the, II 11
Charterers of vessels, XII 3.17, 3.19, 3.21
  Dry-cargo vessels, II 5.10, 5.23
  War-built vessels, II 5.20, 5.22–5.24
Cheese, filled:
  Manufacturers, XI 4.72
  Taxes, XI 4.72, 4.74
  Wholesalers, XI 4.74
Chemists, cottonseed, I 2.54
Cherries; marketing orders, I 2.7
Child labor:
  Agriculture, VIII 2.33, 2.34
  Federal service extension exemption, VIII 2.33
  Minimum age requirements, VIII 2.32
  Provisions of Fair Labor Standards Act, VIII 2.30, 2.32
  Work-training programs, VIII 2.35
Child welfare services, IV 3.26–3.27, 5.10–5.12
China; shipping restrictions, II 7.1
Cigars and cigarettes:
  Cigarette papers and tubes manufacturers or warehousemen, XI 4.186–4.197
  Importers, XI 4.198–4.199
  Manufacturers, XI 4.205
  Taxes, XI 4.198–4.200
Citrus fruits. *See* Fruit
Civil Aeronautics Board, XVI
Civil defense equipment, III 2.2, 2.3
Civil Rights Act of 1964, XIX 1.1
Clacker balls; manufacturers and importers, IV 2.26
Classifiers; agricultural commodities, I 2.45
Clean Air Act, XVIII 1.3
Clearing agents; war risk insurance program, II 5.29
Clearing organizations of contract markets, I 6.1–6.3, 6.11
Clearinghouses; cotton futures, XI 4.69
Clinical laboratories, IV 3.23, 3.35, 4.8
Clinical Laboratories Improvement Act of 1967, IV 3.23
Coal mines:
  Lessees, VI 3.1
  Operators, VI 7.1
  Safety, VI 7.1, 7.3
  State and local authorities receiving Federal aid for reclamation of, VI 7.2
Coast Guard, United States, XII 3
Coinage Act of 1965, XI 6.3
Cold storage or locker plant operation, VI 2.1
Colleges:
  Conducting experimental or research operations, XI 4.138
  Graduate fellowship program payments, IV 1.13
  Work study programs, IV 1.36
Color additives:
  Certificates, persons to whom issued, IV 2.12
  Shippers, interstate of additives, food, drugs, or cosmetics containing, IV 2.13
Combustible cargoes, XII 1.16, 2.8, 3.5, 3.8, 3.15, 3.18–3.21; XXXV 1.2
Commerce, Bureau of Domestic, II 2
Commerce, Bureau of International, II 4
Commerce Department:
  See Census, Bureau of the
  Domestic Commerce, Bureau of
  Domestic and International Business, Assistant Secretary for
  Economic Development Administration
Commerce Department—Continued
  See—Continued
  Foreign Direct Investments, Office of
  International Commerce, Bureau of
  Maritime Administration
  National Oceanic and Atmospheric Administration
  Regional Action Planning Commissions
  Science and Technology, Assistant Secretary for
  United States Travel Service
Commercial aircraft operators, XII 1.5–1.7, 1.11, 1.34–1.36, 1.40
Commercial mail receiving agencies, XL 1.4
Commercial picking establishments, operators, VI 2.1
Commercial Shipping Restriction Orders T–1 and T–2; Soviet bloc countries, Hong Kong, Macao, China, North Korea, North Vietnam, and Cuba, II 7.1
Commission merchants, dealers, and brokers:
  Futures transactions, I 6.1–6.12
  Perishable Agricultural Commodities Act of 1930, I 2.23
Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped, XVII
Commodities:
  Agricultural. *See* Agricultural commodities
  General, II 4.16d
Commodity Credit Corporation, I 5
Commodity Exchange Authority, I 6
Commodity exchanges, I 6.1–6.15
Commodity futures, I 6.1–6.15
Common carriers. *See* Carriers *and specific types of carriers*
Communications:
  General, XX 1.1–1.27, 1.30–1.38
  Persons required to collect taxes on, XI 4.61
Communications Act of 1934, IV 1.7
Communications Satellite Corporation, XX 1.27
Community action agencies, XXXIV 1.1
Community Antenna Television Systems, XX 1.34
Community development, I 7.3; V 1.8
Community mental retardation facilities, IV 5.21–5.23
Community planning, services, and training, grants for, IV 5.1
Community Services Administration, IV 5.10–5.12
Compressed gas cylinder manufacturers, XII 6.16
Comptroller of the Currency, XI 2
Concentrate plants, XI 4.137
Concessioners; National Park Service, VI 8.1–8.2
Conferences of carriers, XXIV 1.2, 1.3
Conservation Service, Agricultural Stabilization and, I 4
Construction:
  Contracts, XXIX 1.8; XXXI 1.7, 1.9
  Licensees and permittees, XV 1.7, 1.10
  Project grants:
    Health research facilities, IV 3.7
    Higher education facilities, IV 1.9
    Hospital and medical facilities, IV 3.3

Construction—Continued
Project grants—Continued
Juvenile delinquency facilities, IV 5.41
Libraries, IV 1.5
Medical library facilities, IV 3.13
Mental health facilities, IV 3.7, 5.20–5.22
Nurse training facilities, IV 3.10
Schools, IV 1.1, 1.9, 1.21
Teaching facilities for health professions, IV 3.8
Workshop and rehabilitation facilities, IV 5.27
Consultants, labor relations, VIII 3.2
Consumer Credit Protection Act, XVI, 1.8
Consumer and Marketing Service, I 2
Containers certified for international transport, XII 3.29
Contract markets:
Clearing organizations, I 6.1–6.3, 6.11
Futures transactions, I 6.9–6.10, 6.12, 6.14
Members, I 6.9–6.10, 6.12–6.14
Warehouse operators, I 6.14
Contract Work Hours Standards Act, VIII 1.3
Contractors and subcontractors:
Air Force, III 1.1; XI 4.43
Airport construction, XII 1.31
Apprentices and trainees, VIII 1.9
Army, III 2.1; XI 4.43; XII 2.15, 2.16
Atomic energy, XV 1.1, 1.12, 1.14, 1.17
Coast Guard, XII 3.22
Community development, V 1.8
Construction and repair of vessels, II 5.15, 5.16; XII 3.22
Contract Work Hours Standards Act, VIII 1.3
Defense Department, III 1.1; Supp. I
District of Columbia, VIII 2.4, 2.5, 4.4, 4.5
Equal employment opportunity regulations, VIII 1.8, 2.29
Farm Labor Contractor Registration Act of 1963, VIII 1.4
Federal Government, VIII 1.8; XXVIII 1.1–1.3; XXIX 1.1, 1.3–1.11, 1.13, 1.14
Federally financed and assisted constructions, III 2.1; VIII 1.1–1.2
First War Powers Act of 1941, XXIX 1.11
Health research facilities project, IV 3.7
Hospital and medical facilities projects, IV 3.3
Industrial, XXXI 1.10
Interior Department, VI 1.2
Maritime Administration, II 5.1, 5.13–5.19, 5.30
Medical library facilities project, IV 3.13
Mental health facilities projects, IV 3.7, 5.20, 5.21
National Aeronautics and Space Administration, XXXI 1.1–1.22
Navy, XI 4.44
Nurse training facilities projects, IV 3.10
Postal Service, XL 1.5
Public Contracts Act, VIII 2.4, 2.5, 4.4, 4.5
Publicly-owned residential structures, V 1.7
Research and development contracts, V 3.1
Service Contract Act of 1965, VIII 1.5; XXXI 1.22
Contractors and subcontractors—Con.
Shipbuilding, II 5.1, 5.13–5.19, 5.30
Teaching facilities project, IV 3.8
Using bills of lading as shippers, XXVIII 1.1
Vessel construction and repair, XII 3.22
Vessels, XII 3.17
Work Hours Act of 1962, XXXI 1.21
World War II, XXIX 1.1
Contracts:
See also Contractors and subcontractors
Construction, XXIX 1.8; XXXI 1.7, 1.9
Cost and pricing data certificates, XXXI 1.19
Cost-reimbursement type, XXIX 1.14; XXXI 1.3–1.5
Cost sharing, XV 1.17
Data requirements clause, XXXI 1.17
Facilities, XXXI 1.3–1.5, 1.9, 1.14
Fixed price, XXXI 1.1, 1.2, 1.6–1.8, 1.11, 1.13, 1.20
Futures, commodities (various), I 6.14–6.15
Incentive, XXIX 1.14
Inspection clause, XXXI 1.16
Labor and hour, XXIX 1.14
Labor surplus area subcontracting clause, XXIX 1.5
Life insurance, XI 4.26b
Price redeterminable, XXIX 1.14
Progress payments, XXXI 1.18
Research and development, V 3.1; XXIX 1.7; XXXI 1.1, 1.2, 1.6, 1.12
Sale of cotton for future delivery; taxes, XI 4.69
Small business, XXIX 1.4; XXXI 1.15
Supply, XXIX 1.6, 1.7; XXXI 1.1–1.2, 1.6
Time and materials, XXIX 1.14
Controlled entities, arm's length charges, XI 4.20c
Controlled foreign corporations, XI 4.32b
Controlled materials under DMS and DPS regulations and orders, II 2.2–2.5, 2.7, 2.8
Controlled substances; manufacturers, distributors, exporters, importers, VII 1.11
Controlled Substances Import and Export Act, VII 1.11
Cooperative associations, etc.:
Agricultural commodities, I 5.3, 5.5–5.6, 5.19
Farmer's marketing and purchasing, XI 4.20b
Ginners, I 5.18
Lemon handlers, I 2.2
Livestock and live poultry market agencies, I 9.1–9.3, 9.6, 9.7
Mohair producers, I 5.5
Tung nut producers, I 5.3
Wool producers, I 5.6
Cooperative Research Act, IV 1.19
Copper; defense materials regulations, II 2.8
Corn; crop insurance, I 8.1
Corporations:
Chartering, engaging, or contracting for use of vessels, XII 3.17
Claiming deduction for dividends, XI 4.21
Depreciation allowance carryovers in certain corporate acquisitions, XI 4.15
Foreign, XI 4.41c, 4.88d
Intercompany transactions, XI 4.41b
Corporations—Continued
Licensed under the Small Business Investment Act, XXXIX 1.1
Liquidation of domestic corporations, XI 4.9
Loss deductions on small business stock, XI 4.38
Railroads participating in a tax-free reorganization, XI 4.14
Receiving distributions in liquidation of subsidiaries, XI 4.8
Regulated investment companies, XI 4.29
Reorganization of, XI 4.11–4.14, 4.16
Shareholders of controlled foreign corporations, XI 4.32b
Shareholders receiving distributions in liquidation of a domestic corporation, XI 4.9
Small business corporations distributions of previously taxed income, XI 4.41
Tax liability, allocation of, XI 4.41b
Transfer of stock, securities, and other property, XI 4.10–4.14, 4.16
Virgin Islands, exception to limitation on reduction in income tax liability, XI 4.32a
Western Hemisphere trade corporations; income taxes, XI 4.32
Cosmetics:
Processing, labeling, and shipping, IV 2.3
Shippers, interstate, IV 2.13
Cost-reimbursement type contract, XXIX 1.14; XXXI 1.3–1.5
Cost sharing contract, XV 1.17
Cotton:
Buyers, I 4.4, 4.7
Common carriers, I 4.7
Cooperative marketing associations, I 5.19
Crop insurance, I 8.1
Excise tax on contracts of sale of cotton for future delivery, XI 4.69
Ginners, I 4.3, 4.7, 5.18
Handlers, I 2.53
Manufacturers and processors, I 4.7
Marketing quotas, I 4.3–4.4, 4.7–4.8
Price support programs, I 5.19
Producers, I 4.8
Warehousemen, I 2.43–2.44, 4.7
Cotton Research and Promotion Act, I 2.53
Cottonseed:
Chemists, licensed, I 2.54
Crushers, I 5.2
Price support program, I 5.2
Purchase program, I 5.18
Cranberries; marketing orders, I 2.21a
Credit:
Collateralized by securities, XXVI 1.6, 1.7
Due to tax reduction or repeal, XI 4.88a
Export credit sales program, I 11.7
Extension of; for purchase of securities, XXVI 1.1–1.4
Investment in depreciable property, XI 4.1a
Suppliers of agricultural commodities under credit purchase authorization, I 11.5
Taxes paid to foreign countries and U.S. possessions, XI 4.31
Unions, Federal, XXXII 1.1, 1.2
Credit Corporation, Commodity, I 5
Credit Union Administration, National, XXXII
Creditors, Truth in Lending Act, XXVI 1.5

Crime control assistance, VII 1.12
Crop insurance, I 8.1
Crop Insurance Corporation, Federal, I 8
Crow Indian Reservation; mining, VI 4.8
Cuba; shipping restrictions, II 7.1
Cuban assets control regulations; persons engaged in transactions subject to, XI 5.1
Custodians of records; Federal credit unions, XXXII 1.2
Customhouse brokers, XI 3.17
Customs, Bureau of, XI 3

D

Dairy farms and plants, IV 2.10
Dairy products:
- Importers, I 1.1
- Inspection of plants, I 2.29
- Manufacturers, processors, and packagers, I 2.29
- Marketing order program, I 2.60

Dates; marketing orders, I 2.18, 2.24
Dealers:
- Animal carcasses used as animal or human food, I 2.62
- Animals for research, I 3.8
- Beer, XI 4.131–4.132
- Butter, adulterated, XI 4.73
- Denatured alcohol, XI 4.141–4.143
- Denatured spirits, XI 4.141–4.145
- Distilled spirits, XI 4.130–4.132
- Electronic products, IV 3.33
- Excise taxes, XI 4.85
- Explosives, XI 4.211
- Feed, livestock, I 5.9
- Firearms, XI 4.208, 4.210
- Fur and fur products, XXV 1.2–1.3
- Gambling devices, VII 1.2
- Hair products, XI 3.6, 3.8
- Halibut received from fishing or transporting vessels, II 8.13
- Installment method accounting, XI 4.19
- Installment sales, XI 4.88a
- Liquors, XI 4.130–4.133
- Livestock and poultry, I 9.4, 9.5, 9.10, 9.11
- Perishable Agricultural Commodities Act of 1930, I 2.23
- Radio receiver distributors, XXI 1.21
- Retail, XI 4.132; XXV 1.12
- Revolving credit plan, XI 4.19
- Securities, XXVI 1.4; XXXVIII 1.1–1.3, 1.11, 1.12
- Solvents, industrial and proprietary, XI 4.147
- Stills, XI 4.135
- Tobacco, I 4.16–4.17, 5.10
- Wholesale, XI 4.74, 4.130–4.131
- Wine, XI 4.131–4.132
- Wool products, XI 3.6, 3.8

Defense Base Act, VIII 2.2
Defense Department:
- *See* Air Force, Department of the Army, Department of the

Defense materials; DMS and DPS regulations and orders:
- Copper, II 2.8
- Iron, steel, and aluminum transactions, II 2.4
- Metalworking machinery, II 2.5
- Nickel alloys, II 2.7

Defense Materials; System participants, II 2.2–2.5, 2.7, 2.8
Delivery drivers and helpers, VIII 2.27
Denatured spirits dealers or users, XI 4.144–4.145
Depletion and depreciation:
- Mineral property, XI 4.23, 4.23a
- Natural deposits, XI 4.23
- Natural gas property, XI 4.22
- Oil and gas wells, XI 4.23
- Property, XI 4.1a, 4.3–4.3a, 4.38b
- Section 179 property, XI 4.5
- Timber property, XI 4.24

Deposit Insurance Corporation, Federal, XXII
Designated alteration stations, XII 1.37
Development Administration, Economic, II 1
Diesel fuel, sale or use of, XI 4.83, 4.86, 4.126
Disaster assistance, I 12.7, 12.10; IV 1.21–1.22; X 2.1
Dispatchers, aircraft, XII 1.22; Supp. II
Distilled spirits:
- Bottlers, XI 4.173
- Brought into the United States from Virgin Islands, XI 4.162
- Dealers, XI 4.130–4.132
- Importers, XI 4.162–4.164
- Packagers, XI 4.173
- Persons disposing of containers used for packaging, XI 4.128
- Persons disposing materials used in manufacture of, XI 4.128
- Persons receiving material from bonded premises, XI 4.139
- Plant proprietors, XI 4.140, 4.161, 4.167, 4.169
- Strip stamps, XI 4.163
- Transferred from customs to bonded premises, XI 4.167
- Wholesalers, XI 4.130–4.131
- Withdrawn from bonded storage for shipment to the United States, XI 4.155–4.156

Distribution programs; food commodities, I 12.1, 12.3, 12.4, 12.8
Distributors:
- Antifreeze solutions, XI 4.142
- Biological products or arsenicals, I 3.1, 3.3; IV 3.17
- Controlled substances, VII 1.11
- Distribution license, II 4.16a
- Drug, IV 2.14
- Electronic products, IV 3.33
- Flour second clears, I 4.27b
- Food commodities, I 12.1, 12.3, 12.4, 12.7, 12.8, 12.10
- Foreign, II 4.7, 4.13
- Helium, VI 7.6
- Insulin, IV 2.9
- Nuclear byproduct material, XV 1.16
- Radio receivers, XXI 1.21
- Tax-free tobacco products, XLI 1.1
- Textile fiber products, XXVII 1.7

District of Columbia:
- Contracts with VIII 2.4, 2.5, 4.4, 4.5
- Employers, VIII 2.3

Doctors. *See* Physicians
Documents, historical, publication, XXIX 1.2
Domestic air carriers, XII 1.5–1.10, 1.39–1.41; XVII 1.9; Supp. II
Domestic Commerce, Bureau of, II 2
Domestic Gold and Silver Operations, Office of, XI 6
Domestic and International Business, Assistant Secretary for, II 7
Domestic repair stations, XII 1.24–1.25
Door opener, radio control, XXI 1.40
Drawbacks:
- Custom duties, X 3.14–3.16
- Taxes on distilled spirits, XI 4.173
- Taxes on nonbeverage products, XI 4.136

Driers; farmers stock peanuts, I 4.30a
Drug abuse programs, IV 2.23
Druggists. *See* Drugs
Drugs:
- Antibiotic, IV 2.6, 2.7, 2.8
- Color additive, interstate shippers of, IV 2.13
- Color-additive certificates, persons to whom issued, IV 2.12
- Insulin, IV 2.9
- Manufacturers, processors, dealers, etc., IV 2.2, 2.7, 2.14
- Methadone maintenance programs, IV 2.24
- New-drug applicants, IV 2.17
- Shippers, IV 2.2, 2.6, 2.7
- Sponsors of new and antibiotic, IV 2.6

Dry-cargo vessels, charterers, II 5.10, 5.23

E

Economic Development Administration, II 1
Economic Opportunity, Office of, XXXIV
Economic Opportunity Act, VIII 1.7; XXXIV 1.1
Education, Office of, IV 1
Educational agencies receiving Federal aid:
- Institutes of higher learning, IV 1.4, 1.13, 1.30, 1.32
- Private nonprofit schools, IV 1.12, 3.10
- State and local, IV 1.1–1.3, 1.5–1.11, 1.14, 1.16–1.18, 1.20–1.23, 1.25–1.28, 1.33–1.35, 2.23

Educational institutions:
- *See also* Schools
- Adult education programs, IV 1.10
- Children of low-income families, IV 1.16
- College work study program, IV 1.36
- Employing student-workers as learners, VIII 2.15
- Experimental or research operations, XI 4.138
- Grants, I 10.1
- Handicapped children, IV 1.8
- School library resources and instructional materials, IV 1.17
- State departments of education, IV 1.20
- Supplementary education centers and services, IV 1.18
- Television broadcasting facilities, IV 1.7
- Veterans, XLI 1.7–1.9, 1.12, 1.13
- War orphans, XLI 1.7–1.9

Eggs; transporters and shippers, I 2.27
Electric railway companies, XII 4.2; XXX 1.3
Electron beam radiation, persons processing food with, IV 2.15
Electronic products, IV 3.32, 3.33
Elementary and Secondary Education Act of 1965, IV 1.16–1.18, 1.20, 1.28
Embroideries industry, VIII 2.18, 2.19
Emergency Employment Act of 1971, VIII 1.10
Employees:
- Employment tax records, XI 4.47
- State and local government, IV 4.1

Employees' Compensation Act, Federal, VIII 2.1

Employers:
Age Discrimination in Employment Act of 1967, VIII 2.28
Agriculture, VIII 2.33
Apprentices and learners, I 4.36; VIII 2.9, 2.11, 2.12, 2.15; XIX 1.2
Civil Rights Act, XIX 1.1
Contract Work Hours Standards Act, VIII 1.3
Contractors on federally financed and assisted construction, VIII 1.1–1.2
Contributions to pension or annuity plans with medical benefits, XI 4.16a
Deductions for contributions to employees' trust or annuity plan, XI 4.17
Delivery drivers and helpers, VIII 2.27
District of Columbia, VIII 2.3
Educational institutions employing learners, VIII, 2.15
Employees travel and business expenses, XI 4.2
Fair Labor Standards Act, VIII 1.2, 2.7–2.9, 2.11–2,13, 2.16, 2.17, 2.30, 2.32–2.35
Farm Labor Contractor Registration Act of 1963, VIII 1.4
Federal Insurance Contributions Act. XI 4.50, 4.54–4.55
Federal Unemployment Tax Act, XI 4.52
Handicapped workers, I 4.37; VIII 2.13
Homeworkers, VIII 2.18–2.26
Indian industrial homeworkers, VIII 2.20
Internal Revenue withholding tax requirements, XI 4.49, 4.53
Labor-Management Reporting and Disclosure Act of 1959, VIII 3.4
Longshoremen and harbor workers, VIII 2.2–2.3, 4.3
Occupational Safety and Health Act of 1970, VIII 4.7
Puerto Rico, various industries, VIII 2.21–2.24
Public Contracts Act, VIII 2.4, 2.5, 4.4, 4.5
Railroad:
Retirement, XXXVII 1.3
Unemployment insurance, XXXVIII 1.1
Railroad Retirement Tax Act, XI 4.51, 4.54–4.55
Retroactive payment of wages, VIII 2.7
Service Contract Act of 1965, VIII 1.5
Student-workers, VIII 2.12, 2.15, 2.16
Subcontractors on Federal contracts, VIII 1.1–1.2
Sugar industry in Virgin Islands, I 4.36–4.37
Virgin Islands, I 4.36–4.37; VIII 2.25, 2.26
Vocational-agricultural training exemption, VIII 2.34
Employment:
Agencies subject to Age Discrimination in Employment Act of 1967, VIII 2.28
Carriers, XXI 1.39
Equal opportunity in, VIII 2.29
Grants under Emergency Employment Act of 1971, VIII 1.10
State agencies, VIII 1.10, 2.6, 2.31; XXXVII 1.2
Taxes, XI 4.47–4.55
Employment Opportunity Commission, Equal, XIX
Employment Standards Administration, VIII 2
Endangered Species Conservation Act, VI 2.7
Engineers, aircraft, Supp. II
Entertainment expenses, XI 4.7
Environmental projects, XVIII 1.1
Environmental Protection Agency, XVIII
Environmental quality, IV 1.35
Equal Employment Opportunity Commission, XIX
Estate taxes, XI 4.45
Exchange Authority, Commodity, I 6
Exchanges, securities, XI 4.88d, XXXVIII 1.1–1.3
Excise Tax Reduction Act, XI 4.85
Excise taxes, XI 4.56–4.212
Executors of estates or other legal representatives of decedents, XI 4.33, 4.45
Explosives:
Air carriers, transportation, XII 1.16
Exporters of nuclear commodities, II 4.3
Manufacturers, importers, dealers, and permittees, XI 4.211
Motor carriers, transportation, XII 2.8
Taxes, XI 4.211
Vessels transporting, XII 3.5, 3.8, 3.15, 3.18–3.21, XXXV 1.2
Export Marketing Service, I 11
Export programs:
Commodities, general, II 4.16d
Credit sales, I 11.7
Feed grain, I 11.2
Flaxseed and linseed oil, I 11.6
Payment-in-kind, I 11.6
Rice, I 11.1
Tobacco, I 5.20
Wheat and wheat flour, I 11.10
Exporters:
Agricultural commodities, I 11.7
Arms, ammunition, and implements of war, X 1.1
Commodities, general, II 4.16d
Controlled substances, VII 1.11
Distribution license, II 4.16a
Excise taxes, XI 4.56
Feed grain, I 11.2
Firearms, XI 4.207
Flaxseed and linseed oil, I 11.6
General, II 4.4–4.5, 4.7–4.13, 4.15–4.16, 4.16d, 11.1
Grain, feed, I 11.2
Licensees, II 4.4–4.5, 4.8–4.9, 4.11
Liquors, XI 4.168
Munitions List, United States, articles, X 1.1
Nuclear material, II 4.3; XV 1.6
Pistols and revolvers, XI 4.207
Radioactive material, XV 1.4
Rice, I 11.1
Service supply procedure, II 4.16b
Stills, XI 4.135
Tobacco, I 5.20
Wheat and wheat flour, I 11.9, 11.10; XI 3.13
Wine, XI 4.174
Express companies, XII 4.4; XXX 1.5

F

Fabrics, flammable quality, XXVII 1.4–1.6, 1.8–1.11
Facilities contracts, XXXI 1.3–1.5, 1.9, 1.14
Fair Labor Standards Act of 1938, VIII 2.6–2.9, 2.11–2.13, 2.16, 2.17, 2.30–2.35
Fair wage rates under the Sugar Act, I 4.36–4.37
Family planning services, IV 3.28
Farm Credit Administration, XX
Farm Labor Contractor Registration Act of 1963, VIII 1.4
Farmers:
Cooperative marketing and purchasing associations, XI 4.20b
Credit or refund for oil or gasoline, XI 4.86
Crop insurance, I 8.1
Dairy, IV 2.10
Income tax, XI 4.1
Rural development, loans and grants, I 7.3
Sugar Act participation, I 4.37b
Farmers Home Administration, I 7
Federal aid projects and programs:
Airport development, XII 1.46
Civil defense, III 2.2, 2.3
Contractors and subcontractors, III 2.1; VIII 1.1, 1.2, 1.9
Crime control, VII 1.12
Educational agencies receiving Federal funds:
Institutes of higher education, IV 1.4, 1.13, 1.30, 1.32
Private nonprofit schools, IV 1.12, 3.10
State and local, IV 1.1–1.3, 1.5–1.11, 1.14, 1.16–1.18, 1.20–1.23, 1.25–1.29, 1.33–1.35, 2.23
Employers on construction projects, VIII 1.1–1.2
Environmental Protection Agency grants, XVIII 1.1
Family planning services, IV 3.28
Health, IV 3.1, 3.7–3.8, 3.12
Hospital and medical facilities, IV 3.3
Juvenile delinquency rehabilitation facilities, IV 5.41
Manpower Development and Training Act of 1962, IV 1.6
Maternal and child welfare and health research grants, IV 3.29
Medical library facilities, IV 3.13–3.15
Medical programs, regional, IV 3.20
Medical scholarship grants, IV 3.11
Mental health facilities, IV 3.5, 3.7, 5.20, 5.21, 5.23
National Institutes of Health training, IV 3.16
National Library of Medicine training, IV 3.16
Nurse training facilities, IV 3.10
Nursing scholarships, IV 3.10
Public health training, IV 3.12
Research facilities, education, IV 1.19, 3.7
Social work, IV 5.30
Solid waste disposal projects, XVIII 1.6
State highway departments, XII 2.1
State or non-Federal fishing agencies, II 8.8
Teaching facilities, IV 3.8
Travel promotion, II 10.1
Vocational rehabilitation services, IV 5.25, 5.26
Wildlife restoration projects, VI 2.6
Workshops and rehabilitation facilities, IV 5.27
Federal Aviation Administration, XII 1
Federal Civil Defense Act of 1950, III 2.3
Federal Coal Mine Safety Act, VI 7.1
Federal Communications Commission, XXI
Federal credit unions, XXXII 1.1, 1.2
Federal Crop Insurance Corporation, I 8
Federal Deposit Insurance Corporation, XXII
Federal Highway Administration, XII 2

Federal Home Loan Bank Board, XXIII
Federal Home Loan Bank System, XXIII 3
Federal Housing Administration, V 2
Federal Insurance Contributions Act, XI 4.50, 4.54–4.55
Federal loan insurance programs, lenders participating in, IV 1.24
Federal Maritime Commission, XXIV
Federal Power Commission, XXV
Federal Property and Administrative Services Act of 1949, IV 6.1
Federal Railroad Administration, XII 4
Federal Reserve System, XXVI
Federal savings and loan associations, XXIII 1.1–1.7
Federal Savings and Loan Insurance Corporation, XXIII 2
Federal Savings and Loan Systems, XXIII 1
Federal Seed Act, I 2.49–2.52
Federal Trade Commission, XXVII
Federal Unemployment Tax Act, XI 4.52
Feed:
  Diverters, I 2.57
  Exporters of feed grain, I 11.2
  Handlers and warehousemen, I 5.9
  Manufacturers and processors, IV 2.18, 2.20
Fellowships; national defense graduate fellowship program, IV 1.13
Field disturbance sensor, XXI 1.40
Filberts; marketing orders, I 2.16
Filled cheese:
  Manufacturers, XI 4.72
  Taxes, XI 4.72, 4.74
  Wholesalers, XI 4.74
Financing companies, debt obligations, XI 4.88d
Finfish, purchasers, II 8.10
Fire and lifeboat drills, XII 3.6
Firearms:
  Dealers, XI 4.208, 4.210
  Exporters, X 1.1; XI 4.207
  Importers, XI 4.208, 4.210, 4.212
  Manufacturers, X 1.1; XI 4.207, 4.208, 4.210
  Sale of, XI 4.206–4.211
  Taxes, XI 4.206–4.212
  Transfer of, XI 4.209
Firefighting equipment, XII 3.3
Fireworks, agricultural, IV 2.22
First War Powers Act of 1941, XXIX 1.11
Fish:
  See also specific fish
  Shippers using identification symbols, VI 2.7
  Smoked and smoke-flavored IV 2.19
Fish and Wildlife Service, VI 2
Fishing agencies, State or non-Federal, receiving Federal assistance, II 8.8
Fishing Vessel Mortgage Insurance, II 8.3
Fishing vessels:
  Flounder, yellowtail, II 8.10
  Haddock fishing, II 8.10, 8.11
  Halibut fishing, II 8.12
  Tuna fishing, II 8.7
Five Civilized Tribes, Oklahoma; mining lands, VI 4.9
Fixed price contracts, XXXI 1.1, 1.2, 1.6–1.8, 1.11, 1.13, 1.20
Flag air carriers, XII 1.5–1.10, 1.39–1.41; Supp. II
Flammable or combustible cargoes:
  Air carriers, transporting, XII 1.16
  Motor carriers transporting, XII 2.8
  Vessels towing or transporting, XII 3.5, 3.8, 3.15, 3.18–3.21; XXXV 1.2
Flammable fabrics, XXVII 1.4–1.6, 1.8–1.11
Flavoring extracts manufacturers or producers, XI 3.16, 4.127
Flax; crop insurance, I 8.1
Flaxseed and linseed oil, I 11.6
Flight crews, III 1.1
Flight instructors, XII 1.19; Supp. II
Flight navigator instruction course, XII 1.20
Flight operating procedures, III 1.1
Flounder, yellowtail; purchasers, II 8.10
Flour second clear users and distributors, I 4.27a–4.27b
Food:
  See also specific food
  Animal carcasses, dealers, I 2.62
  Color additive, interstate shippers, IV 2.13
  Color-additive certificates, persons to whom issued, IV 2.12
  Distributors, I 12.1, 12.3, 12.4, 12.7, 12.10; X 2.1
  Electron beam radiation, persons processing with, IV 2.15
  Emergency disaster assistance, I 12.7, 12.10
  Manufacturers and packers, IV 2.21
  Processing, labeling, and shipping, I 4.2a; IV 2.1
  Products processors, XI 4.127
  Seafood packers, IV 2.5
  Special food service program for children, I 12.2
  Stamp program, I 12.6
Food and Drug Administration, IV 2
Food and Nutrition Service, I 12
Foreign:
  Agents, VII 1.1
  Assets, persons engaged in controlled transactions, XI 5.1
  Civil aircraft operators, XVI 1.6
  Corporations, XI 4.32b, 4.41b, 4.41c, 4.88d
  Distributors, II 4.7, 4.13
  Importers, I 11.8; II 4.6
  Income taxes, XI 4.31
  Insurance policies, XI 4.79
  Investment companies, XI 4.38a
  Investments, II 6.1, 6.2
  Language instruction (modern), financial assistance, private nonprofit schools, IV 1.12
  Partnerships, XI 4.41c
  Repair stations, XII 1.26
  Securities, XI 4.88d
  Service facilities, II 4.16b
  Tax installment payments in foreign currency, XI 4.42c
  Trade zone grantees, II 4.17
Foreign Agricultural Service, I 1
Foreign Assets Control, Office of, XI 5
Foreign Direct Investments, Office of, II 6
Foreign Trade Zones Board, II 4.17
Foster Grandparent program, XIII 1.2
Forwarding agents, II 4.10
Foundations, private nonoperating, XI 4.44b
Freight forwarders, XVI 1.7; XXIII 1.1; XXX 1.11
Fruit:
  Marketing orders, I 2.1–2.8, 2.12, 2.18–2.21b, 2.22, 2.24
  Perishable Agricultural Commodities Act of 1930, I 2.23
  Shippers, I 2.22
Fruit-flavor concentrate plants, XI 4.137
Fur; manufacturers and dealers, XXVII 1.2–1.3
Futures:
  Commission merchants, I 6.1–6.12
  Taxes on sale of cotton for future delivery, XI 4.69

G

Gambling devices; manufacturers and dealers, VII 1.2
Game birds, VI 2.1
Gas and oil. *See* Oil and gas
Gasoline:
  Nonhighway or farming purposes, XI 4.86
  Taxes, XI 4.86, 4.123
  Use and sale of, XI 4.123
General Accounting Office, XXVIII
General Administration (HEW), IV 6
General agents; shipping companies, II 5.1–5.9
General Education Provisions Act, IV 1.33
General Services Administration, XXIX
Geological Survey, VI 3
Gift expenses, business, XI 4.7
Gift taxes, XI 4.34, 4.46
Ginners, cotton, I 4.3, 4.7, 5.18
Glasses, impact resistant lenses, IV 2.25
Gloves and mittens industry, VIII 2.18, 2.19
Gold:
  Importers of gold-bearing materials, XI 6.2
  Persons authorized to acquire, hold, process, and dispose of gold, XI 6.1
Gold and Silver Operations, Office of Domestic, XI 6
Graders; agricultural commodities, I 2.45
Grain:
  Exporters of feed grain, I 11.2
  Inspection agencies and licensees, I 2.55
  Warehousing, I 2.47
Grain sorghum; crop insurance, I 8.1
Grains Arrangement, International, I 11.10
Grants:
  Airport development, XII 1.46
  Appalachian Regional Development Act of 1965, recipients, XIV 1.1
  Area Redevelopment Act, recipients, II 1.1–1.2
  Child welfare services, IV 3.26, 3.27, 5.10–5.12
  Community planning, services, and training, IV 1.25, 5.1
  Construction projects, IV 1.5, 1.9, 1.21, 3.3, 3.7–3.8, 3.10, 3.13, 5.20–5.22, 5.27, 5.41
  Demonstration projects, XVII 1.1
  Education:
    Academic subjects, IV 1.11
    Adult programs, IV 1.10, 1.27
    Bilingual education programs, IV 1.28
    Children of low income families, IV 1.16
    Continuing education programs, IV 1.25
    Drug abuse programs, IV 2.23
    Emergency school assistance program, IV 1.34
    Guidance, counseling, and testing programs, IV 1.14
    Handicapped children, IV 1.8
    Higher education facilities, IV 1.9, 1.30
    Instruction materials and programs, IV 1.17

Grants—Continued
Education—Continued
Librarianship training, IV 1.4
Research, I 10.1; IV 1.19
School dropout reduction projects, IV 1.29
Schools and school facilities, IV 1.1, 1.17, 1.21
State departments of education, IV 1.20
Supplementary centers and services, IV 1.18
Television broadcasting facilities, IV 1.7
Vocational, IV 1.3
Emergency Employment Act of 1971, VIII 1.10
Employment, VIII 1.10
Environmental, XVIII 1.1
Family planning services, IV 3.28
Health, IV 3.1, 3.5, 3.7–3.8, 3.12, 3.21, 3.22, 3.24, 3.25
Historical documents publication, XXIX 1.2
Juvenile delinquency, IV 5.40, 5.41
Libraries and library services, IV 1.5, 1.17
Medical library facilities, IV 3.13–3.15
Medical programs, regional, IV 3.20
Mental health projects, IV 3.5, 3.7, 3.22, 5.20–5.22
National Institutes of Health, IV 3.16
National Library of Medicine, IV 3.16
Nurse training facilities projects, IV 3.10
Nursing projects and institutional grants, IV 3.30
Occupational safety and health, VIII 4.6
Older Americans program, IV 5.1–5.5
Public health training, IV 3.12
Public Works and Economic Development Act of 1965, recipients, II 1.1–1.2, 9.1
Regional Action Planning Commissions, II 9.1
Relocation assistance programs, V 1.1
Research, I 10.1; IV 3.2, 3.7, 5.24; VI 7.4; XVIII 1.1
Rural development, I 7.3
Safety, coal mines, VI 7.3
Scholarships:
Medical, IV 3.11
Nursing, IV 3.10
Social work, IV 5.30
Solid waste disposal projects, XVIII 1.6
State Technical Services Act of 1965, recipients, II 3.1
Teaching facilities projects, IV 3.8
Travel promotion, II 10.1
Undergraduate instruction equipment, IV 1.23
Vocational rehabilitation services, IV 5.25, 5.26
Water resources planning, XLII 1.1
Workshop construction, IV 5.27
Youth development, IV 5.40
Grapefruit; marketing orders, I 2.1
Grapes; marketing orders, I 2.22
Growers; seeds, I 2.52
Guidance, counseling, and testing programs, financial assistance, IV 1.14

H

Haddock, purchasers, II 8.10
Hair or wool:
Manufacturers, processors, or dealers, XI 3.6–3.8
Producers of mohair, I 5.5
Halibut:
Dealers, II 8.13
Vessels fishing for, II 8.12
Handicapped, Committee for Purchase of Products and Services of the Blind and Other Severely, XVII
Handicapped children, education of, IV 1.8
Handicapped workers, I 4.37; IV 5.28; VIII 2.13
Handkerchief manufacturing industry, VIII 2.18, 2.19
Harbor workers, employers of, VIII 2.2–2.3, 4.3
Hawaii; air carriers, XVI 1.2
Hazardous substances, labeled and unlabeled, IV 2.4
Health:
Comprehensive health planning, IV 3.21
Cooperating health agencies, IV 3.1–3.3
Insurance for the aged, IV 4.2–4.6
Maternal and child services, IV 3.24, 3.25
Mental health centers, IV 3.5, 3.7
Nursing student loan program, IV 3.9
Physical therapy services, IV 4.13
Public health services, IV 3.22
Public health training, IV 3.12
Research facilities, IV 3.7
Teaching facilities, IV 3.8
Health, Education, and Welfare Department:
See Education, Office of
Food and Drug Administration
General Administration
Public Health Service
Social and Rehabilitation Service
Social Security Administration
Helicopters, XII 1.13–1.15, 1.43–1.44; XVI 1.2; Supp. II
Helium distributors, VII 7.6
Higher Education Act of 1965, IV 1.4, 1.23, 1.25, 1.30
Higher Education Facilities Act of 1963, IV 1.9
Highway Administration, Federal, XII 2
Highway departments; Federal aid projects, XII 2.1
Highway motor vehicles, persons subject to tax on use of, XI 4.59a, 4.60
Highway safety standards, XII 7.1
Highway Traffic Safety Administration, National, XII 7
Historical documents publication; recipients of Federal grants, XXIX 1.2
Home Administration, Farmers, I 7
Home Loan Bank Board, Federal, XXIII
Homeworkers:
Indian, VIII 2.20
Puerto Rico, VIII 2.21–2.24
Various industries, VIII 2.18–2.26
Virgin Islands, VIII 2.25, 2.26
Honey:
Price support program, I 5.17, 5.19
Producers, I 5.17
Hong Kong; shipping restrictions, II 7.1
Hopi Indian Reservation:
Employers of industrial homeworkers, VIII 2.20
Traders, VI 4.14
Hops; marketing orders, I 2.21c
Hospitals:
Agreements apportioning physicians' compensation, IV 4.9
Construction and survey projects, IV 3.3
Hospitals—Continued
Distributing tax-free tobacco products, XLI 1.1
Federal employees, treatment of, VIII 2.1
Health insurance program for the aged, IV 4.3–4.6
Medical grants, XLI 1.2
Psychiatric, IV 4.5
Tuberculosis, IV 4.5
Housing:
Building and loan associations, XXIII 2.1–2.8, 2.11, 3.1, 3.2
Investors with yield insurance, V 2.4
Lending agencies, V 2.1, 2.2, 2.5
Lower income family homes, V 2.7
Mortgagors of multifamily housing, V 2.3, 2.6
Multifamily housing, V 2.3, 2.5, 2.6
National Housing Act, V 2.1–2.6
Property improvement loans, V 2.1–2.2
Publicly-owned residential structures, V 1.7
Savings and loan associations, XXIII 1.1–1.7, 2.1–2.8, 2.11, 3.1, 3.2
Yield insurance, V 2.4
Housing Administration, Federal, V 2
Housing and Urban Development, Office of the Secretary, V 1
Housing and Urban Development Department:
See Federal Housing Administration
Housing and Urban Development, Office of the Secretary
Research and Technology, Office of Assistant Secretary for

I

Identification symbol, labeling, VI 2.7
Immunohematology laboratories, IV 3.35
Import Certificates, holders and executors, II 4.1–4.2
Import quotas under the Sugar Act, I 4.32–4.34, 4.36–4.37b
Importers:
Air carriers, II 4.14
Aircraft and vessel repair parts, II 4.6
Arms, ammunition, and implements of war, XI 4.212
Automobile tires, XI 4.83a
Baby toys, IV 2.26
Beer, XI 4.164
Biological products or arsenicals, I 3.1; IV 3.17
Cigarette papers and tubes, XI 4.198, 4.199
Cigars and cigarettes, XI 4.198, 4.199
Clacker balls, IV 2.26
Commodities under Import Certificates, II 4.1–4.2
Controlled substances, VII 1.11
Dairy products, I 1.1
Dates and prunes, I 2.24
Distilled spirits, XI 4.162–4.164
Explosives, XI 4.211
Firearms, XI 4.208, 4.210
Fireworks, agricultural, IV 2.22
Fish and wildlife, VI 2.7
Flammable textile fabrics, XXVII 1.8
Foreign countries, I 11.8
Gold-bearing materials for reexport of refined gold, XI 6.2
Liquors, XI 4.165–4.166
Merchandise subject to use provisions, XI 3.18
Nuclear material, XV 1.6
Radioactive material, XV 1.4
Strip stamps for distilled spirits, XI 4.163

Importers—Continued
Sugar, I 4.32, 4.34
Tobacco, XI 4.198, 4.199
Tread rubber, XI 4.83a
United States Import Munitions List, XI 4.212
Vessel and aircraft repair parts, II 4.6
Wheat, XI 3.13
Wines, XI 4.164
Incentive payment program for shorn wool, I 5.6
Income fund, pooled, XI 4.26c
Income taxes:
Annual accounting period, change in XI 4.18
Controlled foreign corporations, XI 4.32b
Credit for taxes paid to foreign countries and U.S. possessions, XI 4.31
Employees travel and business expenses, XI 4.2
Foreign investment companies, XI 4.38a
General, XI 4.1–4.44b
Installment accounting method, XI 4.19
Installment payments in foreign currency, XI 4.42c
Lifo inventories, liquidation and replacement of, XI 4.39
Prepaid dues income, XI 4.19a
Trademark and trade name expenditures as deferred expenses, XI 4.4
Virgin Islands corporations, XI 4.32a
Western Hemisphere trade corporations, XI 4.32
Withholding:
Nonresident aliens, foreign corporations, and tax-free covenant bonds, XI 4.41a
Wages, XI 4.49, 4.53, 4.55
Indemnity program, milk, I 4.2c
Indian Affairs, Bureau of, VI 4
Indian lands:
Crow Indian Reservation, Montana; lessees of lands for mining, VI 4.8
Five Civilized Tribes, lessees of restricted lands for mining, VI 4.9
Mining lessees, VI 4.6–4.13
Oil and gas lessees, VI 3.2
Osage Reservation; lessees of reservation lands for mining, VI 4.10, 4.12
Quapaw Agency, lands under jurisdiction; lead and zinc mining, VI 4.11
Rights-of-way over Indian lands; pipeline operators, VI 4.5
Wind River Indian Reservation, Wyoming; lessees of lands for mining, VI 4.13
Indians:
Corporations, unincorporated tribes and bands, and credit and cooperative associations, VI 4.1–4.2
Employers of industrial homeworkers, VIII 2.20
Employment grants, VIII 1.10
General, VI 4.1, 4.2, 4.5–4.14
Industrial heating equipment owners or operators, XXI 1.28, 1.29
Industrial mobilization, II 2.2–2.5, 2.7, 2.8
Industrial radio stations, XXI 1.16–1.18
Industrial solvents dealers and users, XI 4.147
Industrial users of flour second clears, I 4.27a
Industry, handicapped workers, IV 5.28
Inspection agencies, grain, I 2.55
Inspectors; agricultural commodities, I 2.45
Installment method accounting dealers, XI 4.19
Institutional review committees, IV 2.6
Institutions:
Agricultural commodity distribution programs, I 12.3, 12.4
Distributing tax-free tobacco products, XLI 1.1
Educational equipment grants, IV 1.23
Employing student-workers as learners, VIII 2.15
Employment grants, VIII 1.10
Experimental or research operations, XI 4.138, 4.151
Librarianship training, IV 1.4
Medical assistance, IV 5.50
Medical library facilities, IV 3.13–3.14
Medical programs, regional, IV 3.20
National defense loan program, IV 1.26
Nonfood assistance programs, I 12.9
Nursing home administration training programs, IV 5.51
Nursing projects and institutional grants, IV 3.30
Older Americans program, IV 5.2–5.3
Research grants, IV 3.2, 3.7, 5.12
Research and development projects, IV 5.2
Scholarship grants, medical, IV 3.11
Social work, IV 5.30
Solid waste disposal projects, recipients of Federal grants for, VI 7.3
State Technical Services Act of 1965, grants, II 3.1
Student loan programs, IV 3.9
Training projects, IV 5.3
Upward Bound project, IV 1.32
Veterans, educational or training courses, XLI 1.7–1.9, 1.12, 1.13
War orphans educational assistance enrollees, XLI 1.7–1.9
Water resources research, funds for, VI 9.1
Work study programs, IV 1.36
Instruction courses:
Aircraft mechanic, XII 1.27
Dispatcher operators, XII 1.22
Flight engineer, XII 1.38
Flight navigator, XII 1.20
Pilot, XII 1.23
Instructors:
Flight, XII 1.19; Supp. II
Ground, Supp. II
Instrument landing system facilities owners, civil airway, XII 1.29
Insulin distributors, IV 2.9
Insurance:
Cargo war risk, II 5.26–5.27, 5.29
Companies contributing to trust or retirement plans, XI 4.42b
Crop, I 8.1
Foreign policies, XI 4.79
Health insurance for the aged, IV 4.3–4.6
Housing. *See* Housing
Life, XI 4.26b, 4.27–4.28
Medical insurance for the aged, IV 4.2
Riot reinsurance program, V 1.6
Unemployment, XXXVII 1.1
War risk, II 5.25–5.27, 5.29
Insurance Corporation, Federal Crop, I 8
Insurance Corporation, Federal Deposit, XXII
Insured banks, XXII 1.1–1.2
Interest equalization tax, XI 4.88d
Interior, Department of the:
See Fish and Wildlife Service
Geological Survey
Indian Affairs, Bureau of
Interior, Office of the Secretary of the
Mines, Bureau of
National Park Service
Oil and Gas, Office of
Water Resources Research, Office of
Interior, Office of the Secretary of the, VI 1
Internal Revenue Service, XI 4
International Business, Assistant Secretary for Domestic and, II 7
International Commerce, Bureau of, II 4
International Convention on Load Lines, 1966, XII 3.27
International Development, Agency for, X 2
International freight forwarders, XVI 1.7
International Grains Arrangement, I 11.10
International Import Certificates, II 4.1, 4.2
International labor organizations, VIII 3.8
Interstate Commerce Act, XII 2.5, 2.6
Interstate Commerce Commission, XXX
Interstate toll bridges, XII 2.15, 2.16
Investment Advisers Act of 1940, XXXVIII 1.6, 1.8, 1.10
Investment companies, XXXVIII 1.6–1.10
See also Banks and banking institutions; *and* Housing
Foreign, XI 4.38a
Regulated, XI 4.29, 4.32
Investment Company Act of 1940, XI 4.38a; XXXVIII 1.6
Investment in depreciable property, XI 4.1a
Investment trust, real estate, XI 4.30
Investments, foreign, II 6.1, 6.2
Investments, Office of Foreign Direct, II 6
Investors; yield insurance, V 2.4
Irish potatoes-livestock feed diversion program, I 2.57
Iron; defense materials regulations, II 2.4
Irregular and off-route air carriers, XV 1.4

J

Jewelry:
Hand-fashioned Indian, VIII 5.20
Manufacturing industry, VIII 2.18, 2.19
Joint apprenticeship committees, VIII 2.10
Justice Department, VII
Juvenile delinquency facilities and programs, IV 5.40, 5.41

K

Knitted outerwear industry, VIII 2.18, 2.19

L

Labelers; retail sale price representatives, XXVII 1.12
Labor, Office of the Secretary of, VIII 1
Labor Department:
See Employment Standards Administration
Labor, Office of the Secretary of
Labor-Management Services Administration
Occupational Safety and Health Administration

Labor-Management Reporting and Disclosure Act of 1959, VIII 3.1–3.8, 3.10
Labor-Management Services Administration, VIII 3
Labor organizations, VIII 3.1, 3.3, 3.5–3.6
Age Discrimination in Employment Act of 1967, VIII 2.28
Apprenticeship programs, XIX 1.2
Local unions, XIX 1.3
Secretaries and election officials, VIII 3.7, 3.8
Labor relations consultants, VIII 3.2
Laboratories, clinical, IV 3.23, 3.35, 4.8
Lamb and yearling producers, I 5.7
Land transportation facilities; radio stations and carriers, XXI 1.17, 1.22
Landing systems, civil airways, XII 1.29
Lead and zinc:
Mining on Quapaw Agency lands, VI 4.11
Stabilization program, participants in, XXIX 1.12
Learners, employers of, VIII 2.11, 2.12, 2.15
Legal representatives of decedents, XI 4.33
Lemons:
See also Fruit
Marketing orders, I 2.2
Lending agencies:
See also Housing; *and* Banks and banking institutions
Multifamily housing, V 2.5
Property improvement loans, V 2.1–2.2
Lenses, impact resistant, IV 2.25
Lettuce; marketing orders, I 2.13
Librarianship training, IV 1.4
Libraries:
College, IV 1.30
Construction, IV 1.5
Medical facilities, IV 3.13–3.15
Resources and instructional materials, IV 1.17
Library Services and Construction Act, IV 1.5
Life insurance companies:
Coinsurance contracts, XI 4.28
Distributing dividends to policyholders, XI 4.27
Segregated assets accounts contracts, XI 4.26b
Lifeboat drills, XII 3.6
Limes:
See also Fruit
Marketing orders, I 2.3
Linseed and flaxseed oil, I 11.6
Liquors:
Bottle manufacturers, XI 4.129
Dealers, XI 4.130–4.133
Exporters, XI 4.168
Importers, XI 4.165–4.166
Manufacturers and processors, XI 4.127–4.128
Puerto Rican, shipped to United States, XI 4.155–4.161
Shippers, XI 4.159
Taxes, XI 4.127–4.176
Virgin Islands, shipped to the United States from, XI 4.160–4.162
Wholesalers, XI 4.130–4.131
Livestock:
Dealers, I 9.4
Feed programs, I 2.57, 5.9
Market agencies, I 9.1–9.3, 9.6, 9.7, 9.10
Market operators, I 3.9
Packers, I 9.9
Livestock—Continued
Slaughterhouse operators claiming exemption, I 2.63
State associations, I 9.8
Stockyard owners, I 9.1, 9.4, 9.6, 9.7
Weighers, I 9.6, 9.7
Loans:
Area Redevelopment Act, recipients, II 1.1–1.2
Farmers Home Administration, I 7.1
Federal loan insurance program, IV 1.24
Holders of loans for mobile homes and lots, XLI 1.3
Holders of VA guaranteed or insured loans, XLI 1.10–1.11
Private nonprofit schools, IV 1.12
Property improvement loans, V 2.1–2.2
Public Works and Economic Development Act of 1965, recipients, II 1.1–1.2
Refugee relief, XI 1.1
Rural development, I 7.3
Students, IV 1.24, 1.26
Watershed, I 7.2
Locker plant operators, VI 2.1
Longshoremen, employers of, VIII 2.2–2.3, 4.3
Longshoremen's and Harbor Workers' Compensation Act, VIII 2.2–2.3, 4.3
Louisiana; persons authorized to kill depredating purple gallinules, VI 2.5
Lower income family homes, V 2.7
Lubricating oil:
Manufacturers and processors of, XI 4.84
Nonhighway or farming purposes, XI 4.86
Tax exemption, XI 4.83
Use and sale of, XI 4.83, 4.123

M

Macao; shipping restrictions, II 7.1
Machines and machinery; metalworking, II 2.5
Mail, XL 1.1–1.4
Management consulting services, XXXIX 1.1
Manpower Development and Training Act of 1962, IV 1.6
Manufacturers and processors:
Aircraft and related equipment, XII 1.1–1.2, 1.4, 1.30, 1.42, 1.47; Supp. II
Aircraft and vessel supplies, XI 4.88b
Antibiotic drugs, IV 2.7
Antifreeze solutions, XI 4.142
Arms, ammunition, and implements of war, X 1.1
Articles entitled to drawback, XI 3.14–3.16
Automobile tires, XI 4.83a
Baby toys, IV 2.26
Biological product or arsenicals, I 3.1, IV 3.17
Blood, whole, IV 3.18
Butter, adulterated and processed or renovated, XI 4.72
Carpets and rugs, XXVII 1.13
Cigarette papers and tubes, XI 4.186–4.197
Clacker balls, IV 2.26
Compressed gas cylinders, XII 6.16
Controlled substances, VII 1.11
Cosmetics, IV 2.3
Cotton, I 4.7
Credit due to tax reduction or repeal, XI 4.88a
Dairy products, I 2.29
Manufacturers and processors—Con.
Distilled spirits, persons disposing materials used in manufacture of, XI 4.128
Drug, IV 2.2, 2.14
Electronic products, IV 3.32
Equipment for use on merchant vessels, XII 3.23
Excise taxes and exemptions, XI 4.56
Explosives, XI 4.211
Exporters, XI 4.135, 4.207
Filled cheese, XI 4.72
Firearms, XI 4.207, 4.208, 4.210
Fireworks, agricultural, IV 2.22
Fish, smoked and smoke-flavored, IV 2.19
Flammable fabrics, XXVII 1.4–1.6, 1.8–1.10
Flavoring extracts, XI 3.16, 4.127
Food and food products, I 4.2a; IV 2.1, 2.21; XI 4.127
Fur products, XXVII 1.2
Gambling devices, VII 1.2
Hair products, XI 3.6–3.8
Lenses, impact resistant, IV 2.25
Liquor bottles, XI 4.129
Liquors, XI 4.127–4.128
Lubricating oil, XI 4.84
Marine sanitation devices, XII 3.28
Matches, white phosphorous, XI 4.68
Materials for use on merchant vessels, XII 3.23
Medicated feeds, IV 2.18, 2.20
Medicines and medicinal preparations, XI 3.16, 4.127
Motor vehicles and equipment, XII 7.2, 7.5; XVIII 1.3
Munitions List, United States, articles, X 1.1
Nonbeverage products, XI 4.136
Nuclear byproduct material, XV 1.16
Perfumery, XI 3.16
Pesticide chemicals, XVIII 1.2
Pharmaceuticals, IV 2.6a, 2.11
Pistols and revolvers, XI 4.207
Poison prevention packaging, IV 2.27
Postage meters, XXXIX
Poultry, I 2.28
Radio receivers, XXI 1.21
Radioactive material, XV 1.4
Rice, I 4.31
Sales taxes and exemptions, XI 4.56
Service supply procedures, II 4.16b
Stills, XI 4.135
Sugar, I 4.34; XI 4.75
Textile fiber products, XXVII 1.7
Tires and tubes, XI 4.86a; XII 7.3, 7.4
Tobacco and tobacco products, I 4.9, 4.12; XI 4.177–4.185, 4.195–4.197, 4.205
Toilet preparations, XI 3.16, 4.146
Tread rubber, XI 4.83a
Vessel and aircraft supplies, XI 4.88b
Vinegar, XI 4.134, 4.152
Wheat, I 4.27
Wool products, XI 3.6–3.8; XXVII 1.1
Marine casualties, XII 3.7
Marine sanitation devices, manufacturers, XII 3.28
Maritime Administration, II 5
Maritime Commission, Federal, XXIV
Maritime protection and indemnity insurance; insured vessels, II 5.5
Maritime schools, II 5.28
Marketing allocation program, wheat, I 4.2a
Marketing associations and agencies. *See* Cooperative associations, etc.

Marketing orders:
- Almonds, apricots, celery, cherries, cranberries, dates, filberts, fruits and vegetables, grapefruit, grapes, hops, lemons, lettuce, limes, nectarines, olives, onions, oranges, papayas, peaches, pears, plums, potatoes, prunes, raisins, tomatoes, and walnuts, I 2.1–2.22, 2.24
- Dairy products, I 2.60

Marketing quotas:
- Cotton, I 4.3–4.4, 4.7–4.8
- Peanuts, I 4.28–4.30
- Tobacco, I 2.21d, 4.9–4.17
- Rice, I 4.31
- Wheat, I 4.27

Marketing Service, Consumer and, I 2
Marketing Service, Export, I 11
Masters, vessels. *See* Vessels
Matches:
- Manufacturers, XI 4.68
- Taxes, XI 4.68, 4.123

Maternal and child health services, IV 3.24, 3.25, 3.29
Mathematics instruction, financial assistance; private nonprofit elementary and secondary schools, IV 1.12
Meat inspection certificates, I 2.61
Meatbrokers, I 2.62
Mechanics, aircraft, XII 1.27; Supp. II
Medical diathermy equipment operators, XXI 1.29
Medical practitioners. *See* Physicians
Medical programs and projects:
- Annuity and pension plans with medical benefits, XI 4.16a
- Facilities survey and construction, IV 3.3
- Insurance for the aged, IV 4.2
- Library facilities, IV 3.13–3.15
- Nursing homes, IV 5.52
- Regional, IV 3.20
- Scholarship grants, IV 3.11
- State plan for medical assistance, IV 5.50

Medical Services Administration, IV 5.50–5.52
Medicare, IV 4.12
Medicines and medicinal preparations manufacturers and producers, XI 3.16, 4.127
Mental health, grants, IV 3.22
Mental retardation facilities, IV 5.20–5.24
Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, IV 3.5
Merchandisers; income derived from production, purchase, or sale of merchandise, XI 4.20
Merchant Marine Act, II 5.30
Metalworking machinery; defense materials regulations, II 2.5
Methadone maintenance programs, sponsors, IV 2.24
Metropolitan Development, Office of Assistant Secretary for, V 1.2
Microbiology and serology laboratories, IV 3.35
Migratory Bird Treaty Act, VI 2.2
Migratory birds, VI 2.1–2.3, 2.5
Migratory workers, transportation by motor carriers, XII 2.7
Milk and milk products:
- *See also* Dairy products
- Dairy farms or plants pasteurizing milk or cream for shipment, IV 2.10
- Handlers, I 2.60, 4.2c
- Indemnity program, I 4.2c
- Special milk program, I 12.3

Mineral lands; Indian lands lessees, VI 4.6–4.13
Mineral property; depreciation and depletion, XI 4.23, 4.23a
Minerals and metals. *See* Mines
Mines:
- Coal, VI 3.1, 7.1–7.3
- Lead and zinc, VI 4.11
- On Indian lands, VI 4.6–4.13
- Ore, VI 3.8
- Persons electing to aggregate separate operating mineral interests, XI 4.25–4.26
- Research grants, VI 7.3
- State and local authorities receiving Federal aid for reclamation of, VI 7.2

Mines, Bureau of, VI 7
Mobile homes, holders of loans for, XLI 1.3
Mohair; producers and marketing agencies, I 5.5
Montana; Indian lands, VI 4.8
Mortgagors. *See* Housing
Motor carriers:
- Brokers for, XXX 1.9
- Cargo tanks, XII 6.17
- Class I and II, XII 2.3
- Class III, XII 2.4
- Exempt under section 203(b) of the Interstate Commerce Act, XII 2.6
- Explosives, transportation, XII 2.8
- Foreign commerce, XII 2.10–2.14
- Interstate, XII 2.8, 2.10–2.14
- Migratory workers, carriers of, XII 2.7
- Private, subject to Part II of the Interstate Commerce Act, XII 2.5
- Rate-making organizations, XXX 1.8
- Reviewing of drivers' records, XII 2.9

Motor fuel, special, XI 4.83, 4.86, 4.126
Motor vehicles, secondhand, XI 4.59a
Motor vehicles and equipment, manufacturers, XII 7.2, 7.5; XVIII 1.3
Municipalities; acquiring or constructing interstate toll bridges, XII 2.16
Munitions Control, Office of, X 1
Munitions List, United States, X 1.1
Munitions List, United States Import, XI 4.212
Mutual and subsidiary service companies, XXXVIII 1.4

N

Narcotic addicts, methadone maintenance programs, IV 2.24
National Aeronautics and Space Administration, XXXI
National banks:
- Certificates executed under Exception 13 of R.S. 5200, XI 2.4
- Exercising trust powers, XI 2.2
- Investments in securities, XI 2.6
- Security devices, XI 2.7
- Shareholder lists, XI 2.3

National Credit Union Administration XXXII
National Defense Education Act, IV 1.11–1.14, 1.26
National highway safety standards, XII 7.1
National Highway Traffic Safety Administration, XII 7
National Housing Act, V 2.1–2.6
National Institutes of Health, IV 3.16
National Library of Medicine, IV 3.16
National Oceanic and Atmospheric Administration, II 8
National park concessioners, VI 8.1–8.2
National Park Service, VI 8
National Science Foundation, XXXIII
National Transportation Safety Board, XII 5
Natural deposits depreciation and depletion, XI 4.23
Natural gas:
- Companies, XXV 1.2
- Pipelines, XII 6.2–6.6, 6.15
- Property depletion, XI 4.22
- Transmission lines, XII 6.7

Navajo Indian Reservation:
- Employers of industrial homeworkers, VIII 2.20
- Traders, VI 4.14

Naval stores:
- Producers of gum naval stores, I 4.2
- Turpentine and rosin processors, I 2.56

Navigators; aircraft, Supp. II
Navy; contractors and subcontractors, XI 4.44
Nectarines; marketing orders, I 2.4
Neighborhood Youth Corps projects, sponsors, VIII 1.7
Nickel alloys; defense materials regulations, II 2.7
Nonappropriated Fund Instrumentalities Act, VIII 2.2
Nonbeverage products manufacturers, XI 4.136
Nonfood assistance programs, I 12.9
North Korea; shipping restrictions, II 7.1
Nuclear material:
- Exporters of related commodities, II 4.3; XV 1.6
- Licensees and others subject to financial protection requirements and indemnity agreements, XV 1.11
- Licensees manufacturing, distributing, or transferring byproduct material, XV 1.16
- Licensees receiving, possessing, using, or transferring special nuclear material or byproduct or source material, XV 1.2, 1.6, 1.9, 1.15

Nuclear reactors; holders of construction and operating authorizations, XV 1.10
Nuclear vessels, XII 3.10
Nursing:
- Scholarship grants, IV 3.10
- Special project and institutional grants, IV 3.30
- Student loan program, IV 3.9
- Training facilities, IV 3.10

Nursing homes:
- Administration training programs, IV 5.51
- Medical assistance, IV 5.52

Nutrition Service, Food and, I 12
Nuts; marketing orders, I 2.14–2.17

O

Oats; crop insurance, I 8.1
Occupational Safety and Health Act of 1970, VIII 4.7
Occupational Safety and Health Administration, VIII 4
Oceanic and Atmospheric Administration, National, II 8
Oceanographic vessels, XII 3.13, 3.26
Oil and gas:
- Depletion and depreciation of wells, XI 4.23
- Depletion of natural gas property, XI 4.22
- Lessees on federally owned and restricted Indian lands, VI 3.2, 3.9
- Liquid gas pipelines, XII 6.11

Oil and gas—Continued
Mining:
Osage Reservation, VI 4.12
Wind River Indian Reservation, Wyoming, VI 4.13
Natural gas companies, XXV 1.2
Natural gas pipelines, XII 6.2–6.6, 6.15
Persons aggregating operating mineral interests, XI 4.26a
Pipeline operators, VI 4.5; XII 6.2–6.6, 6.15
Transmission line operators, XII 6.7
Oil and Gas, Office of, VII 11
Oil Pollution Act of 1961, XII 3.25
Oils:
Castor oil, I 5.12
Cottonseed, I 5.2
Crude and unfinished oils and finished products; users, VI 11.1
Diesel fuel, XI 4.83, 4.86, 4.126
Lubricating, XI 4.83, 4.84, 4.86, 4.123
Storage agreements for bulk oils, I 5.1
Oklahoma; Indian lands, VI 4.9–4.10
Older Americans Act of 1965, IV 5.1–5.4
Olives; marketing orders, I 2.20
Omnibus Crime Control and Safe Streets Act of 1968, VII 1.12
Onions; marketing orders, I 2.10
Operating-differential subsidized vessels; operators and contractors, II 5.12–5.14, 5.17, 5.19
Oranges:
See also Fruit
Marketing orders, I 2.1
Organizations:
Foster Grandparent program, XIII 1.2
Juvenile delinquency and youth development programs, IV 5.40
Older Americans program, IV 5.2, 5.3
Private nonoperating foundations, XI 4.44b
Projects for handicapped workers, IV 5.28
Public and nonprofit, II 10.1; IV 3.30, 5.12, 5.23, 5.27
Solid waste disposal projects, recipients of Federal grants for, VI 7.3
Tax exempt, XI 4.1, 4.42
Trade agreements, I 11.4
Osage Reservation; mining, VI 4.10, 4.12
Outer Continental Shelf Lands Act, VIII 2.2
Oysters; packers of canned oysters, IV 2.5

P

Packagers; retail sale price representation, XXVII 1.12
Packers:
Dairy products, I 2.29
Fish, smoked and smoke-flavored, IV 2.19
Food and food products, IV 2.21
Livestock and poultry, I 9.9, 9.11
Oysters, IV 2.5
Pharmaceuticals, IV 2.6a, 2.11
Radioactive material, XV 1.13
Shrimp, IV 2.5
Packers and Stockyards Administration, I 9
Packers and Stockyards Act, I 9.1, 9.5–9.11
Panama Canal Company and Canal Zone Government, XXXV
Papayas; marketing orders, I 2.12
Parachute loft certifications, XII 1.28; Supp. II
Parachute riggers, XII 1.21; Supp. II
Park Service, National, VI 8
Partnerships, foreign, XI 4.41c
Pathology laboratories, IV 3.35
Pawnbrokers, XI 4.210
Payment programs:
Flaxseed and linseed oil, I 11.6
Lamb and yearlings (pulled wool), I 5.7
Mohair, I 5.5
Shorn wool, I 5.6
Sugar, I 4.37b
Wheat and wheat flour, I 11.10
Peaches; marketing orders, I 2.4a, 2.5
Peanuts:
Buyers, I 4.29
Crop insurance, I 8.1
Driers, I 4.30a
Marketing quotas, I 4.28–4.30
Price support program, I 5.4, 5.8
Producers, I 4.28, 5.8
Shellers, I 4.30, 5.4, 5.8
Pears; marketing orders, I 2.4a, 2.21b, 2.22
Peas; crop insurance, I 8.1
Pensions, VIII 3.9
Perfumery manufacturers and producers, XI 3.16
Periodic requirements license applicant, II 4.8
Perishable Agricultural Commodities Act of 1930, I 2.23
Pesticide chemicals, persons with an experimental permit for use of, XVIII 1.2
Petroleum and petroleum products. *See* Oil and gas; *and* Oils
Pharmaceuticals; manufacturers, processors, packers, IV 2.6a, 2.11
Physical therapy services, IV 4.13
Physicians:
Federal employees, treatment of, VIII 2.1
Hospitals under agreements apportioning physicians' compensation, IV 4.9
Picking establishments operators receiving, processing, or having custody of migratory game birds, VI 2.1
Pilot school; aircraft, Supp. II
Pilots, aircraft, XII 1.17–1.18, 1.23; Supp. II
Pipelines:
Interstate commerce, XXX 1.6
Liquid, XII 6.8–6.13
Natural gas, XII 6.2–6.6
Operators, VI 4.5; XII 6.2–6.6, 6.8–6.13, 6.15
Railroad, XII 4.5
Welders, XII 6.1
Pistols and revolvers:
See also Firearms
Exporters, XI 4.207
Manufacturers, XI 4.207
Sale of, XI 4.206–4.210
Planning, Research, and Training, Office of, IV 5.30
Plant Health Service, Animal and, I 3
Plums; marketing orders, I 2.4a
Poison prevention packaging, IV 2.27
Pollution control:
Air, XVIII 1.3, 1.5
Water; discharges or deposits, permits for, III 2.4
Postage meters:
Licensees, XL 1.1
Manufacturers, XL 1.2
Postal Service, United States, XL
Potash mining lessees, VI 3.8
Potatoes; marketing orders, I 2.9
Poultry and poultry products:
Dealers, I 9.4, 9.5, 9.11
Market agencies, I 9.1–9.3, 9.6, 9.7
Packers, I 9.9, 9.11
Processors, I 2.28
Shippers, I 2.27, 2.28
Weighers, I 9.6, 9.7
Practitioners. *See* Physicians
Price Commission, XXXV
Price stabilization requirements, XXXV 1.1, 1.2
Price support program. *See* Agricultural commodities or *specific commodity*
Priorities and Allocations System between Canada and the United States, II 2.2
Processors. *See* Manufacturers and processors
Producers:
Articles entitled to drawback, XI 3.14–3.16
Celery, I 2.13a
Cotton, I 4.8
Flavoring extracts, XI 3.16
Gum naval stores, I 4.2
Honey, I 5.17
Lambs and yearlings, I 5.7
Medicinal preparations, XI 3.16
Mohair, I 5.5
Peanuts, I 4.28, 5.8
Perfumery, XI 3.16
Rice, I 4.31
Sugar beets and sugarcane, I 4.37a
Tobacco, I 4.9–4.10
Toilet preparations, XI 3.16
Tung nut, I 5.3
Wheat, I 4.27
Wine for family use, XI 4.50
Wool, I 5.6
Production credit associations, XX 1.1, 1.2
Property:
Depreciation and depletion, XI 4.1a, 4.3–4.3a, 4.5, 4.22–4.24, 4.38b
Distribution by bank holding corporation, XI 4.36
Executors or other legal representatives of decedents, XI 4.33
Participants in the transfer of, XI 4.10–4.14, 4.16, 4.35
Persons making or receiving gifts of, XI 4.34, 4.46
Price and rent stabilization requirements, XXXVI 1.1
Real property, leasing, XXXVI 1.2
Section 38 property, XI 4.1a
Transportation by air, XI 4.65a
Proprietary solvents, dealers and users, XI 4.147
Prunes; marketing orders, I 2.8, 2.21, 2.24
Psittacine bird treatment centers, IV 3.34
Public airports, sponsors of construction, XII 1.32, 1.33
Public assistance programs, IV 5.60
Public Contracts Act, VIII 2.4–2.6, 2.31, 4.4, 4.5
Public health agencies, IV 4.13
Public Health Service, IV 3
Public Health Service Act, IV 3.1, 3.28
Public and private agencies:
Child welfare projects, IV 5.12
Design, construction or alteration of publicly-owned residential structures, V 1.7
Employment grants, VIII 1.10
Family planning services, IV 3.28

Public and private agencies—Continued
Institutional grants, IV 3.30
Juvenile delinquency facilities and programs, IV 5.40, 5.41
Maternal and child health and welfare research grants, IV 3.29
Mental retardation facilities, IV 5.23
Older Americans program, IV 5.2, 5.3
Refugee relief loans, XI 1.1
Relocation assistance programs, V 1.1
Retired citizens volunteer programs, XIII 1.1
Travel promotion, II 10.1
Vocational education, financial assistance, IV 1.31
Vocational rehabilitation services, IV 5.26
Youth development programs, IV 5.40
Public service aircraft, XXI 1.15
Public utilities and licensees, XXV 1.1
Public utility holding companies, XXXVIII 1.4, 1.5
Public works, State agencies plans for, V 1.2
Public Works and Economic Development Act of 1965, II 1.1–1.2, 9.1
Pueblo Indian Reservation; employers of industrial homeworkers, VIII 2.20
Puerto Rico:
Beer, XI 4.158
Cigars and cigarettes, XI 4.183, 4.186, 4.195–4.198
Distilled spirits, XI 4.155–4.156
Employers of homeworkers, VIII 2.21–2.24
Liquors brought into the United States from, XI 4.159–4.161
Tobacco and tobacco products, I 5.10; XI 4.183, 4.186, 4.195–4.198
Wine, XI 4.157
Purchase programs:
Castor oil, I 5.12
Cottonseed, I 5.18
Tobacco, Puerto Rican, I 5.10
Purchasers:
Aircraft fuel, XI 4.82
Finfish, II 8.10
Flaxseed and linseed oil, I 11.6
Haddock, II 8.10
War-built vessels, II 5.20–5.21
Purchasing associations, cooperative, XI 4.20b
Purple gallinules in Louisiana, VI 2.5

Q

Quapaw Agency; mining for lead and zinc on land under Agency jurisdiction, VI 4.11

R

Radiation, employers of personnel exposed to, VIII 4.5; XV 1.14
Radio beacon facilities owners, XII 1.29
Radio door controls, XXI 1.40
Radio receivers; manufacturers, owners, and distributors, XXI 1.21
Radio stations and carriers:
Aircraft, XXI 1.14–1.15, 1.33
Alaska, XXI 1.10–1.13
Amateur, XXI 1.19–1.20
Broadcast booster stations, XXI, 1.35
Citizens service stations, XXI 1.17, 1.23
Community antenna relay stations, XXI 1.32
Disaster communications service, XXI 1.24–1.25
Domestic public radio services, XXI 1.26
Radio stations and carriers—Continued
Educational services, XXI 1.3–1.4, 1.30
Emergency services, XXI 1.20
Experimental and auxiliary services, XXI 1.5–1.8
General, XXI 1.1–1.26, 1.30–1.33
Industrial radio stations, XXI 1.16–1.18
International communications services, XXI 1.3, 1.9, 1.31
Land transportation facilities, XXI 1.17, 1.22
Maritime services, XXI 1.10–1.13
Operational, XXI 1.33
Plurality ship stations, XXI 1.36
Public safety services, XXI 1.16–1.18
Translator stations, XXI 1.35
Vessels, XXI 1.13, 1.36–1.38
Radioactive material, XV 1.2, 1.4–1.5, 1.13
Radiobiology laboratories, IV 3.35
Railroad Administration, Federal, XII 4
Railroad Retirement Act, XXXVII 1.3
Railroad Retirement Board, XXXVII
Railroad Retirement Tax Act, XI 4.51, 4.54–4.55
Railroad Unemployment Insurance Act, XXXVII 1.1
Railroads:
Electric, XII 4.2; XXX 1.3
Express companies, XII 4.4; XXX 1.5
General, XII 4.1; XXX 1.2
Participating in a tax-free reorganization, XI 4.14
Persons furnishing cars to, XXX 1.7
Pipeline companies, XII 4.5; XXX 1.6
Rate-making organizations, XXX 1.8
Refrigerator car lines, XXX 1.1
Retirement, XXXVII 1.3
Unemployment insurance, XXXVII 1.1
Raisins; marketing orders, I 2.19
Rate-making organizations subject to requirements of the Interstate Commerce Commission, XXX 1.8
Real estate investment trust, XI 4.30
Recreational facilities, loans and grants, I 7.3
Refrigerator car lines, XXX 1.1
Refugee Relief Act of 1953, XI 1.1
Refugee relief loans, XI 1.1
Regional Action Planning Commissions, II 9
Rehabilitation agencies, IV 4.13
Rehabilitation facilities, juvenile delinquency, IV 5.41
Rehabilitation Service, Social and, IV 5
Rehabilitation Services Administration, IV 5.20–5.28
Relocation assistance projects and programs, I 10.2; IV 6.2; XII 2.2, 6.14; XVIII 1.4
Renderers dealing in animal carcasses, I 2.62
Rent stabilization requirements, XXXVI 1.2
Repair stations, aircraft, XII 1.24–1.26
Repairmen, aircraft, Supp. II
Research:
Animals, I 3.8; IV 2.6
Biological products, I 3.6
Child welfare projects, IV 5.12
Education, IV 1.19, 1.31
Facilities construction, IV 1.19
Grants, I 10.1; IV 3.2, 3.7, 5.2, 5.24; VI 7.3; XVIII 1.1; XL 1.2
Health, IV 3.2, 3.7
Maternal and child health and welfare, IV 3.29
Water resources, VI 9.1
Research and development contracts, V 3.1; XXVIII 1.7; XXXI 1.1, 1.2, 1.6, 1.12
Research and Technology, Office of Assistant Secretary for, V 3
Reserve funds; taxpayers establishing construction reserve funds, II 5.18–5.18a
Retailers. *See* Dealers
Retired citizens volunteer programs, XIII 1.1
Retirement, railroad, XXXVII 1.3
Retirement plan, contributors, XI 4.42b
Revolvers. *See* Pistols and revolvers
Revolving credit plan dealers, XI 4.19
Rhodesia, Southern transporters of commodities, II 7.2
Rhodesian sanctions regulations, XI 5.1
Rice:
Cooperative marketing associations, I 5.19
Crop insurance, I 8.1
Exporters, I 11.1
Marketing quotas, I 4.31
Price support program, I 5.19
Producers, warehousemen, mill or elevator operators, other processors or transferees, and buyers, I 4.31
Riot reinsurance program, V 1.6
Rosin processors for naval stores, I 2.56
Rubber, tread, XI 4.83a
Rugs; manufacturers, XXVI 1.13
Rye; crop insurance, I 8.1

S

Safety Administration, National Highway Traffic, XII 7
Safety Board, National Transportation, XII 5
Safety standards:
Coal mines, VI 7.1, 7.3
Highway, XII 7.1
Sanitation devices, marine, XII 3.28
Savings banks, mutual, XI 4.21a, 4.21b
Savings and loan associations, XXIII 1.1–1.7, 2.1–2.8, 2.11, 3.1, 3.2
Savings and loan holding companies, XXIII 2.9
Schools:
Aircraft mechanic, XII 1.27; Supp. II
Airman agency flight or ground, Supp. II
Aviation maintenance, XII 1.27
Bilingual programs, IV 1.28
Breakfast programs, I 12.5
Children of low-income families, IV 1.16
Construction, IV 1.21
Dispatcher course operators, XII 1.22
Dropout reduction projects, IV 1.29
Educational agencies, Federal grants for constructing, IV 1.1
Emergency assistance program, IV 1.34
Flight engineer, XII 1.38
Flight navigator, XII 1.20
Food authorities, I 12.8, 12.9
Ground instructor, flight school, Supp. II
Institutes of higher education, fellowships, IV 1.13
Library resources and instructional materials, IV 1.17
Lunch programs, I 12.1, 12.4, 12.8
Maritime schools, II 5.28

Schools—Continued
Medical:
Grants, XLI 1.2
Scholarship grants, IV 3.11
Nurse training facilities, IV 3.10
Nursing, IV 3.30
Pilot, XII 1.23; Supp. II
Private nonprofit, receiving Federal aid, IV 1.12
Public health training, IV 3.12
Special food service program for children, I 12.2
Special milk program, I 12.3
Supplementary education centers and services, IV 1.18
Veterans, XLI 1.7–1.9, 1.12, 1.13
War orphans, XLI 1.7–1.9
Work study programs, IV 1.36
Science instruction, financial assistance, private nonprofit schools, IV 1.12
Science and Technology, Assistant Secretary for, II 3
Scientific institutions conducting experimental or research operations, XI 4.138
Seafood; packers, IV 2.5
Second War Powers Act of March 27, 1942, Supp. I
Securities Exchange Act of 1934, XXVI 1.1, 1.6; XXXVIII 1.3, 1.6–1.7
Securities and Exchange Commission, XXXVIII
Securities or stocks:
Arbitrage operations, XI 4.37
Average basic tax computation, XI 4.32c
Credit for purchase of, XXVI 1.1–1.4
Distribution, XI 4.36
Exchange members, brokers, and dealers, XI 4.79, 4.88d; XXXVIII 1.1–1.3
Japanese issues, XI 4.88d
Nonmember brokers and dealers, XXXVIII 1.11
Quotations, XXXVIII 1.12
Real estate investment trust, XI 4.30
Straddles, XI 4.37a
Transfer or disposition, XI 4.10–4.14 4.32c, 4.35
Seed growers, procurers, and shippers, I 2.49–2.52
Service Contract Act of 1965, VIII 1.5; XXXI 1.22
Service supply procedure, II 4.16b
Shareholders:
Elections filed respecting tax treatment of corporate reorganizations, XI 4.16
Loss deductions on small business stock, XI 4.38
Receiving distributions in liquidation of a domestic corporation, XI 4.9
Sheltered workshops, VIII 2.14
Ship construction reserve fund; taxpayers establishing fund, II 5.18–5.18a
Shippers:
Antibiotic drugs, IV 2.6
Cigars and cigarettes, XI 4.195–4.198
Color-additive food, drugs or cosmetics, IV 2.13
Cosmetics, unlabeled, IV 2.3
Drugs, IV 2.2, 2.6
Fish and wildlife, VI 2.7
Flammable fabrics, XXVII 1.11
Food, unlabeled, IV 2.1
Fruits and vegetables, I 2.22
Hazardous substances, unlabeled, IV 2.4
Liquors, XI 4.159
Shippers—Continued
Poultry and poultry products, I 2.27, 2.28
Property by air, XI 4.65a
Seed, I 2.49–2.51
Sugar, I 4.34
Tobacco and tobacco products, XI 4.195–4.198
Shipping company agents, II 5.1–5.9
Shipping Restriction Orders T–1 and T–2; Soviet bloc countries, Hong Kong, Macao, China, North Korea, North Viet-Nam, and Cuba, II 7.1
Ships. *See* Vessels
Shrimp; packers of processed shrimp, IV 2.5
Silver, newly-mined, XI 6.3
Silver Operations, Office of Domestic Gold and, XI 6
Slaughterhouse operators, I 2.63
Small business:
Contracts, XXXI 1.15
Corporation stock, loss deduction on, XI 4.38
Corporations distribution of previously taxed income, XI 4.41
Small Business Administration, XXXIX
Small Business Investment Act, XXXIX 1.1
Smelters and refineries; metal bearing materials, XI 3.12
Social and Rehabilitation Service, IV 5
Social security:
Employers employee taxes, XI 4.50
State and local government employees, IV 4.1
Social Security Act, IV 3.24–3.28, 5.10, 5.11, 5.50, 5.52, 5.60
Social Security Administration, IV 4
Social work, IV 5.30
Sodium mining lessees, VI 3.8
Soil conservation, I 7.3
Solid waste disposal projects, recipients of Federal grants for, VI 7.3
Solvents, industrial and proprietary, dealers and users, XI 4.147
Southern Rhodesia, transporters of commodities, II 7.2
Soviet bloc countries; shipping restrictions, II 7.1
Soybeans:
Cooperative marketing associations, I 5.19
Crop insurance, I 8.1
Price support program, I 5.19
Space Administration, National Aeronautics and, XXXI
Special food service program for children, I 12.2
Special milk program, I 12.3
Stabilization and Conservation Service, Agricultural, I 4
Stamp taxes, XI 4.71, 4.163
State Department:
See Agency for International Development
Munitions Control, Office of
State Technical Services Act of 1965, II 3.1
States or State agencies:
Activities for the aging, IV 5.5
Agricultural commodity distribution programs, I 12.1, 12.3, 12.4
Apprenticeship agencies, VIII 1.6
Child welfare services, IV, 3.26, 3.27, 5.10, 5.11
Civil defense, III 2.2, 2.3
States or State agencies—Continued
Construction projects, IV 1.21, 3.3, 5.20, 5.22, 5.27
Educational programs, IV 1.3, 1.5–1.11, 1.14, 1.16–1.18, 1.20, 1.22–1.23, 1.25–1.27, 1.33, 1.35; XLI 1.12
Emergency food assistance, I 12.7, 12.10
Employees of State and local governments, IV 4.1
Employment agencies, XXXVII 1.2
Employment grants, VIII 1.10
Fair Labor Standards Act participation, VIII 2.6, 2.31
Fish and game departments, VI 2.6
Fishing agencies receiving Federal assistance, II 8.8
Food stamp program, I 12.6
Foster Grandparent program, XIII 1.2
Health programs, IV 3.1, 3.3, 3.7, 3.21, 3.22, 3.24, 3.25
Higher education facilities, financial assistance, IV 1.9
Highway departments, XII 2.1
Highway safety standards, XII 7.1
Hospitals and institutions distributing tax-free tobacco products, XLI 1.1
Interstate toll bridges, States acquiring or constructing, XII 2.16
Juvenile delinquency facilities and programs, IV 5.40, 5.41
Library services and construction program, IV 1.5
Livestock associations and agencies, I 9.8
Manpower Development and Training Act of 1962, IV 1.6
Maritime schools, II 5.28
Maternal and child health services, IV 3.29
Medical assistance, IV 5.52
Medical library facilities, IV 3.13
Mental health services, IV 3.22
Mental retardation facilities, IV 5.20, 5.22
Mine reclamation, recipients of Federal aid for, VI 7.2
Mine safety, recipients of grants, VI 7.3
Nonfood assistance programs, I 12.9
Occupational safety and health grants, VIII 4.6
Older Americans program, IV 5.1, 5.4, 5.5
Pollution control; public assistance programs, IV 5.60
Public Contracts Act participation, VIII 2.6, 2.31
Public works, V 1.2
Relocation assistance projects and programs, I 10.2; IV 6.12; XII 2.2, 6.14; XVIII 1.4
Retired citizens volunteer programs, XIII 1.1
School breakfast programs, I 12.5
Special food service program for children, I 12.2
State Technical Services Act of 1965, grants, II 3.1
Surplus property, distribution and utilization, IV 6.1
Travel promotion, II 10.1
Vocational education, financial assistance, IV 1.3, 1.24
Vocational rehabilitation services, IV 5.25, 5.26; XLI 1.12
Water Resources Planning Act, XLII 1.1
Workshops and rehabilitation facilities, IV 5.27
Youth development programs, IV 5.40

Steel; defense materials regulations, II 2.4
Stills, manufacturers or vendors, XI 4.135
Stockbrokers, XI 4.79; XXXVIII 1.1–1.3, 1.11, 1.12
Stocks. *See* Securities or stocks
Stockyard owners and operators, I 3.9, 9.1, 9.4, 9.6, 9.7, 9.10
Stockyards Administration, Packers and, I 9
Straddles, XI 4.37a
Students:
  Deductions, persons claiming, XI 4.3b
  Employers of student-workers, VIII 2.12, 2.15, 2.16
  Federal loan insurance program, IV 1.24
  National defense loan program, IV 1.26
  Nursing loan fund, IV 3.9
Subcontractors. *See* Contractors and subcontractors
Subsidies; vessels operators and contractors, II 5.12–5.17, 5.19
Sugar:
  Farm operators, I 4.37b
  Importers, I 4.32, 4.34
  Manufacturers, XI 4.75
  Marketers, I 4.33
  Producers of sugar beets and sugarcane, I 4.37a
  Refiners, shipping companies, and surety companies, I 4.34
  Virgin Island; employers in sugar industry, I 4.36–4.37
Sugar Act, I 4.32–4.34, 4.36–4.37b
Sugar beets; crop insurance, I 8.1
Sugarcane; crop insurance, I 8.1
Sulphur deposits lessees, VI 3.9
Sunglasses, impact resistant lenses, IV 2.25
Supplemental air carriers, XII 1.5–1.7, 1.34, 1.39–1.41; XVI 1.1, 1.10; Supp. II
Suppliers in AID-financed programs or projects, X 2.2
Suppliers of portable X-ray services, IV 4.12
Supply contracts, XXIX 1.6, 1.7; XXXI 1.1–1.2, 1.6
Surety companies, I 4.34; VIII 3.10
Surplus property; distribution and utilization, IV 6.1
Swine handled through markets, I 3.9
Swiss Blue Import Certificate, II 4.16a

T

Tax stamps, XI 4.71, 4.163
Taxes:
  Army and Air Force contracts for aircraft, excess profits on, XI 4.43
  Automobile tires, XI 4.83a
  Butter, adulterated and process or renovated, XI 4.72–4.73
  Cheese, filled, XI 4.72, 4.74
  Cigarette papers and tubes, XI 4.186–4.200
  Cigars and cigarettes, XI 4.177–4.185, 4.195–4.200
  Communication services required to collect, XI 4.61
  Contracts of sale of cotton for future delivery, XI 4.69
  Credit for, paid to foreign countries or U.S. possessions, XI 4.31
  Diesel fuel, XI 4.83, 4.86, 4.126
  Employee representatives under the Railroad Retirement Tax Act, XI 4.51
Taxes—Continued
  Employers:
    Federal Insurance Contributions Act, XI 4.50, 4.54–4.55
    Federal Unemployment Tax Act, XI 4.52
    Railroad Retirement Tax Act, XI 4.51, 4.54–4.55
  Employment, XI 4.47–4.55
  Estate, XI 4.45
  Excess profits, XI 4.43–4.44
  Excise, XI 4.56–4.211
  Exemptions, XI 4.1, 4.6, 4.41c, 4.42, 4.56, 4.82, 4.83
  Explosives, XI 4.211
  Filled cheese, XI 4.72, 4.74
  Firearms, XI 4.206–4.212
  Gasoline, XI 4.86, 4.123
  Gift, XI 4.34, 4.46
  Highway motor vehicles, XI 4.59a, 4.60
  Income. *See* Income taxes
  Installment payments in foreign currency, XI 4.42c
  Interest equalization, XI 4.88d
  Liquors, XI 4.127–4.176
  Lubricating oil, XI 4.83, 4.84, 4.86, 4.123
  Manufactured sugar, XI 4.75
  Manufacturers sales, XI 4.56, 4.88b
  Matches, XI 4.68, 4.123
  Motor fuel, special, XI 4.83, 4.86, 4.126
  Navy contracts, excess profits on, XI 4.44
  Pistols and revolvers, XI 4.206–4.207
  Retailers' excise taxes, XI 4.85
  Rubber, tread, XI 4.83a
  Small business corporations distributions of previously taxed income, XI 4.41
  Social security, XI 4.50
  Students, persons claiming deductions for, XI 4.3b
  Sugar, manufactured, XI 4.75
  Tires, XI 4.83a
  Tobacco and tobacco products, XI 4.177–4.205
  Transportation, XI 4.65, 4.65a
  Tread rubber, XI 4.83a
  Vehicles, XI 4.59a, 4.60
  Wagering, XI 4.66
  Withholding, XI 4.41a, 4.49, 4.53, 4.55
Tax-free alcohol, XI 4.148
Tax-free stocks, securities, and other corporate property exchange, XI 4.11
Taxpayers:
  See also Taxes
  General, II 5.18–5.18a; XI 4.1–4.212
Technicians, aviation maintenance, XII 1.27
Technology, Assistant Secretary for Science and, II 3
Telecommunications taxes, XI 4.61
Telephone carriers required to collect tax, XI 4.61
Television, educational; broadcasting facilities, IV 1.7
Television stations, XXI 1.2–1.5, 1.30–1.32, 1.34
Textile fiber products manufacturers and distributors, XXVII 1.7
Timber property depreciation and depletion, XI 4.24
Time limit license applicant, II 4.9
Tires, XI 4.83a, 4.86a; XII 7.3, 7.4
Tobacco:
  Buyers, I 4.11
  Crop insurance, I 8.1
  Dealers, I 4.16–4.17, 5.10
  Distributors, XLI 1.1
Tobacco—Continued
  Exporters, I 5.20
  Handlers, I 2.21d
  Importers, XI 4.198–4.199
  Manufacturers and processors, I 4.9, 4.12; XI 4.177–4.185, 4.195–4.197, 4.205
  Marketing quotas, I 2.21d, 4.9–4.17
  Producers, I 4.9–4.10
  Puerto Rican tobacco purchase program, I 5.10
  Taxes, XI 4.177–4.205
  Truckers, I 4.12–4.13
  Warehousemen, I 4.14–4.15; XI 4.201–4.204a
Toilet preparations; manufacturers, reprocessors, repackagers, and bottlers, XI 3.16, 4.146
Tomatoes:
  Crop insurance, I 8.1
  Marketing orders, I 2.11, 2.22
Tour operators, XVI 1.10
Toys, baby; manufacturers and importers, IV 2.26
Trade agreements, private, I 11.4
Trade Commission, Federal XXVII
Trade Expansion Act of 1962, II 2.1
Trade Zones Board, Foreign, II 4.17
Trademark and trade name expenditures as deferred expenses, XI 4.4
Traders on Indian reservations, VI 4.14
Traffic Safety Administration, National Highway, XII 7
Transaction control regulations; persons engaged in transactions involving shipment of certain merchandise between foreign countries, XI 5.1
Transfer of stock, securities, and other corporate property, participants in, XI 4.10–4.14, 4.35
Transit systems:
  Credit or refund for oil or gasoline, XI 4.86
  Highway motor vehicles, tax on use, XI 4.60
Translator stations, XXI 1.35
Transportation:
  Animals for research, I 3.8
  Carriers of persons, XI 4.65
  Containers, certified, XII 3.29
  Explosives, XII 2.8
  Express companies, XII 4.4; XXX 1.5
  Fish and wildlife, VI 2.7
  Migratory workers by motor carriers, XII 2.7
  Motor carriers, XII 2.3–2.9; XXX 1.9
  Nuclear materials, XV 1.15
  Poultry and poultry products transporters, I 2.27, 2.28
  Property by air, XI 4.65a
  Radio stations, XXI 1.17, 1.22
  Railroad companies, XII 4.1, 4.2, 4.4, 4.5; XXX 1.1–1.3, 1.5, 1.6
  Undenatured livestock lungs, I 2.64
  Water carriers, XXX 1.10
Transportation, Office of the Secretary of, XII 6
Transportation Department
  See Federal Aviation Administration
  Federal Highway Administration
  Federal Highway Traffic Safety Administration
  Federal Railroad Administration
  National Transportation Safety Board
  Secretary, Office of the
  United States Coast Guard

Transportation Safety Board, National, XII 5
Travel and business expenses, XI 4.2, 4.7
Travel promotion, II 10.1
Travel Service, United States, II 10
Tread rubber; manufacturers, producers, or importers, XI 4.83a
Treasury Department:
See Accounts, Bureau of
Comptroller of the Currency
Customs, Bureau of
Domestic Gold and Silver Operations, Office of
Foreign Assets Control, Office of
Internal Revenue Service
Truckers, tobacco, I 4.12–4.13
Trust companies:
Nominee's Information Return, XI 4.42a
Real estate investment trust, XI 4.30
Trust fund, contributors, XI 4.42b
Truth in Lending Act, XVI 1.8; XXVI 1.5
Tubes, XI 4.86a
Tuna, yellow-fin, vessels fishing for, II 8.7
Tung nuts, I 5.3
Tung oil, I 5.19
Turpentine and rosin:
Processors for naval stores, I 2.56
Producers of gum naval stores, I 4.2

U

Ultrasonic equipment operators, XXI 1.29
Underwriting agents; war risk insurance program, II 5.25, 5.27
Unemployment benefit trusts, XI 4.20a
Unemployment insurance, railroad, XXXVII 1.1
Unincorporated business enterprise electing to be taxed as a domestic corporation, XI 4.40
United States agencies. *See under name of specific agency*
United States Munitions List, X 1.1
XI 4.212
United States Munitions List, X 1.1
United States Postal Service, XL
United States Travel Service, II 10
Upward Bound project, IV 1.32
Uranium deposits lessees, XV 1.8
Urban renewal projects, V 1.1
Utilities, public, and licensees, XXV 1.1

V

Vegetables:
Marketing orders, I 2.9–2.13a, 2.22
Perishable Agricultural Commodities Act of 1930, I 2.23
Shippers, I 2.22
Vehicles, tax on use of highway motor vehicles, XI 4.60
Vendors. *See* Dealers
Vessels:
Agents, II 5.1–5.9, 7.1; XII 3.1, 3.7, 3.19, 3.21
Canal Zone ports, XXXV 1.1, 1.2
Cargo, XII 3.14
Gear certificates, registers, and records, VIII 4.1, 4.2; XII 3.2
Gear plans showing stress diagram, XII 3.4
Certificates or documents issued by Coast Guard, XII 3.1
Charterers, II 5.10, 5.20, 5.22–5.24; XII 3.17, 3.19, 3.21
Construction reserve fund, II 5.18–5.18a
Vessels—Continued
Contractors and subcontractors for construction and repair, II 5.15–5.16; XII 3.22
Contractors for use of, XII 3.17
Diesel and special motor fuel, tax exemption, XI 4.83
Dry-cargo, II 5.10, 5.23
Employees, II 7.1
Explosives, transportation of, XII 3.5, 3.8, 3.15, 3.18–3.21; XXXV 1.2
Fire drill logs, XII 3.6
Firefighting equipment inspections and tests, XII 3.3
Fishing, II 8.10–8.12
Foreign importers of repair parts, II 4.6
Hazardous, flammable, or combustible cargo, XII 3.5, 3.8, 3.15, 3.18–3.21; XXXV 1.2
Lifeboat drill logs, XII 3.6
Manufacturers of vessel supplies, XI 4.88b; XII 3.23
Marine casualties, XII 3.7
Masters, II 5.7, 7.1, 8.7, 8.11, 8.12; VI 5.1; XII 3.1–3.6, 3.11–3.13, 3.19, 3.20, 3.25–3.27; XXXV 1.1, 1.2
Mortgage insurance, II 8.3
Nuclear, XII 3.10
Oceanographic, XII 3.13, 3.26
Operators, II 5.12, 5.17, 5.19, 5.30, 8.11, 8.12, 11.1; III 2.4; VIII 4.2; XI 3.11; XII 3.18, 3.25, 3.26
Owners, II 7.1, 11.1; XII 3.1–3.4, 3.7, 3.10, 3.13, 3.16, 3.19, 3.21, 3.26
Panama Canal, XXXV 1.1–1.3
Passenger, XII 3.11–3.13
Purchasers, II 5.20–5.21
Radio stations, XXI 1.13, 1.36–1.38
Tuna fishing, II 8.7
War-built vessels. *See* War-built vessels
Welders, XII 3.9
Veterans:
Holders of VA guaranteed or insured loans, XLI 1.10–1.11
On-the-job training, XLI 1.13
Schools for, XLI 1.7–1.9, 1.12, 1.13
Veterans Administration, XLI
Veterans Hospitalization and Medical Services Modernization Amendments of 1966, XLI 1.2
Vietnam, North; shipping restrictions, II 7.1
Vinegar factories, XI 4.134, 4.152
Virgin Islands:
Corporations exception to limitation on reduction in income tax liability, XI 4.32a
Distilled spirits imported from, XI 4.162
Employers of homeworkers, VIII 2.25, 2.26
Liquors brought into the United States from, XI 4.160–4.162
Sugar industry employers, I 4.36–4.37
Vocational-agricultural training exemption, VIII 2.34
Vocational education, financial assistance, IV 1.24, 1.31
Vocational Education Act of 1963, IV 1.3, 1.31
Vocational Rehabilitation Act, IV 5.25
Vocational rehabilitation programs and services, IV 5.25, 5.26; XLI 1.12
Vocational schools, work study programs, IV 1.36

W

Wage earners; income tax, XI 4.1
Wagering; persons required to pay excise tax on, XI 4.66
Wages:
See also Employers
Rates, fair wage, under the Sugar Act, I 4.36, 4.37
Retroactive payment of, VIII 2.7
Walnuts; marketing orders, I 2.17
War-built vessels:
Charterers, II 5.20, 5.22–5.24
Purchasers, III 5.20, 5.21
War orphans • educational assistance, XLI 1.7–1.9
War Production Board, Supp. I
War risk insurance programs, II 5.25–5.27, 5.29
Warehousemen, I 2.38–2.44, 2.46–2.48, 4.7, 4.14, 4.15, 4.27, 4.31, 5.1, 5.9
Warehouses; operators and proprietors:
Bonded warehouses. *See* Bonded warehouses
Commodity futures exchanges, I 6.14
Internal revenue bonded warehouses. *See* Bonded warehouses
Tobacco, XI 4.201–4.204a
Wheat, imported, XI 3.13
Waste disposal projects:
Rural communities, I 7.3
Solid, recipients of Federal grants for, VI 7.3; XVIII 1.6
Water:
Carriers, XXX 1.10
Conservation projects, I 7.3
Pollution control, III 2.4
Research, VI 9.1
Resources, XLII 1.1
Systems, rural, I 7.3
Watershed loans, I 7.2
Water Resources Council, XLII
Water Resources Planning Act, XLII 1.1
Water Resources Research, Office of, VI 9
Water Resources Research Act of 1964, VI 9.1
Watershed Protection and Flood Prevention Act, I 7.2
Weapons, nuclear, II 4.3
Weather modification activities, XXXIII 1.1
Weighers:
Agricultural commodities, I 2.45
Livestock and poultry, I 9.6, 9.7
Welders, XII 3.9, 6.1; XXI 1.29
Welfare and Pension Plans Disclosure Act, VIII 3.9
Western Hemisphere trade corporations; income taxes, XI 4.32
Whaling ships and land stations, II 8.1, 8.14
Wheat:
Bonded common carriers, XI 3.13
Crop insurance, I 8.1
Exporters, I 11.9, 11.10; XI 3.13
Importers, XI 3.13
Marketing allocation program, I 4.2a
Marketing quotas, I 4.27
Producers, warehousemen, elevator operators, feeders, processors or transferees, and buyers, I 4.27
Wholesalers:
Beer, XI 4.131
Butter, adulterated and process or renovated, XI 4.72–4.73
Distilled spirits, XI 4.130, 4.131
Filled cheese, XI 4.74

Wholesalers—Continued
Liquor, XI 4.130–4.131
Wine, XI 4.131
Wildlife; shippers using identification symbols, VI 2.7
Wildlife restoration projects, VI 2.6
Wills; executors or legal representatives, XI 4.33
Wind River Indian Reservation, Wyoming; mining, VI 4.13
Wine:
Bottling houses, XI 4.149
Cellars, XI 4.153, 4.170
Dealers, XI 4.131–4.132
Experimental wine operations, institutions engaged in, XI 4.151
Exporters, XI 4.174
Importers, XI 4.164
Wine—Continued
Producers for family use, XI 4.150
Wholesalers, XI 4.131
Withdrawn from bonded storage for shipment to the United States, XI 4.157
Wire and wireless communications, taxes on, XI 4.61
Women's apparel industry, VIII 2.18, 2.19
Wool:
Manufacturers, processors, or dealers, XI 3.6–3.8; XXVII 1.1
Price support program, I 5.6–5.7
Producers, I 5.6–5.7
Work Hours Act of 1962, XXXI 1.21
Work training and experience programs, sponsors, VIII 1.7, 2.35
Workshops, IV 5.27; VIII 2.14
Wyoming; Indian lands, VI 4.13

X

X-ray services, IV 4.12

Y

Yield insurance investors, V 2.4
Youth Development and Delinquency Prevention Administration, IV 5.40–5.41
Youth development programs, IV 5.40
Yugoslav End Use Certificate, II 4.16a

Z

Zinc and lead:
Mining on Quapaw Agency lands, VI 4.11
Stabilization program, participants in, XXIX 1.12
Zuni Reservation, traders on, VI 4.14