

# Register

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WEDNESDAY, DECEMBER 19, 1973

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## 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.

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## Next Week's Meetings

NOTE: There were no meetings eligible for inclusion in this list.

## Weekly List of Public Laws

This is a listing of public bills enacted by Congress and approved by the President, together with the law number, the date of approval, and the U.S. Statutes citation. Subsequent lists will appear every Wednesday in the FEDERAL REGISTER, and copies of the laws may be obtained from the U.S. Government Printing Office.

H.R. 1284..... Pub. Law 93-181  
To amend title 5, United States Code, to improve the administration of the leave system for Federal employees (Dec. 14, 1973; 87 Stat. 705)

H.R. 7446..... Pub. Law 93-179  
To establish the American Revolution Bicentennial Administration, and for other purposes (Dec. 11, 1973; 87 Stat. 697)

H.R. 11710..... Pub. Law 93-178  
To insure that the compensation and other emoluments attached to Office of Attorney General are those which were in effect on January 1, 1969 (Dec. 10, 1973; 87 Stat. 697)

S.J. Res. 135..... Pub. Law 93-180  
Authorizing the securing of storage space for the United States Senate, the United States House of Representatives, and the Office of the Architect of the Capitol (Dec. 13, 1973; 87 Stat. 704)

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# Presidential Documents

## Title 3—The President

### EXECUTIVE ORDER 11752

#### Prevention, Control, and Abatement of Environmental Pollution at Federal Facilities

By virtue of the authority vested in me as President of the United States of America, including section 301 of title 3 of the United States Code, and in furtherance of the purpose and policies of the Clean Air Act, as amended (42 U.S.C. 1857), the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251), the Solid Waste Disposal Act, as amended (42 U.S.C. 3251), the Noise Control Act of 1972 (42 U.S.C. 4901), the Marine Protection, Research, and Sanctuaries Act of 1972 (16 U.S.C. 1431), the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by the Federal Environmental Pesticide Control Act of 1972 (7 U.S.C. 136), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321), it is ordered as follows:

**SECTION 1. Policy.** It is the purpose of this order to assure that the Federal Government, in the design, construction, management, operation, and maintenance of its facilities, shall provide leadership in the nationwide effort to protect and enhance the quality of our air, water, and land resources through compliance with applicable standards for the prevention, control, and abatement of environmental pollution in full cooperation with State and local governments. Compliance by Federal facilities with Federal, State, interstate, and local substantive standards and substantive limitations, to the same extent that any person is subject to such standards and limitations, will accomplish the objective of providing Federal leadership and cooperation in the prevention of environmental pollution. In light of the principle of Federal supremacy embodied in the Constitution, this order is not intended, nor should it be interpreted, to require Federal facilities to comply with State or local administrative procedures with respect to pollution abatement and control.

**SEC. 2. Definitions.** As used in this order:

(1) The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) The term "Federal agencies" means the departments, agencies, establishments, and instrumentalities of the executive branch.

(3) The term "State, interstate, and local agencies" means any of the following:

(A) a State agency designated by the Governor of that State as an official State agency responsible for enforcing State and local laws re-



lating to the prevention, control, and abatement of environmental pollution;

(B) any agency established by two or more States and having substantial powers or duties pertaining to the prevention, control, and abatement of environmental pollution;

(C) a city, county, or other local government authority charged with responsibility for enforcing ordinances or laws relating to the prevention, control, and abatement of environmental pollution; or

(D) an agency of two or more municipalities located in the same State or in different States and having substantial powers or duties pertaining to the prevention, control, and abatement of environmental pollution.

(4) The term "facilities" means the buildings, installations, structures, land, public works, equipment, aircraft, vessels, and other vehicles and property, owned by, or constructed or manufactured for the purpose of leasing to, the Federal Government.

(5) The term "United States" means the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

**SEC. 3. Responsibilities.** (a) Heads of Federal agencies shall, with regard to all facilities under their jurisdiction in the United States:

(1) Ensure that applicable standards specified in section 4 of this order are met on a continuing basis.

(2) Cooperate with the Administrator and State, interstate, and local agencies in the prevention, control, and abatement of environmental pollution and, in accordance with guidelines issued by the Administrator, provide to the Administrator and to those agencies such information as is necessary to determine compliance with applicable standards. Such cooperation shall include development of an abatement plan and schedule for meeting applicable standards.

(3) Present to the Director of the Office of Management and Budget, annually, a plan to provide for such improvement in the design, construction, management, operation, and maintenance of existing facilities as may be necessary to meet applicable standards specified in section 4.

(4) Consider the environmental impact in the initial stages of planning for each new facility or modification to an existing facility in accordance with the National Environmental Policy Act.

(5) Include with all budget requests for the design and construction of new facilities or for modification of existing facilities funds for such measures as may be necessary to meet applicable standards specified in section 4. Budget requests shall reflect the most efficient alternative for meeting applicable standards.

(6) Consult, as appropriate, with the Administrator and with State and local agencies concerning the best techniques and methods available for the prevention, control, and abatement of environmental pollution.



(7) Ensure that any funds appropriated and apportioned for the prevention, control, and abatement of environmental pollution are not used for any other purpose unless permitted by law and unless specifically approved by the Office of Management and Budget.

(b) Where activities are carried out at Federal facilities acquired by leasing or other Federal agreements, the head of the responsible agency may at his discretion, to the extent permissible under applicable statutes and regulations, require the lessee or permittee to assume full responsibility for complying with standards for the prevention, control, and abatement of environmental pollution.

(c) Heads of Federal agencies responsible for the construction and operation of Federal facilities outside the United States shall assure that such facilities are operated so as to comply with the environmental pollution standards of general applicability in the host country or jurisdictions concerned.

(d) The Administrator shall:

(1) Provide technical advice and assistance to the heads of Federal agencies in connection with their duties and responsibilities under this order.

(2) Maintain such review of Federal facilities' compliance with the standards specified in section 4 as may be necessary.

(3) Provide liaison as required to assure that actions taken by Federal agencies pursuant to this order are coordinated with State, interstate, and local programs for the prevention, control, and abatement of environmental pollution.

(4) Mediate conflicts between Federal agencies and State, interstate, or local agencies in matters affecting the application of, or compliance with, applicable standards specified in section 4.

(5) Develop in consultation with the heads of other Federal agencies a coordinated strategy for Federal facility compliance with applicable standards specified in section 4 which incorporates, to the maximum extent practicable, common procedures for an integrated approach to Federal agency compliance with such standards, and issue such regulations and guidelines as are deemed necessary to facilitate implementation of that strategy and to provide a framework for coordination and cooperation among the Environmental Protection Agency, the other Federal agencies, and the State, interstate, and local agencies.

(6) Maintain a continuing review of the implementation of this order and, from time to time, report to the President on the progress of the Federal agencies in implementing this order.

**SEC. 4. Standards.** (a) Heads of Federal agencies shall ensure that all facilities under their jurisdiction are designed, constructed, managed, operated, and maintained so as to conform to the following requirements:

(1) Federal, State, interstate, and local air quality standards and emission limitations adopted in accordance with or effective under the provisions of the Clean Air Act, as amended.



(2) Federal, State, interstate, and local water quality standards and effluent limitations respecting the discharge or runoff of pollutants adopted in accordance with or effective under the provisions of the Federal Water Pollution Control Act, as amended.

(3) Federal regulations and guidelines respecting dumping of material into ocean waters adopted in accordance with the Marine Protection, Research, and Sanctuaries Act of 1972, and the Federal Water Pollution Control Act, as amended.

(4) Guidelines for solid waste recovery, collection, storage, separation, and disposal systems issued by the Administrator pursuant to the Solid Waste Disposal Act, as amended.

(5) Federal noise emission standards for products adopted in accordance with provisions of the Noise Control Act of 1972 and State, interstate, and local standards for control and abatement of environmental noise.

(6) Federal guidance on radiation and generally applicable environmental radiation standards promulgated or recommended by the Administrator and adopted in accordance with the Atomic Energy Act, as amended (42 U.S.C. 2011), and rules, regulations, requirements, and guidelines on discharges of radioactivity as prescribed by the Atomic Energy Commission.

(7) Federal regulations and guidelines respecting manufacture, transportation, purchase, use, storage, and disposal of pesticides promulgated pursuant to the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by the Federal Environmental Pesticide Control Act of 1972.

(b) In those cases in which there are no environmental pollution standards as specified in subsection (a) for a particular geographic area or class of Federal facilities, the Administrator, in consultation with appropriate Federal, State, interstate, and local agencies, may issue regulations, which shall be published in the *FEDERAL REGISTER*, establishing environmental pollution standards for the purpose of this order.

**SEC. 5. Exemptions.** (a) The heads of Federal agencies, in consultation with the Administrator, may, from time to time, identify facilities or uses thereof which are exempted from applicable standards specified in section 4 in the interest of national security or in extraordinary cases in which it is in the paramount interest of the United States. No such exemptions shall be made except as are permissible under applicable Federal law.

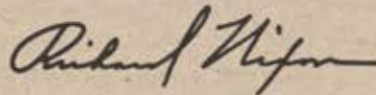
(b) In any case in which the Administrator does not agree with a determination to exempt a facility or use thereof from the provisions of this order, the head of the Federal agency making such a determination must have the approval of the Director of the Office of Management and Budget to exempt that facility or use thereof; except that, the Administrator is solely responsible for approval of exemptions under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by the Federal Environmental Pesticide Control Act of 1972.



(c) The heads of Federal agencies shall present to the Director of the Office of Management and Budget at the end of each calendar year a report of all exemptions made during that year, together with the justification for each such exemption.

SEC. 6. *Saving Provisions.* Except to the extent that they are inconsistent with this order, all outstanding rules, regulations, orders, delegations, or other forms of administrative action issued, made, or otherwise taken under the order superseded by Section 7 hereof or relating to the subject of this order shall remain in full force and effect until amended, modified, or terminated by proper authority.

SEC. 7. *Order Superseded.* Executive Order No. 11507 of February 4, 1970, is hereby superseded.



THE WHITE HOUSE,  
December 17, 1973.

[FR Doc.73-26869 Filed 12-17-73;12:45 pm]



The first of these is the fact that the  
University of Chicago has a long and  
distinguished history of research in  
the field of the history of science.  
This history is reflected in the  
University's publications, which have  
been a leading source of information  
for scholars in the field for many  
years.

The second of these is the fact that  
the University of Chicago has a  
strong tradition of research in the  
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leading source of information for  
scholars in the field for many  
years.



MEMORANDUM OF DECEMBER 11, 1973

[Presidential Determination No. 74-8]

# Transfer of Foreign Assistance Funds Programmed for Ecuador and Peru

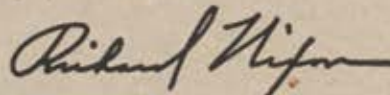
Memorandum for the Secretary of State

THE WHITE HOUSE,  
Washington, December 11, 1973.

Pursuant to the authority vested in me by Section 5(b) of the Fishermen's Protective Act of 1967, as amended, I hereby certify that it is in the national interest not to transfer to the Fishermen's Protective Fund established pursuant to Section 9 of the Fishermen's Protective Act of 1967, as amended, funds from the Foreign Assistance Act of 1961 programmed for Ecuador and Peru in the amount of \$2,305,416, which amount is equal to the amounts reimbursed by the Secretary of the Treasury in accordance with Section 3 of the Fishermen's Protective Act of 1967, as amended, for the twenty-two fishing boat seizures each by Ecuador and Peru occurring during the period November 12, 1972 through February 10, 1973.

You are requested on my behalf to convey this determination and certification to the Congress, as required by law.

This determination shall be published in the FEDERAL REGISTER.



[FR Doc.73-26882 Filed 12-17-73;2:23 pm]







# Rules and Regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

## Title 6—Economic Stabilization

### CHAPTER I—COST OF LIVING COUNCIL

[Phase IV Price Ruling 1973-21]

#### APPENDIX—PHASE IV PRICE RULINGS

##### Public Utility Rate Exemption and Used Products Exemption for Solid Waste Firm

**Facts.** Firm J operates a solid waste disposal service. It picks up waste from residential and commercial customers and disposes of it. Metal and paper waste which is saleable as scrap is separated and baled or otherwise processed to put it into a form acceptable to the purchaser of scrap. The prices charged for its solid waste disposal service are exempt as public utility rates under 6 CFR 150.56, CLC Phase IV Price Ruling 1973-6, 38 FR 31165, November 12, 1973.

**Issue.** Are the prices Firm J receives for its baled or otherwise processed scrap exempt from the Phase IV price regulations under the provisions of §§ 150.56 or 150.54(e)?

**Ruling.** No. The public utility rate exemption contained in § 150.56 does not operate to exempt all activities of a public utility firm. Only the prices charged for public utility services are affected by the exemption. Other prices, unless they are exempt under another provision of the Phase IV price regulations, are fully subject to the Phase IV rules. The activity of processing and selling scrap materials is described in Division F of the 1972 Standard Industrial Classification Manual, primarily in Industry No. 5093. Under CLC Phase IV Price Ruling 1973-6, this activity is not one considered to be a public utility. By operation of CLC Phase IV Price Rulings 1973-2 and 1973-15, sales of baled or processed scrap are not sales of damaged or used products and are therefore not exempt under 6 CFR 150.54(e). This ruling is consistent with CLC Phase IV Price Ruling 1973-18.

WILLIAM N. WALKER,  
General Counsel,  
Cost of Living Council.

DECEMBER 13, 1973.

[FR Doc.73-26809 Filed 12-14-73; 1:50 pm]

## Title 20—Employees' Benefits

### CHAPTER V—MANPOWER ADMINISTRATION, DEPARTMENT OF LABOR

#### PART 614—UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEN

##### Schedule of Remuneration

The issuance of Executive Order 11740, 38 FR 27585, providing increased pay and allowances for members of the uniformed

services, makes it necessary to amend § 614.19 of Title 20 of the Code of Federal Regulations, which contains the schedule of remuneration for each pay grade of ex-servicemen used in the administration of the program of unemployment compensation for ex-servicemen established by Subchapter II of Chapter 85 of Title 5 of the United States Code (5 U.S.C. 8521-8525).

The provisions of 5 U.S.C. 553 which require notice of proposed rulemaking, public participation in their adoption, and delay in effective date are not applicable because such notice, public participation, and delay are found not to be in the public interest which in this instance requires the prompt implementation of the amended schedule of remuneration by the several State agencies administering such program. Accordingly this change is effective on November 12, 1973.

Section 614.19 of Title 20, Code of Federal Regulations, is revised to read:

#### § 614.19 Schedule of remuneration.

(a) The schedule provided in this paragraph applies to first claims under the UCX program filed on or after December 2, 1973.

Pay Grades	Monthly Rate
1. Commissioned officer:	
O-10	\$4,253
O-9	3,784
O-8	3,440
O-7	3,031
O-6	2,563
O-5	2,090
O-4	1,724
O-3	1,433
O-2	1,135
O-1	848
2. Warrant officer:	
W-4	\$1,652
W-3	1,377
W-2	1,132
W-1	1,000
3. Enlisted personnel:	
E-9	\$1,400
E-8	1,189
E-7	1,026
E-6	885
E-5	731
E-4	610
E-3	551
E-2	514
E-1	469

(b) The deletion from paragraph (a) of this section of schedules of remuneration applicable to periods of time prior to December 2, 1973, and heretofore published in 38 FR 2211; 37 FR 2434; 36 FR 22975; 36 FR 3456; 35 FR 9000; 34 FR 12434; 33 FR 10086; 33 FR 3635; 32 FR

20974; 30 FR 13120; 29 FR 13102; and 23 FR 8699, does not revoke such schedules.

(5 U.S.C. 8508 and 8521(a)(2))

Signed at Washington, D.C., this 14th day of December, 1973.

WILLIAM H. KOLBERG,  
Assistant Secretary for Manpower.

[FR Doc.73-26824 Filed 12-18-73; 8:45 am]

## Title 9—Animals and Animal Products

### CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

#### SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

##### PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS), AFRICAN SWINE FEVER, AND HOG CHOLERA: PROHIBITED AND RESTRICTED IMPORTATIONS

##### Importation of Cured and Dried Pork and Pork Products

**Statement of considerations.** The requirements for importing cured and dried pork and pork products into the United States from countries where swine vesicular disease exists are more stringent than the requirements for importing cured and dried pork and pork products from countries where hog cholera exists. Therefore, when such pork and pork products are imported from a country where both hog cholera and swine vesicular disease exist, compliance with the provision contained in § 94.9(b)(1)(iii) whereby such pork and pork products from countries where hog cholera is known to exist must be cured and dried for specified periods and be shelf stable prior to entry is not necessary if such pork and pork products are in compliance with the provisions of § 94.12(b)(1)(iii), which apply to pork and pork products from countries where swine vesicular disease is considered to exist.

Pursuant to section 2 of the act of February 2, 1903, as amended (21 U.S.C. 111), Part 94, Title 9, Code of Federal Regulations, is hereby amended as follows:

In § 94.9, a new paragraph (c) is added to read:

§ 94.9 Pork and pork products from countries where hog cholera exists.

(c) Thoroughly cured and fully dried pork and pork products from countries where both hog cholera and swine



vesicular disease are known or considered to exist need not comply with the requirements of § 94.9(b) (1) (iii) if they are in compliance with the provisions of § 94.12(b) (1) (iii).

(Sec. 2, 32 Stat. 792, as amended; 21 U.S.C. 111, 37 FR 23464, 28477; 38 FR 19141)

**Effective date.** The foregoing amendment shall become effective December 19, 1973.

The amendment relieves certain restrictions presently imposed but no longer deemed necessary to prevent the introduction and dissemination of the contagion of hog cholera, and must be made effective immediately to be of maximum benefit to affected persons. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment is impracticable and unnecessary, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., 14th day of December 1973.

E. E. SAULMON,  
Deputy Administrator, Veterinary  
Services, Animal and  
Plant Health Inspection Service.

[FR Doc. 73-26823 Filed 12-18-73; 8:45 am]

TABLE 1—3-NITRO-4-HYDROXYPHENYLARSONIC ACID IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1. 3-Nitro-4-hydroxyphenylarsonic acid.	...	...	...	...	...
1. 1.11. ....	Bacitracin	4-25	For broiler chickens; as zinc bacitracin, as provided by code No. 009 in § 135.501(c) of this chapter.	Increased rate of weight gain.	...

2. In § 135e.46(e), the table, by adding to item 6 a new subitem c as follows:

§ 135e.46 Clopidol.

(e) ...

CLOPIDOL IN COMPLETE FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
6. Clopidol	...	...	...	...	...
C. 2. ....	Bacitracin	4-25	For broiler chickens; as zinc bacitracin, as provided by code No. 009 in § 135.501(c) of this chapter.	Increased rate of weight gain.	...

**Effective date.** This order shall be effective December 19, 1973.

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

Dated: December 11, 1973.

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

[FR Doc. 73-26675 Filed 12-18-73; 8:45 am]

## TITLE 21—FOOD AND DRUGS

### CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

##### PART 121—FOOD ADDITIVES

###### SUBCHAPTER C—DRUGS

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

##### Clopidol, 3-Nitro-4-Hydroxyphenylarsonic Acid, and Zinc Bacitracin

The Commissioner of Food and Drugs has evaluated a new animal drug application (44-016V) filed by Dow Chemical Co., P.O. Box 1706, Midland, MI 48641, proposing safe and effective use of clopidol, 3-nitro-4-hydroxyphenylarsonic acid, and zinc bacitracin in the feed of broiler chickens. The 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), Parts 121 and 135e are amended as follows:

1. In § 121.262(c), Table 1 by adding to item 1.18 a new subitem 1. as follows:

§ 121.262 3-Nitro-4-hydroxyphenylarsonic acid.

...  
(c) ...

## TITLE 26—INTERNAL REVENUE

### CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

#### SUBCHAPTER A—INCOME TAX

[T.D. 7292]

#### PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

##### Special Rules for Determining Foreign Tax Credit

###### Correction

In FR Doc. 73-25404 appearing at page 33290 in the issue of Monday, December 3, 1973, make the following changes:

1. The last line in column one on page 33291 should be inserted immediately after the last line in column two.

2. In § 1.904-4:

a. In paragraph (b) (2) (i) (a) (2), before the word "asset", insert "an".

b. In the last line of paragraph (d) (1) (iv) (b), the figure "940" should read "904".

c. In the table after the example in paragraph (d) (3), the fourth figure under the year "1968" should read "200".

d. In the eighth line of Example 1. of paragraph (e) (1) (iv), the word "pre-country" should read "per-country".

e. In the first table after this same Example 1 of paragraph (e) (1) (iv), under the fifth entry "unused foreign tax with respect to—", insert the following:

Sec. 904(f) interest..... 10.....

f. In the first table on page 33299, the second figure under the year "1964" should read "35".

g. In the second table on page 33299, the second figure under the year "1965" should read "195" and the third figure under the year "1966" should read "150.00".

3. In the eleventh line of § 1.905-2(c), the figure "19" should read "10".

[T.D. 7292]

#### PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

##### Special Rules for Determining Foreign Tax Credit; Corrections

On December 3, 1973, Treasury Decision 7292, with respect to the above, appeared in the FEDERAL REGISTER (38 FR 33290; FR Doc. 73-2540 Filed 11-30-73; 8:45 a.m.). The following changes should be made in § 1.904-4:

1. In paragraph (b) (2) (iii), 36th line, strike "the trade" and all that follows in the last sentence and insert in lieu thereof "that trade or business, the income from the asset is retained or reinvested in that trade or business, and personnel who are present in a foreign country or possession and actively involved in the conduct of that trade or business exercise significant management and control over the investment of such asset."

2. In paragraph (c) (1) (iii), strike "negotiating, notes" and insert in lieu thereof "negotiating for the public on a regular basis, notes".



3. In paragraph (c)(1)(iv), after "credit" insert "to the public".

4. In paragraph (d)(2)(ii), 9th line, strike "may be" and insert in lieu thereof "is to be".

5. In paragraph (d)(2)(ii), 16th line, strike "of net" and insert in lieu thereof "the net".

6. On page 33298, immediately following the table in Example (5), insert the following:

Taxable years	Overall		Per-Country			
	1962	1963	1964	1965	1966	1967
Unused foreign tax for 1963 absorbed as taxes deemed paid under sec. 904(d) with respect to—						
Sec. 904(f) interest:						
(\$250×\$300/\$500; or limitation, if less)				50		
(\$300×\$300/\$500; or limitation, if less)					80	
(\$120×\$300/\$500; or limitation, if less)						33
(\$87×\$300/\$500; or limitation, if less)						34.80
Other income:						
(\$400×\$300/\$500; or limitation, if less)			150			
Aggregate income:		100				
Unused foreign tax with respect to other income absorbed as taxes deemed paid under sec. 904(d) and carried from:						
1965:					90	10.00
1966 (country X):						

Example (6). B, a calendar year taxpayer using the cash receipts and disbursements method of accounting, pays foreign income taxes for the first time in 1962. For each of the taxable years set forth below, B chooses the benefits of section 901 and elects the overall limitation. B has section 904(f) interest only from foreign country X for the years indicated. Based upon the taxes actually paid to foreign countries X and Y for each of the taxable years with respect to income other than section 904(f) interest, and the taxes paid to country X with respect to section 904(f) interest, the unused foreign tax deemed paid under section 904(d) is as follows, after taking into account the prohibition provided in subdivision (iii) of this subparagraph against the apportionment of the unused foreign tax for 1964:

Taxable years	1962	1963	1964	1965	1966
Separate limitation with respect to sec. 904(f) interest:	\$200	\$100	\$300	\$150	
Taxes actually paid to country X with respect to sec. 904(f) interest:	175	250	250	50	50
Overall limitation with respect to—					
Other income:	300	150	350	200	
Total income:	\$500				
Taxes actually paid with respect to—					
Other income:		270	200	330	160
Total income:	300				
Unused foreign tax with respect to—					
Sec. 904(f) interest:			150		
Other income:			50		
Total income:					
Excess limitation with respect to—					
Sec. 904(f) interest:	25		50	160	
Other income:	30		30	40	
Total income:					
Unused foreign tax for 1964 absorbed as taxes deemed paid under sec. 904(d) with respect to—					
Sec. 904(f) interest:		25		50	75
Other income:		30		20	0
Total income:					

JAMES F. DRING,  
Director, Legislation and  
Regulations Division.

[FR Doc. 73-26768 Filed 12-18-73; 8:45 am]

SUBCHAPTER F—PROCEDURE AND ADMINISTRATION (REGULATIONS ON PROCEDURE AND ADMINISTRATION)

[T.D. 7297]

PART 301—PROCEDURE AND ADMINISTRATION

Examination and Inspection of Taxpayers and Taxable Objects

Preamble. This Treasury decision amends the regulations on Procedure and Administration (26 CFR Part 301) under sections 7601, 7602, 7603, 7604, 7606, 7608, 7622, 7623, 7652, and 7653 of the Internal Revenue Code of 1954. These amendments accomplish two objectives. First they remove the authority of certain designated Internal Revenue Service personnel to issue summons, serve a summons, administer an oath, etc., and give that authority to the Commissioner. It is anticipated that the Commissioner

in turn will issue delegation orders empowering appropriate Internal Revenue Service personnel to perform the various tasks.

Second, these amendments delete references in 26 CFR §§ 301.7601-301.7655 to matters which were formerly under the jurisdiction of the Internal Revenue Service, but which are now the responsibility of the newly-created Bureau of Alcohol, Tobacco and Firearms. The Bureau is publishing a simultaneous Treasury decision which promulgates its own regulations in 27 CFR Part 70 for the applicable Code sections.

Adoption of Amendments to the regulations. The Regulations on Procedure and Administration (26 CFR Part 301) are amended as follows:

Paragraph 1. Section 301.7601-1 is amended by deleting the last sentence. The amended section reads as follows:

§ 301.7601-1 Canvass of districts for taxable persons and objects.

Each district director shall, to the extent he deems it practicable, cause officers or employees under his supervision and control to proceed, from time to time, through his district and inquire after and concerning all persons therein who may be liable to pay any internal revenue tax, and all persons owning or having the care and management of any objects with respect to which any tax is imposed.

Par. 2. Section 301.7602-1 is amended by deleting paragraph (c) and revising paragraph (b) to read as follows:

§ 301.7602-1 Examination of books and witnesses.

(b) Summons. For the purposes described in paragraph (a) of this section the Commissioner is authorized to summon the person liable for tax or required to perform the act, or any officer or employee of such person, or any person having possession, custody, or care of books of accounts containing entries relating to the business of the person liable for tax or required to perform the act, or any other person deemed proper, to appear before a designated officer or employee of the Internal Revenue Service at a time and place named in the summons and to produce such books, papers, records, or other data, and to give such testimony, under oath, as may be relevant or material to such inquiry; and take such testimony of the person concerned, under oath, as may be relevant or material to such inquiry. The Commissioner may designate any employee of the Internal Revenue Service as the individual before whom a person summoned pursuant to section 6420(e)(2), 6421(f)(2), 6424(d)(2), 6427(e)(2), or 7602 shall appear. Any such employee, when so designated in a summons, is authorized to take testimony under oath of the person summoned and to receive and examine books, papers, records, or other data produced in compliance with the summons.

Par. 3. Section 301.7603-1 is amended by revising paragraph (b) to read as follows:

§ 301.7603-1 Service of summons.

(b) Persons who may serve a summons. The officers and employees of the Internal Revenue Service whom the Commissioner has designated to carry out the authority given him by § 301.7602-1(b) to issue a summons are authorized to serve a summons issued under section 6420(e)(2), 6421(f)(2), 6424(d)(2), 6427(e)(2), or 7602.

Par. 4. Paragraph (b) of § 301.7604-1 is amended to read as follows:

§ 301.7604-1 Enforcement of summons.

(b) Persons who may apply for an attachment. The officers and employees of the Internal Revenue Service whom the Commissioner has designated to carry out the authority given him by § 301-



7602-1(b) to issue a summons are authorized to apply for an attachment as provided in paragraph (a) of this section.

Par. 5. Section 301.7606-1 is amended by deleting the last sentence. The amended section reads as follows:

§ 301.7606-1 Entry of premises for examination of taxable objects.

Any officer or employee of the Internal Revenue Service may, in the performance of his duty, enter in the daytime any building or place where any articles or objects subject to tax are made, produced, or kept, so far as it may be necessary for the purpose of examining said articles or objects and also enter at night any such building or place, while open, for a similar purpose.

§ 301.7608 [Revoked]

Par. 6. Section 301.7608 is repealed.

§ 301.7608-1 [Revoked]

Par. 7. Section 301.7608-1 is repealed.

Par. 8. Section 301.7622-1 is amended to read as follows:

§ 301.7622-1 Authority to administer oaths and certify.

The officers and employees of the Internal Revenue Service whom the Commissioner has designated to carry out the authority given him by § 301.7602-1(b) to issue a summons are authorized to administer such oaths or affirmations and to certify to such papers as may be necessary under the internal revenue laws or regulations issued thereunder, except that the authority to certify shall not be construed as applying to those papers or documents the certification of which is authorized by separate order or directive.

§ 301.7623-1 [Amended]

Par. 9. Section 301.7623-1 is amended by deleting paragraph (g).

§ 301.7652-1 [Revoked]

Par. 10. Section 301.7652-1 is repealed.

§ 301.7653-1 [Revoked]

Par. 11. Section 301.7653-1 is repealed.

Because the amendments contained in this Treasury decision are concerned with rules of procedure and practice, it is found to be unnecessary to issue it with notice and public procedure thereon under section 553(b) of title 5 of the United States Code, or subject to the effective date limitation of subsection (d) of that section.

AUTHORITY: Sec. 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] DONALD C. ALEXANDER,  
Commissioner of  
Internal Revenue.

Approved: December 13, 1973.

JOHN H. HALL,  
Deputy Assistant Secretary of the  
Treasury.

[FR Doc. 73-26822 Filed 12-18-73; 8:45 am]

## Title 28—Judicial Administration CHAPTER I—DEPARTMENT OF JUSTICE

[Antitrust Div. Dir. 14-73]

### PART 50—STATEMENTS OF POLICY Antitrust Division's Business Review Procedure

This Directive amends the Antitrust Division's business review procedure, pursuant to which the Division will, in certain circumstances, review proposed business conduct and state its enforcement intentions with respect thereto. The purposes of the amendments contained in this order are: (1) to assure that a full written record exists as to matters considered under the business review procedure; (2) to provide for greater public availability of the Division's business review letters and related documents; and (3) to permit regulatory agencies to request specifically that parties subject to their jurisdiction submit proposed business conduct to the Antitrust Division for review under the business review procedure prior to approval of such conduct by such agencies.

By virtue of the authority vested in me by subpart H of Part O of Chapter I of Title 28, Code of Federal Regulations, § 50.6 of Part 50 of Chapter I of Title 28, Code of Federal Regulations, is amended as follows:

1. Paragraph 4 is amended by inserting the following sentence before the existing last sentence: "Such additional information, if furnished orally, shall be promptly confirmed in writing."

2. Paragraph 6 is amended by deleting the word "will" in line 3 thereof and substituting the word "may"; paragraph 6 is further amended by changing the period after the word "review" in line 9 thereof to a comma and adding thereafter: "or where the agency specifically requests that a party or parties request review."

3. Paragraph 9 is renumbered paragraph 10.

4. A new paragraph 9, consisting of four subparagraphs (a) through (d), is added:

9(a) Thirty days after the date upon which the Division takes any action as described in paragraph 7, the business review request, the information supplied to support it, and the Division's letter in response will be indexed and placed in a file available to the public upon request.

(b) Prior to the time the information described in subparagraph (a) is indexed and made publicly available in accordance with the terms of that subparagraph, the requesting party may ask the Division to delay making public some or all of such information. However, the requesting party must: (1) specify precisely the documents or parts thereof that he asks not be made public; (2) state the minimum period of time during which non-disclosure is considered necessary; and (3) justify the request for non-disclosure, both as to content and time, by showing good cause therefor, including a showing that disclosure would have a detrimental effect upon the requesting party's operations or relationships with actual or potential customers, employees, suppliers (including suppliers of credit), stockholders, or competitors. The

Department of Justice, in its discretion, will make the final determination as to whether good cause for non-disclosure has been shown.

(c) Nothing contained in subparagraphs (a) and (b) shall limit the Division's right, in its discretion, to issue a press release describing generally the identity of the requesting party or parties and the nature of action taken by the Division upon the request.

(d) This paragraph reflects a policy determination by the Justice Department and is subject to any limitations on public disclosure arising from statutory restrictions, Executive order, or the national interest.

These amendments will take effect on February 15, 1974, and will be applied by the Antitrust Division to any request for business review received after that date.

Dated: December 11, 1973.

THOMAS E. KAUPER,  
Assistant Attorney General.

[FR Doc. 73-26778 Filed 12-18-73; 8:45 am]

## Title 29—Labor CHAPTER V—WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR

### PART 545—HOMEMAKERS IN INDUSTRIES IN PUERTO RICO

#### Minimum Wage Rates for Piece Work

Pursuant to the Fair Labor Standards Act of 1938 (52 Stat. 1063, as amended; 29 U.S.C. 206), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004) and Secretary Orders 13-71 and 15-71 (36 FR 8755 and 8756), I hereby amend 29 CFR Part 545 by increasing in an equal percentage the piece rates for those industries in Puerto Rico for which recent wage orders have been issued increasing the minimum rates. The recalculated minimum rates and pertinent discussions have been consolidated into § 545.9, thereby eliminating § 545.13, and now comprise the following subsections: (a) Minimum piece rates for the glove and mitten industry in Puerto Rico; (b) minimum piece rates for the handkerchief, scarf, and art linen industry in Puerto Rico; (c) minimum piece rates for the children's dress and related products industry in Puerto Rico; (d) minimum piece rates for the women's and children's underwear and women's blouse industry in Puerto Rico; (e) minimum piece rates for the jewelry, decorations, brushes and novelties industry in Puerto Rico; (f) minimum piece rates for the leather, leather goods and related products industry in Puerto Rico. As the revised rates are commensurate with and reflect increased minimum rates established in recent wage orders and are made pursuant to section 6(a) of the Act, it is found that notice and public procedure are unnecessary and good cause is found to curtail extensive delay in the effective date. Accordingly, this amendment shall be effective on December 19, 1973.

1. As revised, § 545.9 reads as follows:



§ 545.9 Minimum piece rates prescribed by the Administrator.

Pursuant to the provisions of section 6(a)(2) of the Act, each homemaker shall be paid in lieu of the applicable minimum hourly rates established by wage order, not less than the piece rates prescribed in this section for the operations described herein. On and after the effective date of any increase in any applicable minimum hourly rate established by said wage orders and until the effective date of corresponding revisions in this section, the minimum piece rates which shall be paid are those given in this section adjusted in the same ratio as the change in the old and new applicable minimum hourly rates.

(a) Minimum piece rates for the gloves and mittens industry in Puerto Rico. The piece rates given below have been adjusted to reflect increases which became effective July 16, 1973, in the minimum hourly wage rates for the "hand-sewing on fabric gloves" classification and the "hand-sewing on leather gloves" classification, as defined in § 603.2(a)(1) and 603.2(a)(2), respectively, of the current wage order for this industry (29 CFR 603). The piece rates for operations on fabric gloves are based upon the minimum hourly rate for the "hand-sewing on fabric gloves" classification which was increased from 47 cents to 50 cents; and the piece rates for operations on leather gloves are based upon the minimum hourly rate for the "hand-sewing on leather gloves" classification which was increased from 76 cents to 80 cents. Each piece rate below has been increased by the same percent as the hourly rate upon which it is based was increased.

Rate No.	Operations	Fabric Gloves for Ladies		Leather gloves for Men's		Unit of payment
		(Cents)	(Cents)	(Cents)	(Cents)	
1	Buttons, slip stitches with tape, 1 button per glove	120.00	120.00	120.00	120.00	Per dozen pairs
2	Buttons, slip stitches in and outside, 1 buttonhole per glove	100.00	100.00	100.00	100.00	Do.
3	Crochet stitch, 5 to 6 stitches per inch	0.652	1.058	0.652	1.058	Per inch
4	Embroidery, 5 to 6 stitches per inch	0.782	0.827	0.782	0.827	Do.
5	Feather stitch, 5 to 6 stitches per inch	0.513	0.535	0.513	0.535	Do.
6	Large stitch (hanky), 5 to 6 stitches per inch	0.513	0.535	0.513	0.535	Do.
7	Regular stitch, 5 to 6 stitches per inch	0.513	0.535	0.513	0.535	Do.
8	Slip stitch, hem only, 5 to 6 stitches per inch	0.513	0.535	0.513	0.535	Do.
9	Slip stitch, reinforcement on slit, 5 to 6 stitches per inch	0.513	0.535	0.513	0.535	Do.
10	Swagger stitch, 5 to 6 stitches per inch	0.513	0.535	0.513	0.535	Do.
11	Whip stitch, 5 to 6 stitches per inch	0.513	0.535	0.513	0.535	Do.

(b) Minimum piece rates for the handkerchief, scarf, and art linen industry in Puerto Rico. The piece rates given below have been adjusted to reflect increases which became effective September 15, 1973, in minimum hourly wage rates in the industry. Of the rates given below, number 37(b) is based upon the increase in the minimum hourly rate from \$1.25 to \$1.60 for activities formerly in the "hand-sewing on oblong scarves" classification and now in the "oblong scarves" classification as defined in § 603.2(a)(1) of the current wage order for this industry (29 CFR 603). Rates numbered 106, 107, and 108 are based upon the minimum hourly rate for the "other operations on products other than oblong scarves" classification, as defined in § 603.2(a)(3) which was increased from 78 cents to 85 cents. All other piece rates are based upon the minimum hourly rate for the "hand-sewing on products other than oblong scarves" classification, as defined in § 603.2(a)(2) which was increased from 60 cents to 78 cents. Each piece rate below has been increased by the same percent as the hourly rate upon which it is based was increased. The piece rates for rates numbered 33, and 100 through 105 are not applicable when the operation is performed on articles which are otherwise wholly machine sewn.

Rate No.	Operations	Cents	Unit of payment
1	Areillas (seal stitch), close, 1/2 in squares	53.60	Per dozen squares
2	Areillas (seal stitch), scattered 1/2 in squares	44.50	Do.
3	Arrows, filed in, 1/4 in long	23.40	Per dozen
4	Basting	4.47	Per dozen inches
5	Basting stitch for trimming, forming crosses, etc., 4 stitches per inch	3.90	Do.
6	Basting and folding hem on edges up to 1 1/4 in hem	1.56	Do.
7	Blind hemstitch	15.60	Do.
8	Buttonhole stitch, 16 stitches per inch	15.60	Do.
9	Buttonhole stitch, 24 to 30 stitches per inch	22.40	Do.
10	Chain stitch, 4 stitches per inch	2.90	Do.
11	Chain stitch, 5 stitches per inch	7.80	Do.
12	Cord, solid, on stem	21.40	Do.
13	Cord, twisted, over basting	21.40	Do.
14	Cord or embroidery, solid, without filling, up to 1/4 in thick	21.40	Do.
15	Couching or flat cord, 4 stitches per inch	3.90	Do.
16	Cross stitch, 5 crosses per inch	16.60	Do.
17	Cut work with buttonhole stitch, 24 to 30 stitches per inch	31.20	Do.
18	Diamonds, filed in, 1/4 in to 1/2 in	23.40	Do.
19	Dots, filed in, 1/4 in to 1/2 in	23.40	Do.
20	Dots, filed in, 1/4 in to 1/2 in	4.47	Do.
21	Dots, filed in, 1/4 in to 1/2 in	11.70	Do.
22	Dots, filed in, 1/4 in to 1/2 in	23.40	Do.
23	Dots, filed in, 1/4 in to 1/2 in	15.60	Do.
24	Dots, filed in, 1/4 in to 1/2 in	15.60	Do.
25	Dots, filed in, 1/4 in to 1/2 in	15.60	Do.
26	Dots, medium, in groups, not finished off, 5 stitches, with double embroidery thread	6.54	Do.
27	Dots, medium, finished off, 5 stitches, with double embroidery thread	8.81	Do.
28	Embroidery, solid, 1/4 in to 1/2 in thick, averages 28 stitches per inch	31.20	Per dozen inches
29	Embroidery, solid, straight or diagonal, same as image stitch, filed in, loose	31.20	Do.
30	Embroidery, solid, straight or diagonal, same as image stitch, not filed in, loose	23.40	Do.
31	Eyedels, 1/4 in diameter	17.39	Per dozen
32	Feather stitch, 12 stitches per inch	17.34	Per dozen inches
33	Feather stitch cord	3.15	Do.
34	Fat hems without passes	3.15	Do.
35	French knots, not finished off	4.28	Per dozen
36	French knots, finished off, with double embroidery thread	4.28	Do.
37	Guariguas	7.50	Do.
38	Hand or French rolling, 10 stitches or less per inch	23.05	Per 48 inches
39	Hand or French rolling, 11 stitches or more per inch	48.22	Do.
40	Hand-rolling one side of a corner. The piece rate shall apply under the following conditions: (a) The machine-stitching runs to the end on one side of each corner; and on the other side, the space left open for hand-rolling at the corner is not less than 1/4 in nor more than 1 in; and (b) Both sides of the corners are hand-rolled; and the hand-rolling is not longer than 1 in on either side of any corner	28.49	Do.
41	Hand-rolling both sides of a corner. The piece rate shall apply under the following conditions: (a) The machine-stitching does not run to the end of either side of any corner; and the space left open for hand-rolling at each side of the corners is not less than 1/4 in nor more than 1 in; and (b) Both sides of the corners are hand-rolled; but the hand-rolling is not longer than 1 in on either side of any corner	108.97	Do.
42	Hand-rolling both sides of a corner. The piece rate shall apply under the following conditions: (a) The machine-stitching runs to the end of one side of each corner; and on the other side, the space left open for hand-rolling at the corner is not less than 1/4 in nor more than 1 in; and (b) Both sides of the corners are hand-rolled; but the hand-rolling is not longer than 2 in on any corner	130.03	Do.
43	Hemstitch, single, 4 threads in a bundle, thread drawing not included	14.56	Per dozen inches
44	Initials, simple, with loops	74.00	Do.
45	Initials, simple, without loops	28.40	Do.
46	Leaves, joined at corners with hemming stitch	48.22	Do.
47	Leaves, simple	4.61	Per dozen
48	Leaves, solid, not finished off, 1/4 in to 1/2 in long	10.37	Do.
49	Leaves, solid, not finished off, 1/4 in to 1/2 in long	11.50	Do.
50	Leaves, solid, finished off, 1/4 in to 1/2 in long	31.20	Do.
51	Loops, made with vena stitch, 1/4 in	4.23	Do.



Rate No.	Operations	Cents	Unit of payment
THREAD DRAWING—LADIES' HANDKERCHIEFS (RATES NOS. 90-97)			
90	First thread around edge, cotton or linen, up to 1,600 count inclusive.	7.80	Per dozen threads.
91	First thread, inside, cotton or linen, up to 1,600 count inclusive.	8.75	Do.
92	After first thread (for example, for hemstitching), up to 1,600 count inclusive.	9	Do.
93	First thread around edge, linen up to 1,600 count inclusive, 16 by 16 in.	11.70	Do.
94	First thread around edge, linen 1,600 count and over, 16 by 16 in.	11.08	Do.
95	First thread, inside, linen up to 1,600 count inclusive, 16 by 16 in.	11.08	Do.
96	First thread, inside, linen 1,600 count and over, 16 by 16 in.	11.08	Do.
97	After first thread (for example, for hemstitching), 16 by 16 in.	15.60	Do.
98	Half roll, cambric and crash.	8.82	Per dozen inches.
On basis of above rate, the rate per dozen pieces is as follows:			
Dollies:			
8 by 16 in.—\$4.08			
10 by 14 in.—\$4.08			
12 by 12 in.—\$4.10			
Napkins:			
12 by 22 in.—\$4.08			
15 by 15 in.—\$3.10			
18 by 18 in.—\$3.14			
Table scarves:			
17 by 26 in.—\$5.04			
17 by 45 in.—\$10.56			
17 by 54 in.—\$12.09			
Squares:			
26 by 26 in.—\$12.27			
36 by 36 in.—\$15.21			
45 by 45 in.—\$18.40			
Table cloths:			
54 by 72 in.—\$11.54			
72 by 72 in.—\$12.44			
72 by 80 in.—\$12.60			
99	Hand or French roll, 10 stitches or less per inch, cambric and crash.	4.93	Per dozen inches.
On basis of above rate, the rate per dozen pieces is as follows:			
Dollies:			
8 by 16 in.—\$2.64			
10 by 14 in.—\$2.64			
12 by 12 in.—\$2.64			
Napkins:			
12 by 22 in.—\$2.64			
15 by 15 in.—\$2.30			
18 by 18 in.—\$2.37			
Table scarves:			
17 by 26 in.—\$5.55			
17 by 45 in.—\$11.54			
17 by 54 in.—\$12.60			
Squares:			
26 by 26 in.—\$7.06			
36 by 36 in.—\$9.50			
45 by 45 in.—\$12.54			
Table cloths:			
54 by 72 in.—\$11.54			
72 by 72 in.—\$12.44			
72 by 80 in.—\$12.60			
100	Hemming stitch over pascas, measuring all around edge, cambric.	5.23	Per dozen inches.
On basis of above rate, the rate per dozen pieces is as follows:			
Dollies:			
8 by 16 in.—\$2.30			
10 by 14 in.—\$2.30			
12 by 12 in.—\$2.32			
Napkins:			
12 by 22 in.—\$2.30			
15 by 15 in.—\$2.12			
18 by 18 in.—\$2.14			
Table scarves:			
17 by 26 in.—\$5.13			
17 by 45 in.—\$10.45			
17 by 54 in.—\$11.54			
Squares:			
26 by 26 in.—\$7.50			
36 by 36 in.—\$9.86			
45 by 45 in.—\$12.55			
Table cloths:			
54 by 72 in.—\$11.50			
72 by 72 in.—\$12.40			
72 by 80 in.—\$12.56			

Rate No.	Operations	Cents	Unit of payment
51	Pascas, 11 by 11 to 14 in. linen up to 1,600 count, inclusive	15.60	Per dozen pascas.
52	Pascas, 11 by 11 to 14 in. linen 1,700 count and over	21.84	Do.
53	Pascas, 15 by 15 in. linen up to 1,600 count, inclusive	26.82	Do.
54	Pascas, 15 by 15 in. linen 1,700 count and over	32.78	Do.
55	Pascas, 16 by 16 in. to 20 in. linen up to 1,600 count, inclusive	37.44	Do.
56	Pascas, 16 by 16 in. to 20 in. linen 1,700 count and over	43.40	Do.
57	Pascas, 20 by 20 in. to 24 in. linen up to 1,600 count, inclusive	5.10	Do.
58	Pascas, 20 by 20 in. to 24 in. linen 1,700 count and over	11.70	Do.
59	Pascas, 24 by 24 in. to 28 in. linen up to 1,600 count, inclusive	31.20	Do.
60	Pascas, 24 by 24 in. to 28 in. linen 1,700 count and over	37.40	Do.
61	Pascas, 28 by 28 in. to 32 in. linen up to 1,600 count, inclusive	17.07	Per dozen inches.
62	Pascas, 28 by 28 in. to 32 in. linen 1,700 count and over	22.47	Do.
63	Pascas, 32 by 32 in. to 36 in. linen up to 1,600 count, inclusive	26.73	Do.
64	Pascas, 32 by 32 in. to 36 in. linen 1,700 count and over	31.84	Do.
65	Pascas, 36 by 36 in. to 40 in. linen up to 1,600 count, inclusive	11.35	Do.
66	Pascas, 36 by 36 in. to 40 in. linen 1,700 count and over	17.55	Do.
67	Pascas, 40 by 40 in. to 44 in. linen up to 1,600 count, inclusive	23.35	Do.
68	Pascas, 40 by 40 in. to 44 in. linen 1,700 count and over	29.75	Do.
69	Pascas, 44 by 44 in. to 48 in. linen up to 1,600 count, inclusive	29.73	Do.
70	Pascas, 44 by 44 in. to 48 in. linen 1,700 count and over	35.93	Do.
71	Pascas, 48 by 48 in. to 52 in. linen up to 1,600 count, inclusive	35.60	Per dozen.
72	Pascas, 48 by 48 in. to 52 in. linen 1,700 count and over	42.00	Do.
73	Pascas, 52 by 52 in. to 56 in. linen up to 1,600 count, inclusive	15.60	Per dozen.
74	Pascas, 52 by 52 in. to 56 in. linen 1,700 count and over	22.00	Do.
75	Pascas, 56 by 56 in. to 60 in. linen up to 1,600 count, inclusive	30.51	Do.
76	Pascas, 56 by 56 in. to 60 in. linen 1,700 count and over	36.91	Do.
77	Pascas, 60 by 60 in. to 64 in. linen up to 1,600 count, inclusive	36.91	Do.
78	Pascas, 60 by 60 in. to 64 in. linen 1,700 count and over	43.31	Do.
79	Pascas, 64 by 64 in. to 68 in. linen up to 1,600 count, inclusive	43.31	Do.
80	Pascas, 64 by 64 in. to 68 in. linen 1,700 count and over	49.71	Do.
81	Pascas, 68 by 68 in. to 72 in. linen up to 1,600 count, inclusive	49.71	Do.
82	Pascas, 68 by 68 in. to 72 in. linen 1,700 count and over	56.11	Do.
83	Pascas, 72 by 72 in. to 76 in. linen up to 1,600 count, inclusive	56.11	Do.
84	Pascas, 72 by 72 in. to 76 in. linen 1,700 count and over	62.51	Do.
85	Pascas, 76 by 76 in. to 80 in. linen up to 1,600 count, inclusive	62.51	Do.
86	Pascas, 76 by 76 in. to 80 in. linen 1,700 count and over	68.91	Do.
87	Pascas, 80 by 80 in. to 84 in. linen up to 1,600 count, inclusive	68.91	Do.
88	Pascas, 80 by 80 in. to 84 in. linen 1,700 count and over	75.31	Do.
89	Pascas, 84 by 84 in. to 88 in. linen up to 1,600 count, inclusive	75.31	Do.
90	Pascas, 84 by 84 in. to 88 in. linen 1,700 count and over	81.71	Do.
91	Pascas, 88 by 88 in. to 92 in. linen up to 1,600 count, inclusive	81.71	Do.
92	Pascas, 88 by 88 in. to 92 in. linen 1,700 count and over	88.11	Do.
93	Pascas, 92 by 92 in. to 96 in. linen up to 1,600 count, inclusive	88.11	Do.
94	Pascas, 92 by 92 in. to 96 in. linen 1,700 count and over	94.51	Do.
95	Pascas, 96 by 96 in. to 100 in. linen up to 1,600 count, inclusive	94.51	Do.
96	Pascas, 96 by 96 in. to 100 in. linen 1,700 count and over	100.91	Do.
97	Pascas, 100 by 100 in. to 104 in. linen up to 1,600 count, inclusive	100.91	Do.
98	Pascas, 100 by 100 in. to 104 in. linen 1,700 count and over	107.31	Do.
99	Pascas, 104 by 104 in. to 108 in. linen up to 1,600 count, inclusive	107.31	Do.
100	Pascas, 104 by 104 in. to 108 in. linen 1,700 count and over	113.71	Do.
101	Pascas, 108 by 108 in. to 112 in. linen up to 1,600 count, inclusive	113.71	Do.
102	Pascas, 108 by 108 in. to 112 in. linen 1,700 count and over	120.11	Do.
103	Pascas, 112 by 112 in. to 116 in. linen up to 1,600 count, inclusive	120.11	Do.
104	Pascas, 112 by 112 in. to 116 in. linen 1,700 count and over	126.51	Do.
105	Pascas, 116 by 116 in. to 120 in. linen up to 1,600 count, inclusive	126.51	Do.
106	Pascas, 116 by 116 in. to 120 in. linen 1,700 count and over	132.91	Do.
107	Pascas, 120 by 120 in. to 124 in. linen up to 1,600 count, inclusive	132.91	Do.
108	Pascas, 120 by 120 in. to 124 in. linen 1,700 count and over	139.31	Do.
109	Pascas, 124 by 124 in. to 128 in. linen up to 1,600 count, inclusive	139.31	Do.
110	Pascas, 124 by 124 in. to 128 in. linen 1,700 count and over	145.71	Do.
111	Pascas, 128 by 128 in. to 132 in. linen up to 1,600 count, inclusive	145.71	Do.
112	Pascas, 128 by 128 in. to 132 in. linen 1,700 count and over	152.11	Do.
113	Pascas, 132 by 132 in. to 136 in. linen up to 1,600 count, inclusive	152.11	Do.
114	Pascas, 132 by 132 in. to 136 in. linen 1,700 count and over	158.51	Do.
115	Pascas, 136 by 136 in. to 140 in. linen up to 1,600 count, inclusive	158.51	Do.
116	Pascas, 136 by 136 in. to 140 in. linen 1,700 count and over	164.91	Do.
117	Pascas, 140 by 140 in. to 144 in. linen up to 1,600 count, inclusive	164.91	Do.
118	Pascas, 140 by 140 in. to 144 in. linen 1,700 count and over	171.31	Do.
119	Pascas, 144 by 144 in. to 148 in. linen up to 1,600 count, inclusive	171.31	Do.
120	Pascas, 144 by 144 in. to 148 in. linen 1,700 count and over	177.71	Do.
121	Pascas, 148 by 148 in. to 152 in. linen up to 1,600 count, inclusive	177.71	Do.
122	Pascas, 148 by 148 in. to 152 in. linen 1,700 count and over	184.11	Do.
123	Pascas, 152 by 152 in. to 156 in. linen up to 1,600 count, inclusive	184.11	Do.
124	Pascas, 152 by 152 in. to 156 in. linen 1,700 count and over	190.51	Do.
125	Pascas, 156 by 156 in. to 160 in. linen up to 1,600 count, inclusive	190.51	Do.
126	Pascas, 156 by 156 in. to 160 in. linen 1,700 count and over	196.91	Do.
127	Pascas, 160 by 160 in. to 164 in. linen up to 1,600 count, inclusive	196.91	Do.
128	Pascas, 160 by 160 in. to 164 in. linen 1,700 count and over	203.31	Do.
129	Pascas, 164 by 164 in. to 168 in. linen up to 1,600 count, inclusive	203.31	Do.
130	Pascas, 164 by 164 in. to 168 in. linen 1,700 count and over	209.71	Do.
131	Pascas, 168 by 168 in. to 172 in. linen up to 1,600 count, inclusive	209.71	Do.
132	Pascas, 168 by 168 in. to 172 in. linen 1,700 count and over	216.11	Do.
133	Pascas, 172 by 172 in. to 176 in. linen up to 1,600 count, inclusive	216.11	Do.
134	Pascas, 172 by 172 in. to 176 in. linen 1,700 count and over	222.51	Do.
135	Pascas, 176 by 176 in. to 180 in. linen up to 1,600 count, inclusive	222.51	Do.
136	Pascas, 176 by 176 in. to 180 in. linen 1,700 count and over	228.91	Do.
137	Pascas, 180 by 180 in. to 184 in. linen up to 1,600 count, inclusive	228.91	Do.
138	Pascas, 180 by 180 in. to 184 in. linen 1,700 count and over	235.31	Do.
139	Pascas, 184 by 184 in. to 188 in. linen up to 1,600 count, inclusive	235.31	Do.
140	Pascas, 184 by 184 in. to 188 in. linen 1,700 count and over	241.71	Do.
141	Pascas, 188 by 188 in. to 192 in. linen up to 1,600 count, inclusive	241.71	Do.
142	Pascas, 188 by 188 in. to 192 in. linen 1,700 count and over	248.11	Do.
143	Pascas, 192 by 192 in. to 196 in. linen up to 1,600 count, inclusive	248.11	Do.
144	Pascas, 192 by 192 in. to 196 in. linen 1,700 count and over	254.51	Do.
145	Pascas, 196 by 196 in. to 200 in. linen up to 1,600 count, inclusive	254.51	Do.
146	Pascas, 196 by 196 in. to 200 in. linen 1,700 count and over	260.91	Do.
147	Pascas, 200 by 200 in. to 204 in. linen up to 1,600 count, inclusive	260.91	Do.
148	Pascas, 200 by 200 in. to 204 in. linen 1,700 count and over	267.31	Do.
149	Pascas, 204 by 204 in. to 208 in. linen up to 1,600 count, inclusive	267.31	Do.
150	Pascas, 204 by 204 in. to 208 in. linen 1,700 count and over	273.71	Do.
151	Pascas, 208 by 208 in. to 212 in. linen up to 1,600 count, inclusive	273.71	Do.
152	Pascas, 208 by 208 in. to 212 in. linen 1,700 count and over	280.11	Do.
153	Pascas, 212 by 212 in. to 216 in. linen up to 1,600 count, inclusive	280.11	Do.
154	Pascas, 212 by 212 in. to 216 in. linen 1,700 count and over	286.51	Do.
155	Pascas, 216 by 216 in. to 220 in. linen up to 1,600 count, inclusive	286.51	Do.
156	Pascas, 216 by 216 in. to 220 in. linen 1,700 count and over	292.91	Do.
157	Pascas, 220 by 220 in. to 224 in. linen up to 1,600 count, inclusive	292.91	Do.
158	Pascas, 220 by 220 in. to 224 in. linen 1,700 count and over	299.31	Do.
159	Pascas, 224 by 224 in. to 228 in. linen up to 1,600 count, inclusive	299.31	Do.
160	Pascas, 224 by 224 in. to 228 in. linen 1,700 count and over	305.71	Do.
161	Pascas, 228 by 228 in. to 232 in. linen up to 1,600 count, inclusive	305.71	Do.
162	Pascas, 228 by 228 in. to 232 in. linen 1,700 count and over	312.11	Do.
163	Pascas, 232 by 232 in. to 236 in. linen up to 1,600 count, inclusive	312.11	Do.
164	Pascas, 232 by 232 in. to 236 in. linen 1,700 count and over	318.51	Do.
165	Pascas, 236 by 236 in. to 240 in. linen up to 1,600 count, inclusive	318.51	Do.
166	Pascas, 236 by 236 in. to 240 in. linen 1,700 count and over	324.91	Do.
167	Pascas, 240 by 240 in. to 244 in. linen up to 1,600 count, inclusive	324.91	Do.
168	Pascas, 240 by 240 in. to 244 in. linen 1,700 count and over	331.31	Do.
169	Pascas, 244 by 244 in. to 248 in. linen up to 1,600 count, inclusive	331.31	Do.
170	Pascas, 244 by 244 in. to 248 in. linen 1,700 count and over	337.71	Do.
171	Pascas, 248 by 248 in. to 252 in. linen up to 1,600 count, inclusive	337.71	Do.
172	Pascas, 248 by 248 in. to 252 in. linen 1,700 count and over	344.11	Do.
173	Pascas, 252 by 252 in. to 256 in. linen up to 1,600 count, inclusive	344.11	Do.
174	Pascas, 252 by 252 in. to 256 in. linen 1,700 count and over	350.51	Do.
175	Pascas, 256 by 256 in. to 260 in. linen up to 1,600 count, inclusive	350.51	Do.
176	Pascas, 256 by 256 in. to 260 in. linen 1,700 count and over	356.91	Do.
177	Pascas, 260 by 260 in. to 264 in. linen up to 1,600 count, inclusive	356.91	Do.
178	Pascas, 260 by 260 in. to 264 in. linen 1,700 count and over	363.31	Do.
179	Pascas, 264 by 264 in. to 268 in. linen up to 1,600 count, inclusive	363.31	Do.
180	Pascas, 264 by 264 in. to 268 in. linen 1,700 count and over	369.71	Do.
181	Pascas, 268 by 268 in. to 272 in. linen up to 1,600 count, inclusive	369.71	Do.
182	Pascas, 268 by 268 in. to 272 in. linen 1,700 count and over	376.11	Do.
183	Pascas, 272 by 272 in. to 276 in. linen up to 1,600 count, inclusive	376.11	Do.
184	Pascas, 272 by 272 in. to 276 in. linen 1,700 count and over	382.51	Do.
185	Pascas, 276 by 276 in. to 280 in. linen up to 1,600 count, inclusive	382.51	Do.
186	Pascas, 276 by 276 in. to 280 in. linen 1,700 count and over	388.91	Do.
187	Pascas, 280 by 280 in. to 284 in. linen up to 1,600 count, inclusive	388.91	Do.
188	Pascas, 280 by 280 in. to 284 in. linen 1,700 count and over	395.31	Do.
189	Pascas, 284 by 284 in. to 288 in. linen up to 1,600 count, inclusive	395.31	Do.
190	Pascas, 284 by 284 in. to 288 in. linen 1,700 count and over	401.71	Do.
191	Pascas, 288 by 288 in. to 292 in. linen up to 1,600 count, inclusive	401.71	Do.
192	Pascas, 288 by 288 in. to 292 in. linen 1,700 count and over	408.11	Do.
193	Pascas, 292 by 292 in. to 296 in. linen up to 1,600 count, inclusive	408.11	Do.
194	Pascas, 292 by 292 in. to 296 in. linen 1,700 count and over	414.51	Do.
195	Pascas, 296 by 296 in. to 300 in. linen up to 1,600 count, inclusive	414.51	Do.
196	Pascas, 296 by 296 in. to 300 in. linen 1,700 count and over	420.91	Do.
197	Pascas, 300 by 300 in. to 304 in. linen up to 1,600 count, inclusive	420.91	Do.
198	Pascas, 300 by 300 in. to 304 in. linen 1,700 count and over	427.31	Do.
199	Pascas, 304 by 304 in. to 308 in. linen up to 1,600 count, inclusive	427.31	Do.
200	Pascas, 304 by 304 in. to 308 in. linen 1,700 count and over	433.71	Do.
201	Pascas, 308 by 308 in. to 312 in. linen up to 1,600 count, inclusive	433.71	Do.
202	Pascas, 308 by 308 in. to 312 in. linen 1,700 count and over	440.11	Do.
203	Pascas, 312 by 312 in. to 316 in. linen up to 1,600 count, inclusive	440.11	Do.
204	Pascas, 312 by 312 in. to 316 in. linen 1,700 count and over	446.51	Do.
205	Pascas, 316 by 316 in. to 320 in. linen up to 1,600 count, inclusive	446.51	Do.
206	Pascas, 316 by 316 in. to 320 in. linen 1,700 count and over	452.91	Do.
207	Pascas, 320 by 320 in. to 324 in. linen up to 1,600 count, inclusive	452.91	Do.
208	Pascas, 320 by 320 in. to 324 in. linen 1,700 count and over	459.31	Do.
209	Pascas, 324 by 324 in. to 328 in. linen up to 1,600 count, inclusive	459.31	Do.
210	Pascas, 324 by 324 in. to 328 in. linen 1,700 count and over	465.71	Do.
211	Pascas, 328 by 328 in. to 332 in. linen up to 1,600 count, inclusive	465.71	Do.
212	Pascas, 328 by 328 in. to 332 in. linen 1,700 count and over	472.11	Do.
213	Pascas, 332 by 332 in. to 336 in. linen up to 1,600 count, inclusive	472.11	Do.
214	Pascas, 332 by 332 in. to 336 in. linen 1,700 count and over	478.51	Do.
215	Pascas, 336 by 336 in. to 340 in. linen up to 1,600 count, inclusive	478.51	Do.
216	Pascas, 336 by 336 in. to 340 in. linen 1,700 count and over	484.91	Do.
217	Pascas, 340 by 340 in. to 344 in. linen up to 1,600 count, inclusive	484.91	Do.
218	Pascas, 340 by 340 in. to 344 in. linen 1,700 count and over	491.31	Do.
219	Pascas, 344 by 344 in. to 348 in. linen up to 1,600 count, inclusive	491.31	Do.
220	Pascas, 344 by 344 in. to 348 in. linen 1,700 count and over	497.71	Do.
221	Pascas, 348 by 348 in. to 352 in. linen up to 1,600 count, inclusive	497.71	Do.
222	Pascas, 348 by 348 in. to 352 in. linen 1,700 count and over	504.11	Do.
223	Pascas, 352 by 352 in. to 356 in. linen up to 1,600 count, inclusive	504.11	Do.
224	Pascas, 352 by 352 in. to 356 in. linen 1,700 count and over	510.51	Do.
225	Pascas, 356 by 356 in. to 360 in. linen up to 1,600 count, inclusive	510.51	Do.
226	Pascas, 356 by 356 in. to 360 in. linen 1,700 count and over	516.91	Do.
227	Pascas, 360 by 360 in. to 364 in. linen up to 1,600 count, inclusive	516.91	Do.
228	Pascas, 360 by 360 in. to 364 in. linen 1,700 count and over	523.31	Do.
229	Pascas, 364 by 364 in. to 368 in. linen up to 1,600 count, inclusive	523.31	Do.
230	Pascas, 364 by 364 in. to 368 in. linen 1,700 count and over	529.71	Do.
231	Pascas, 368 by 368 in. to 372 in. linen up to 1,600 count, inclusive	529.71	Do.
232	Pascas, 368 by 368 in. to 372 in. linen 1,700 count and over	536.11	Do.
233	Pascas, 372 by 372 in. to 376 in. linen up to 1,600 count, inclusive	536.11	Do.
234	Pascas, 372 by 372 in. to 376 in. linen 1,700 count and over	542.51	Do.
235	Pascas, 376 by 376 in. to 380 in. linen up to 1,600 count, inclusive	542.51	Do.
236	Pascas, 376 by 376 in. to 380 in. linen 1,700 count and over	548.91	Do.
237	Pascas, 380 by 380 in. to 384 in. linen up to 1,600 count, inclusive	548.91	Do.
238	Pascas, 380 by 380 in. to 384 in. linen 1,700 count and over	555.31	Do.
239	Pascas, 384 by 384 in. to 388 in. linen up to 1,600 count, inclusive	555.31	Do.
240	Pascas, 384 by 384 in. to 388 in. linen 1,700 count and over	561.71	Do.
241	Pascas, 388 by 388 in. to 392 in. linen up to 1,600 count, inclusive		



Rate No.	Operations	Cents	Unit of payment
101.....	Hemming stitch over passia, measuring all around edge, crash..... On basis of above rate, the rate per dozen pieces is as follows:	4.89	Per dozen inches.
	Dollies: 8 by 14 in.—\$2.34 10 by 14 in.—\$2.34 12 by 14 in.—\$2.34 Napkins: 12 by 12 in.—\$2.34 14 by 12 in.—\$2.34 16 by 12 in.—\$2.34 18 by 12 in.—\$2.34 Table scarves: 12 by 36 in.—\$5.17 14 by 36 in.—\$5.17 16 by 36 in.—\$5.17 18 by 36 in.—\$5.17 Squares: 36 by 36 in.—\$7.05 45 by 45 in.—\$8.79 54 by 54 in.—\$10.56 Table cloths: 72 by 72 in.—\$12.83 72 by 72 in.—\$12.83 72 by 90 in.—\$15.83 On basis of above rate, the rate per dozen pieces is as follows:		
102.....	Second seams, for separate borders, measuring all around edge, crash..... On basis of above rate, the rate per dozen pieces is as follows:	6.23	Per dozen inches.
	Dollies: 8 by 14 in.—\$2.50 10 by 14 in.—\$2.50 12 by 14 in.—\$2.50 Napkins: 12 by 12 in.—\$2.50 14 by 12 in.—\$2.50 16 by 12 in.—\$2.50 18 by 12 in.—\$2.50 Table scarves: 12 by 36 in.—\$5.33 14 by 36 in.—\$5.33 16 by 36 in.—\$5.33 18 by 36 in.—\$5.33 Squares: 36 by 36 in.—\$7.20 45 by 45 in.—\$8.96 54 by 54 in.—\$11.25 Table cloths: 72 by 72 in.—\$13.00 72 by 72 in.—\$13.00 72 by 90 in.—\$16.00 On basis of above rate, the rate per dozen pieces is as follows:		
103.....	Second seams for separate borders, measuring all around edge, crash..... On basis of above rate, the rate per dozen pieces is as follows:	4.89	Per dozen inches.
	Dollies: 8 by 14 in.—\$2.34 10 by 14 in.—\$2.34 12 by 14 in.—\$2.34 Napkins: 12 by 12 in.—\$2.34 14 by 12 in.—\$2.34 16 by 12 in.—\$2.34 18 by 12 in.—\$2.34 Table scarves: 12 by 36 in.—\$5.17 14 by 36 in.—\$5.17 16 by 36 in.—\$5.17 18 by 36 in.—\$5.17 Squares: 36 by 36 in.—\$7.05 45 by 45 in.—\$8.79 54 by 54 in.—\$10.56 Table cloths: 72 by 72 in.—\$12.83 72 by 72 in.—\$12.83 72 by 90 in.—\$15.83 On basis of above rate, the rate per dozen pieces is as follows:		
104.....	Second seams, for separate borders, with French corners, measuring all around edge, cambric..... On basis of above rate, the rate per dozen pieces is as follows:	5.83	Per dozen inches.
	Dollies: 8 by 14 in.—\$2.82 10 by 14 in.—\$2.82 12 by 14 in.—\$2.82 Napkins: 12 by 12 in.—\$2.82 14 by 12 in.—\$2.82 16 by 12 in.—\$2.82 18 by 12 in.—\$2.82 Table scarves: 12 by 36 in.—\$6.01 14 by 36 in.—\$6.01 16 by 36 in.—\$6.01 18 by 36 in.—\$6.01 Squares: 36 by 36 in.—\$8.42 45 by 45 in.—\$10.53 54 by 54 in.—\$12.66 Table cloths: 72 by 72 in.—\$14.76 72 by 72 in.—\$14.76 72 by 90 in.—\$18.01 On basis of above rate, the rate per dozen pieces is as follows:		
105.....	Second seams, for separate borders, with French corners, measuring all around edge, crash..... On basis of above rate, the rate per dozen pieces is as follows:	5.23	Per dozen inches.
	Dollies: 8 by 14 in.—\$2.50 10 by 14 in.—\$2.50 12 by 14 in.—\$2.50 Napkins: 12 by 12 in.—\$2.50 14 by 12 in.—\$2.50 16 by 12 in.—\$2.50 18 by 12 in.—\$2.50 Table scarves: 12 by 36 in.—\$5.33 14 by 36 in.—\$5.33 16 by 36 in.—\$5.33 18 by 36 in.—\$5.33 Squares: 36 by 36 in.—\$7.20 45 by 45 in.—\$8.96 54 by 54 in.—\$11.25 Table cloths: 72 by 72 in.—\$13.00 72 by 72 in.—\$13.00 72 by 90 in.—\$16.00 On basis of above rate, the rate per dozen pieces is as follows:		
106.....	Hand-cutting machine-embroidered, shallow, curved scallops on handkerchiefs or square scarves: Small, measuring from 1/4 in up to but not including 1/2 in along outside edge.	45.01	Per dozen scallops.
107.....	Medium, measuring from 1/4 in up to but not including 3/4 in along outside edge.	56.07	Do.
108.....	Large, measuring from 1/4 in to and inclusive of 1 1/4 in along outside edge.	55.00	Do.
109.....	Compact floral, figures, and landscapes *.....	\$1.12	Per 1,000 stitches.
110.....	Scattered floral *.....	\$2.36	Do.
111.....	Scattered floral consisting of borders or garlands only.....	\$3.40	Do.
112.....	Combinations of compact center and scattered borders in which the compact portion totals 45 percent or more of the total design.	\$7.36	Do.
113.....	Combinations of compact center and scattered borders in which the compact portion totals less than 45 percent of the entire design.	\$3.00	Do.

SCALLOP CUTTING

NEEDLEPOINT OPERATIONS \*



## RULES AND REGULATIONS

Rate No.	Operations	Cents	Unit of payment
20	Cutting material under lace or at seams, straight outline, following machine operations.	5.99	Per yard.
21	Hand cutting material underneath straight or nearly straight outline.	Do.	Do.
22	Hand cutting material underneath irregular outline.	11.33	Per dozen.
23	Dots, baby, not finished off, 2 to 3 stitches.	21.11	Do.
24	Dots, medium, not finished off, 2 to 3 stitches.	33.66	Do.
25	Dots, large, not finished off, 2 to 3 stitches.	44.44	Do.
26	Yokes, up to 4 in diameter.	22.22	Per yard.
27	Yokes, 4 to 6 in diameter.	44.44	Do.
28	Yokes, 6 to 8 in diameter.	66.66	Do.
29	Yokes, 8 to 10 in diameter.	88.88	Do.
30	Yokes, 10 to 12 in diameter.	111.11	Do.
31	Yokes, 12 to 14 in diameter.	133.33	Do.
32	Yokes, 14 to 16 in diameter.	155.55	Do.
33	Yokes, 16 to 18 in diameter.	177.77	Do.
34	Yokes, 18 to 20 in diameter.	200.00	Do.
35	Yokes, 20 to 22 in diameter.	222.22	Do.
36	Yokes, 22 to 24 in diameter.	244.44	Do.
37	Yokes, 24 to 26 in diameter.	266.66	Do.
38	Yokes, 26 to 28 in diameter.	288.88	Do.
39	Yokes, 28 to 30 in diameter.	311.11	Do.
40	Yokes, 30 to 32 in diameter.	333.33	Do.
41	Yokes, 32 to 34 in diameter.	355.55	Do.
42	Yokes, 34 to 36 in diameter.	377.77	Do.
43	Yokes, 36 to 38 in diameter.	400.00	Do.
44	Yokes, 38 to 40 in diameter.	422.22	Do.
45	Yokes, 40 to 42 in diameter.	444.44	Do.
46	Yokes, 42 to 44 in diameter.	466.66	Do.
47	Yokes, 44 to 46 in diameter.	488.88	Do.
48	Yokes, 46 to 48 in diameter.	511.11	Do.
49	Yokes, 48 to 50 in diameter.	533.33	Do.
50	Yokes, 50 to 52 in diameter.	555.55	Do.
51	Yokes, 52 to 54 in diameter.	577.77	Do.
52	Yokes, 54 to 56 in diameter.	600.00	Do.
53	Yokes, 56 to 58 in diameter.	622.22	Do.
54	Yokes, 58 to 60 in diameter.	644.44	Do.
55	Yokes, 60 to 62 in diameter.	666.66	Do.
56	Yokes, 62 to 64 in diameter.	688.88	Do.
57	Yokes, 64 to 66 in diameter.	711.11	Do.
58	Yokes, 66 to 68 in diameter.	733.33	Do.
59	Yokes, 68 to 70 in diameter.	755.55	Do.
60	Yokes, 70 to 72 in diameter.	777.77	Do.
61	Yokes, 72 to 74 in diameter.	800.00	Do.
62	Yokes, 74 to 76 in diameter.	822.22	Do.
63	Yokes, 76 to 78 in diameter.	844.44	Do.
64	Yokes, 78 to 80 in diameter.	866.66	Do.
65	Yokes, 80 to 82 in diameter.	888.88	Do.
66	Yokes, 82 to 84 in diameter.	911.11	Do.
67	Yokes, 84 to 86 in diameter.	933.33	Do.
68	Yokes, 86 to 88 in diameter.	955.55	Do.
69	Yokes, 88 to 90 in diameter.	977.77	Do.
70	Yokes, 90 to 92 in diameter.	1000.00	Do.
71	Yokes, 92 to 94 in diameter.	1022.22	Do.
72	Yokes, 94 to 96 in diameter.	1044.44	Do.
73	Yokes, 96 to 98 in diameter.	1066.66	Do.
74	Yokes, 98 to 100 in diameter.	1088.88	Do.
75	Yokes, 100 to 102 in diameter.	1111.11	Do.
76	Yokes, 102 to 104 in diameter.	1133.33	Do.
77	Yokes, 104 to 106 in diameter.	1155.55	Do.
78	Yokes, 106 to 108 in diameter.	1177.77	Do.
79	Yokes, 108 to 110 in diameter.	1200.00	Do.
80	Yokes, 110 to 112 in diameter.	1222.22	Do.
81	Yokes, 112 to 114 in diameter.	1244.44	Do.
82	Yokes, 114 to 116 in diameter.	1266.66	Do.
83	Yokes, 116 to 118 in diameter.	1288.88	Do.
84	Yokes, 118 to 120 in diameter.	1311.11	Do.
85	Yokes, 120 to 122 in diameter.	1333.33	Do.
86	Yokes, 122 to 124 in diameter.	1355.55	Do.
87	Yokes, 124 to 126 in diameter.	1377.77	Do.
88	Yokes, 126 to 128 in diameter.	1400.00	Do.
89	Yokes, 128 to 130 in diameter.	1422.22	Do.
90	Yokes, 130 to 132 in diameter.	1444.44	Do.
91	Yokes, 132 to 134 in diameter.	1466.66	Do.
92	Yokes, 134 to 136 in diameter.	1488.88	Do.
93	Yokes, 136 to 138 in diameter.	1511.11	Do.
94	Yokes, 138 to 140 in diameter.	1533.33	Do.
95	Yokes, 140 to 142 in diameter.	1555.55	Do.
96	Yokes, 142 to 144 in diameter.	1577.77	Do.
97	Yokes, 144 to 146 in diameter.	1600.00	Do.
98	Yokes, 146 to 148 in diameter.	1622.22	Do.
99	Yokes, 148 to 150 in diameter.	1644.44	Do.
100	Yokes, 150 to 152 in diameter.	1666.66	Do.

(d) Minimum piece rates for the room- effective September 15, 1973. In the minimum hourly wage rates for activities in the blouse industry in Puerto Rico. The formerly in the "hand-sewing" classification rates given below have been adjusted to reflect increases which became classification as those classifications were

Rate No.	Operations	Cents	Unit of payment
114	For second and third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
115	For fourth and fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
116	For sixth and seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
117	For eighth and ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
118	For tenth and eleventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
119	For twelfth and thirteenth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
120	For fourteenth and fifteenth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
121	For sixteenth and seventeenth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
122	For eighteenth and nineteenth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
123	For twentieth and twenty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
124	For twenty-second and twenty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
125	For twenty-fourth and twenty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
126	For twenty-sixth and twenty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
127	For twenty-eighth and twenty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
128	For thirtieth and thirty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
129	For thirty-second and thirty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
130	For thirty-fourth and thirty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
131	For thirty-sixth and thirty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
132	For thirty-eighth and thirty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
133	For fortieth and forty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
134	For forty-second and forty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
135	For forty-fourth and forty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
136	For forty-sixth and forty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
137	For forty-eighth and forty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
138	For fiftieth and fifty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
139	For fifty-second and fifty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
140	For fifty-fourth and fifty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
141	For fifty-sixth and fifty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
142	For fifty-eighth and fifty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
143	For sixtieth and sixty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
144	For sixty-second and sixty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
145	For sixty-fourth and sixty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
146	For sixty-sixth and sixty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
147	For sixty-eighth and sixty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
148	For seventieth and seventy-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
149	For seventy-second and seventy-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
150	For seventy-fourth and seventy-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
151	For seventy-sixth and seventy-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
152	For seventy-eighth and seventy-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
153	For eightieth and eighty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
154	For eighty-second and eighty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
155	For eighty-fourth and eighty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
156	For eighty-sixth and eighty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
157	For eighty-eighth and eighty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
158	For ninetieth and ninety-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
159	For ninety-second and ninety-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
160	For ninety-fourth and ninety-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
161	For ninety-sixth and ninety-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
162	For ninety-eighth and ninety-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
163	For one hundredth and one hundred-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
164	For one hundred-second and one hundred-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
165	For one hundred-fourth and one hundred-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
166	For one hundred-sixth and one hundred-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
167	For one hundred-eighth and one hundred-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
168	For one hundred-tenth and one hundred-eleventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
169	For one hundred-twelfth and one hundred-thirteenth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
170	For one hundred-fourteenth and one hundred-fifteenth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
171	For one hundred-sixteenth and one hundred-seventeenth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
172	For one hundred-eighteenth and one hundred-nineteenth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
173	For one hundred-twentieth and one hundred-twenty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
174	For one hundred-twenty-second and one hundred-twenty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
175	For one hundred-twenty-fourth and one hundred-twenty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
176	For one hundred-twenty-sixth and one hundred-twenty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
177	For one hundred-twenty-eighth and one hundred-twenty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
178	For one hundred-thirtieth and one hundred-thirty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
179	For one hundred-thirty-second and one hundred-thirty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
180	For one hundred-thirty-fourth and one hundred-thirty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
181	For one hundred-thirty-sixth and one hundred-thirty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
182	For one hundred-thirty-eighth and one hundred-thirty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
183	For one hundred-thirtieth and one hundred-thirty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
184	For one hundred-thirty-second and one hundred-thirty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
185	For one hundred-thirty-fourth and one hundred-thirty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
186	For one hundred-thirty-sixth and one hundred-thirty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
187	For one hundred-thirty-eighth and one hundred-thirty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
188	For one hundred-thirtieth and one hundred-thirty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
189	For one hundred-thirty-second and one hundred-thirty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
190	For one hundred-thirty-fourth and one hundred-thirty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
191	For one hundred-thirty-sixth and one hundred-thirty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
192	For one hundred-thirty-eighth and one hundred-thirty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
193	For one hundred-thirtieth and one hundred-thirty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
194	For one hundred-thirty-second and one hundred-thirty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
195	For one hundred-thirty-fourth and one hundred-thirty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
196	For one hundred-thirty-sixth and one hundred-thirty-seventh threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
197	For one hundred-thirty-eighth and one hundred-thirty-ninth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
198	For one hundred-thirtieth and one hundred-thirty-first threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
199	For one hundred-thirty-second and one hundred-thirty-third threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		
200	For one hundred-thirty-fourth and one hundred-thirty-fifth threads, add 30 percent of rate for first thread; for additional threads, 15 percent of rate for first thread.		

Rate No.	Operations	Cents	Unit of payment
1	Arellita (seed stitch), close, 1/4 in squares.	322.00	Per dozen squares.
2	Arellita (seed stitch), scattered, 1/4 in squares.	46.00	Do.
3	Arellita (seed stitch), scattered, 1/2 in squares.	46.00	Do.
4	Basting bias with cord.	32.70	Per yard.
5	Basting bias with cord.	14.44	Do.
6	Basting bias with cord.	34.54	Do.
7	Basting bias with cord.	27.66	Do.
8	Basting bias with cord.	21.44	Do.
9	Basting bias with cord.	64.00	Do.
10	Basting bias with cord.	88.00	Do.
11	Basting bias with cord.	22.22	Per dozen.
12	Basting bias with cord.	73.78	Do.
13	Basting bias with cord.	58.25	Do.
14	Basting bias with cord.	144.00	Per yard.
15	Basting bias with cord.	16.00	Per dozen inches.
16	Basting bias with cord.	21.94	Per yard.
17	Hand cutting material over lace applique or other material and at edges of garment following machine embroidered cord, large outline, around scallops measuring 1 in or more.	Do.	Do.
18	Hand cutting material over lace applique or other material and at edges of garment following machine embroidered cord, small outline around scallops measuring less than 1 in.	Do.	Do.
19	Cutting material under lace or at seams, straight outline, following hand-sewing operations.	8.98	Do.



other rates are based upon the minimum hourly rate for activities formerly in the "hand-sewing" classification which was increased from \$1.35 to \$1.54. Each piece rate below has been increased by the same percent as the hourly rate upon which it is based was increased. The piece rates for rates numbered 6, 8, 11, 12, 13, 31, 33, 37, 38, 50, 62, 64, 71, and 73 are not applicable when the operations are performed on articles wholly machine sewn or machine knit.

Rate No.	Operations	Blouses, neckwear and silk and synthetic underwear and nightwear (Cents)	Cotton underwear and nightwear (Cents)	Unit of payment
1	Areolla (band stitch), close, 1/4 in squares.	184.80	166.32	Per dozen squares.
2	Areolla (band stitch), scattered, 1/4 in squares.	92.40	83.16	Do.
3	Arrows, filed in, 1/4 in.	46.20	41.58	Per dozen.
4	Basting for lace.	50.52	45.76	Per yard.
5	Basting for lace, 1 to 6 in wide.	13.88	12.53	Do.
6	Basting waist line, plackets, and facings, 2 to 3 stitches per inch.	31.80	27.92	Do.
7	Basting waist line, plackets, and facings, 2 to 3 stitches per inch.	26.62	23.97	Do.
8	Basting waist line, plackets, and facings, 2 to 3 stitches per inch.	19.27	17.35	Do.
9	Blas rising, folded, double, over 10 stitches per inch.	61.60	55.44	Do.
10	Blas rising, folded, single, over 10 stitches per inch.	77.00	69.30	Do.
11	Buttons sewed on with double thread, 2 to 3 stitches.	29.12	26.10	Per dozen.
12	Buttons sewed on with double thread, 2 to 3 stitches.	65.43	58.78	Do.
13	Buttons sewed on with double thread, 2 to 3 stitches.	85.28	77.46	Do.
14	Buttons sewed on with double thread, 2 to 3 stitches.	108.00	97.20	Do.
15	Buttons sewed on with double thread, 2 to 3 stitches.	11.49	10.36	Per yard.
16	Buttons sewed on with double thread, 2 to 3 stitches.	21.12	19.38	Per dozen.
17	Buttons sewed on with double thread, 2 to 3 stitches.	3.13	2.82	Do.
18	Buttons sewed on with double thread, 2 to 3 stitches.	7.06	6.35	Do.
19	Buttons sewed on with double thread, 2 to 3 stitches.	5.56	5.00	Do.
20	Buttons sewed on with double thread, 2 to 3 stitches.	5.56	5.00	Do.
21	Buttons sewed on with double thread, 2 to 3 stitches.	2.40	2.16	Do.
22	Buttons sewed on with double thread, 2 to 3 stitches.	3.58	3.22	Do.
23	Buttons sewed on with double thread, 2 to 3 stitches.	12.82	11.54	Per dozen.
24	Buttons sewed on with double thread, 2 to 3 stitches.	20.33	18.30	Do.
25	Buttons sewed on with double thread, 2 to 3 stitches.	34.82	30.90	Do.
26	Buttons sewed on with double thread, 2 to 3 stitches.	61.80	55.44	Do.
27	Buttons sewed on with double thread, 2 to 3 stitches.	254.50	229.06	Per yard.
28	Buttons sewed on with double thread, 2 to 3 stitches.	102.66	92.40	Do.
29	Buttons sewed on with double thread, 2 to 3 stitches.	102.66	92.40	Do.
30	Buttons sewed on with double thread, 2 to 3 stitches.	54.04	48.63	Do.
31	Buttons sewed on with double thread, 2 to 3 stitches.	46.70	42.02	Do.
32	Buttons sewed on with double thread, 2 to 3 stitches.	6.43	5.78	Per dozen.
33	Buttons sewed on with double thread, 2 to 3 stitches.	25.43	22.89	Per yard.
34	Buttons sewed on with double thread, 2 to 3 stitches.	251.00	222.90	Do.
35	Buttons sewed on with double thread, 2 to 3 stitches.	15.40	13.86	Per dozen.

Rate No.	Operations	Blouses, neckwear and silk and synthetic underwear and nightwear (Cents)	Cotton underwear and nightwear (Cents)	Unit of payment
36	Half roll (with colored or embroidered thread).	50.51	45.45	Per yard.
37	Hemming stitch for collar, cuffs, plackets, and waist bands, 8 to 10 stitches per inch.	28.53	24.92	Do.
38	Hemming stitch for collar, cuffs, plackets, and waist bands, 8 to 10 stitches per inch.	68.89	61.61	Do.
39	Hemming stitch for collar, cuffs, plackets, and waist bands, 8 to 10 stitches per inch.	100.24	90.21	Do.
40	Leaves, open, 1/4 in long.	77.00	69.30	Do.
41	Leaves, open, 1/4 in long.	61.60	55.44	Do.
42	Leaves, open, 1/4 in long.	92.40	83.16	Do.
43	Leaves, open, 1/4 in long.	6.43	5.78	Do.
44	Leaves, open, 1/4 in long.	15.93	14.34	Do.
45	Leaves, open, 1/4 in long.	20.52	18.48	Do.
46	Leaves, open, 1/4 in long.	30.59	27.53	Do.
47	Leaves, open, 1/4 in long.	61.60	55.44	Do.
48	Leaves, open, 1/4 in long.	19.27	17.35	Do.
49	Leaves, open, 1/4 in long.	22.86	20.16	Do.
50	Leaves, open, 1/4 in long.	46.20	41.58	Do.
51	Leaves, open, 1/4 in long.	32.75	29.47	Per yard.
52	Leaves, open, 1/4 in long.	306.77	276.10	Per yard.
53	Leaves, open, 1/4 in long.	19.37	17.42	Per dozen.
54	Leaves, open, 1/4 in long.	304.84	271.66	Per yard.
55	Leaves, open, 1/4 in long.	52.82	47.53	Do.
56	Leaves, open, 1/4 in long.	38.16	34.63	Do.
57	Leaves, open, 1/4 in long.	161.20	145.51	Do.
58	Leaves, open, 1/4 in long.	46.20	41.58	Do.
59	Leaves, open, 1/4 in long.	21.12	19.38	Do.
60	Leaves, open, 1/4 in long.	45.76	41.37	Do.
61	Leaves, open, 1/4 in long.	41.37	37.23	Per yard.
62	Leaves, open, 1/4 in long.	40.55	36.79	Do.
63	Leaves, open, 1/4 in long.	27.82	25.05	Do.
64	Leaves, open, 1/4 in long.	155.04	139.53	Do.
65	Leaves, open, 1/4 in long.	207.94	187.53	Do.
66	Leaves, open, 1/4 in long.	47.53	43.03	Do.
67	Leaves, open, 1/4 in long.	31.02	27.59	Do.
68	Leaves, open, 1/4 in long.	37.27	33.55	Do.
69	Leaves, open, 1/4 in long.	66.97	60.27	Do.
70	Leaves, open, 1/4 in long.	30.80	27.72	Per dozen.
71	Leaves, open, 1/4 in long.	1.27	1.13	Per dozen.
72	Leaves, open, 1/4 in long.	30.80	27.72	Per dozen.
73	Leaves, open, 1/4 in long.	144.76	130.25	Per yard.
74	Leaves, open, 1/4 in long.	30.80	27.72	Per dozen.
75	Leaves, open, 1/4 in long.	60.20	54.18	Do.
76	Leaves, open, 1/4 in long.	11.40	10.36	Do.
77	Leaves, open, 1/4 in long.	45.15	41.37	Do.

(e) Minimum piece rates for the order for this industry (29 CFR 613). As of April 2, 1968, the minimum hourly wage rate was \$1.02 1/2 and the piece rate was 59 cents per gross. The minimum hourly rate was increased to \$1.40 on May 18, 1972, and the piece rate was adjusted by the same ratio to 81 cents per gross.



Rate No.	Operations	Cents	Unit of payment
1.....	Hand-briding leather buttons, 24 to 30 lines, by the following method: Tying a braided knot around the tip of a finger, bringing the knot into a rounded button shape by pulling the ends of the strip, forming the button shank for the prepared shank end of the strip and trimming the loose end by cutting off the excess leather; all operations to be performed upon undegreased leather strips, each of which has been cut in advance to suitable dimensions so that one end may be formed into the button shank and the remainder braided to become the rounded button.	81	Per gross.

(f) *Minimum piece rates for the leather, leather goods and related products industry in Puerto Rico.* The piece rates given below have been adjusted to reflect the increase which became effective July 16, 1973, in the minimum hourly wage rate for the general classification of the industry, as defined in

§ 602.2(a) (5) of the current wage order for this industry (29 CFR 602). The minimum hourly rate for the general classification was increased from \$1.32½ to \$1.42½, or 7.5 percent, and each piece rate below has been increased by the same percent.

Rate No.	Operations	Cents	Unit of payment
1.....	Hand-lacing, single stitch, with plastic lacing material, of leather wallets and leather wallet covers.	1.74	Per dozen stitches.
2.....	Hand-lacing, double stitch, with plastic lacing material, of leather wallets and leather wallet covers.	4.28	Do.
3.....	Hand-lacing, double stitch, with plastic lacing material, of plastic wallets.	5.31	Do.

#### § 545.13 [Deleted]

2. Section 545.13 is deleted.

(22 Stat. 1060; 29 U.S.C. 207)

Signed at Washington, D.C., this 11th day of December, 1973.

WARREN D. LANDIS,  
Acting Administrator, Wage and Hour Division,  
U.S. Department of Labor.

[FR Doc. 73-26629 Filed 12-18-73; 8:45 am]

#### CHAPTER XIV—EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PART 1601—PROCEDURAL REGULATIONS CFR Correction

In Title 29, Parts 500-1899, revised as of July 1, 1973, on page 741, in § 1601.25b, paragraph (d) should read as set forth below and paragraph (e) should be deleted:

#### § 1601.25b Processing of cases, when notice issues under § 1601.25.

(d) Issuance of notice pursuant to paragraph (c) of this section shall suspend further Commission proceedings unless the Field Director determines that it is in the public interest to continue such proceedings, or unless, within twenty (20) days after receipt of such notice, a party requests the Field Director, in writing, to continue to process the case.

#### Title 30—Mineral Resources

#### CHAPTER I—BUREAU OF MINES, DEPARTMENT OF THE INTERIOR

#### SUBCHAPTER O—COAL MINE HEALTH AND SAFETY

#### PART 75—MANDATORY SAFETY STANDARDS, UNDERGROUND COAL MINES

#### Suspension of Time for Installation of Deenergization Devices and Automatic Brakes on Self-Propelled Electric Face Equipment

On February 6, 1973, there was published in the FEDERAL REGISTER (38 FR 3406) mandatory safety standards for underground coal mines. Part 75, Sub-

chapter O, Chapter I, Title 30, Code of Federal Regulations was amended by adding new §§ 75.523-1 through 75.523-3. The amendments were made effective on March 1, 1973.

Section 75.523-1 provides that all self-propelled electric face equipment which is used in the active workings of each underground coal mine shall be provided with a device that will quickly deenergize the tramming motors of the equipment in the event of an emergency. Section 75.523-1 further provides a schedule of time for installation of such equipment as follows:

(1) On and after December 31, 1973, for self-propelled cutting machines, shuttle cars, battery-powered machines, and roof drills and bolters;

(2) On and after March 31, 1974, for all other types of self-propelled electric face equipment.

Section 75.523-3 provides the same schedule of time periods for the installation of automatic emergency brakes on the same rubber-tired, self-propelled electric face equipment.

Subsequent to the effective date of the standards on March 1, 1973, equipment manufacturers and Mining Enforcement and Safety Administration technicians have encountered difficulties in developing performance specifications and guidelines for the manufacture and installation of deenergization devices and automatic brake assemblies required by the standards and such performance specifications and guidelines have only recently been distributed to manufacturers and operators. Further, long lead time items, such as forgings for brake calipers, brake assemblies, and raw materials to manufacture and machine cer-

tain parts are presently unavailable to manufacturers. In addition, after such parts are manufactured additional time will be required for distribution to operators and the modification of equipment by operators to comply with the standards.

Present information indicates that the time required to obtain supplies, manufacture, distribute and install the required deenergization devices and automatic brakes will be from 90 to 180 days beyond December 31, 1973.

It has therefore been determined to indefinitely suspend and postpone the dates of December 31, 1973, and March 31, 1974, specified in §§ 75.523-1(a) (1) and (2), and 75.523-3(a) (1) and (2).

In order to acquire more definite information and data with respect to the time needed to acquire, manufacture, and install deenergization devices and automatic emergency brakes upon self-propelled electric face equipment, notice is hereby given that a meeting and conference will be held on Tuesday, January 29, 1974, commencing at 10:00 a.m., in the Dickerson Hall Auditorium, Bluefield State College, Bluefield, West Virginia. The meeting will be conducted by Mr. Herschel H. Potter, Chief, Division of Safety, Mining Enforcement and Safety Administration. Information, data, suggestions and comments are requested and solicited from suppliers of materials to equipment manufacturers, equipment manufacturers, operators, and other interested persons, with respect to availability of supplies, time required to manufacture the required devices and brakes, number of pieces of equipment on which devices and brakes must be installed, and the time required to distribute and install the deenergization devices and automatic brakes.

Written information and data may be also sent to Mr. Herschel H. Potter, Chief, Division of Safety, Mining Enforcement and Safety Administration, Room 4542, Department of the Interior, Washington, D.C. 20240.

Following the meeting and conference and after evaluation of the information and data received new dates for compliance with the provisions of §§ 75.523-1 through 75.523-3 will be established and published in the FEDERAL REGISTER.

Pursuant to 5 U.S.C. 553 it is found that good cause exists that prior notice of suspension and postponement of the dates specified in §§ 75.523-1(a) (1) and (2) and 75.523-3(a) (1) and (2) is impracticable and unnecessary.

Notice is hereby given that the dates of December 31, 1973, and March 31, 1974, specified in §§ 75.523-1(a) (1) and (2), and 75.523-3(a) (1) and (2) are indefinitely suspended and postponed until further notice and publication of new dates for compliance.

Dated: December 13, 1973.

C. K. MALLORY,  
Deputy Assistant Secretary  
of the Interior.

[FR Doc. 73-26773 Filed 12-18-73; 8:45 am]



Title 49—Transportation  
CHAPTER X—INTERSTATE COMMERCE  
COMMISSION

SUBCHAPTER A—GENERAL RULES AND  
REGULATIONS

[S.O. 1164]

PART 1033—CAR SERVICE

The Texas and Pacific Railway Co.

DECEMBER 14, 1973.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 13th day of December 1973.

It appearing, that The Texas and Pacific Railway Company (T&P), and The Atchison, Topeka and Santa Fe Railway Company (ATSF) interchange numerous cars with each other at Sweetwater, Texas; that their present interchange arrangements are unduly time-consuming and require excessive use of both locomotives and locomotive fuel; that these practices require excessive numbers of train movements over major streets in the center of Sweetwater, thereby contributing to hazards to the public; that an alternative route for the interchange of cars between the T&P and the ATSF has been agreed upon; that use of the aforementioned alternative route by these carriers will substantially expedite the interchange of cars between these railroads; improve locomotive utilization; consume less fuels and reduce the hazards to the general public; and that use of this route by the T&P and the

ATSF is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1164 Service Order No. 1164.

(a) *The Texas and Pacific Railway Company authorized to operate over tracks of the Atchison, Topeka and Santa Fe Railway Company.* The Texas and Pacific Railway Company (T&P) be, and it is hereby, authorized to operate over tracks of The Atchison, Topeka and Santa Fe Railway Company (ATSF), between ATSF milepost 454 plus 1800.4 feet at Tecific Siding, Texas, and ATSF milepost 459 plus 3039 feet, at Sweetwater, Texas, a distance of approximately 5.23 miles, together with the necessary connecting trackage at Tecific and the necessary yard trackage at Sweetwater, pending disposition of the application of the T&P in Finance Docket No. 27529 seeking permanent operating authority over these ATSF tracks.

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

(c) *Rates applicable.* Inasmuch as this operation by the T&P over tracks of the ATSF is deemed to be due to carrier's disability, the rates applicable to traffic moved by the T&P over these tracks of the ATSF shall be the rates which were

applicable on the shipments at the time of shipment as originally routed.

(d) *Effective date.* This order shall become effective at 12:01 a.m., December 15, 1973.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 30, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

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

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

By the Commission, Railroad Service Board.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc. 73-26825 Filed 12-18-73; 8:45 am]



# Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### [ 25 CFR Parts 1, 2 ]

### APPEALS PROCEDURES

#### Miscellaneous Amendments

The following amendments are proposed in connection with a proposed revision of regulations published elsewhere in this volume, to note: (1) the applicability of the Department Hearings and Appeals Procedures in 43 CFR Part 4, including proposed additional procedural rules in Subpart D of Part 4, to appeals to the Department pertaining to administrative actions of Bureau of Indian Affairs officials in cases involving determinations, findings, and orders protested as a violation of a right or privilege of the appellant, as provided in 25 CFR Part 2, and (2) the authority being delegated by the Secretary of the Interior to the Board of Indian Appeals in the Office of Hearings and Appeals, Office of the Secretary, to act finally for the Department on such appeals. These Amendments are proposed under authority contained in R.S. 463, 465, 5 U.S.C. sec. 301, and 25 U.S.C. sec. 2 and 9.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons are invited to submit written comments, suggestions, or objections with respect to the proposed amendments to the Director, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203. All communications received within 30 days of the date of publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amended regulations. The proposed amended regulations contained in this notice may be changed in light of comments received.

**Effective date.** If adopted, the amended rules would be effective as of the date of their publication in final form in the FEDERAL REGISTER and would govern all appeals involving decisions of Bureau of Indian Affairs officials issued after the effective date and all such pending appeals, in matters within the enlarged jurisdiction of the Board of Indian Appeals, except to the extent that application of the amended regulations or any portion thereof in a pending proceeding would not be feasible or would work injustice, in which case the appropriate former rule or rules would apply.

Dated: December 14, 1973.

RICHARD R. HITE,  
Deputy Assistant Secretary  
of the Interior.

## PART 1—APPLICABILITY OF RULES OF THE BUREAU OF INDIAN AFFAIRS

1. In § 1.3 the third sentence is amended by substituting for the word "governs" the following: "contains procedural rules for appellate and other administrative review and for." As revised, the sentence reads:

### § 1.3 Scope.

\* \* \* Subtitle A of Title 43 of the Code of Federal Regulations has application to certain aspects of Indian affairs and, among other things, contains procedural rules for appellate and other administrative review and for practice before the Department of the Interior, of which the Bureau of Indian Affairs is a part. \* \* \*

## PART 2—APPEALS FROM ADMINISTRATIVE ACTIONS

### § 2.1 [Amended]

2. In paragraph (c) of § 2.1, the term "Petitioner" is changed to "Appellant."

3. The heading and the text of § 2.3 are revised to read as follows:

### § 2.3 Appeals.

(a) Except as otherwise provided by law or regulation, any interested party adversely affected by a decision of an official under the supervision of an Area Director of the Bureau of Indian Affairs shall have a right to appeal to the Area Director in accordance with the procedures in this part, and the further right to appeal to the Board of Indian Appeals, Office of Hearings and Appeals, Office of the Secretary, from an adverse decision of the Area Director, unless such decision was approved by the Secretary prior to promulgation. Where the decision was made by a field official of the Bureau of Indian Affairs who reports directly to the Commissioner of Indian Affairs, or by the Commissioner, any interested party adversely affected thereby shall have a right to appeal direct to the Board of Indian Appeals, unless such decision was approved by the Secretary prior to promulgation. Where appellate or other administrative review indicates that exercise of discretionary authority of the Secretary is required, the record shall be referred to the Secretary for policy determination and decision as he shall direct.

(b) If no appeal is timely filed, the decision shall be final for the Department. The officer to whom the appeal is directed may require an adequate bond to protect the interest of any Indian, Indian tribe, or other parties involved during the pendency of the appeal. In order to insure the exhaustion of administrative remedies before resort to court ac-

tion, no decision which at the time of its rendition is subject to appeal to a superior authority in the Department shall be considered final so as to be agency action subject to judicial review under 5 U.S.C. section 704, unless when an appeal is filed, the officer to whom the appeal is made shall decide the decision appealed from should be made immediately effective.

(c) Appeals to the Board of Indian Appeals shall be made in the manner provided in Department Hearings and Appeals Procedures in 43 CFR Part 4.

4. Existing Subparts B, C and D are deleted, and a new Subpart B entitled "Appeals to the Area Director" is added. The new Subpart B consolidates regulations formerly appearing in Subparts B and D, with appropriate amendments.

### Subpart B—Appeals to the Area Director

#### Sec.

- 2.10 Appeal, how taken; mandatory time limit.
- 2.11 Service of appeal documents.
- 2.12 Answers.
- 2.13 When a document is filed.
- 2.14 Record address.
- 2.15 Computation of time for filing and service.
- 2.16 Extensions of time.
- 2.17 Summary dismissal.
- 2.18 Action by Area Director on appeal.
- 2.19 Scope of review.

### § 2.10 Appeal, how taken; mandatory time limit.

(a) Appeals shall be in writing and filed in the office of the official who made the decision that the appellant wishes to appeal. The official who made the decision being appealed from, if requested by an Indian or Indian tribe, shall render such assistance as is appropriate in the preparation of any appeal by an Indian or Indian tribe. The appeal should give an identification of the case, a statement of reasons for the appeal, and any arguments the appellant wishes to make. The appeal must be received in the office of the official who made the decision within 30 days after the date notice of the decision complained of is received by the appellant. The appellant also may file an additional written statement of reasons and arguments or briefs with the Area Director within 10 days after filing of the appeal in the office of the official who made the decision being appealed.

(b) No extension of time will be granted for filing of the appeal. Appeals which are not timely filed will not be considered and the case will be closed by the Area Director to whom the appeal is taken.



**§ 2.11 Service of appeal documents.**

(a) On the date of filing of the appeal the appellant, or the officer with whom the appeal is filed when the appellant is an Indian or Indian tribe not represented by counsel, shall personally serve or mail a copy of the appeal and of any accompanying written statement of reasons, arguments, or briefs, in support of the appeal, upon each interested party known to him as such, in the manner prescribed in paragraph (b) of this section. Similar procedure shall be followed by the appellant with regard to any supplemental filing made during the 10-day period specified in § 2.10. Proof of such service must be filed with the Area Director within 15 days after the date of service unless filed with the appeal or with any additional statement of reasons, arguments or briefs. The date of service is determined as stated in paragraph (c) of this section.

(b) Wherever the regulations require that a copy of a document be served, service shall be made by delivering the copy personally or by sending the document by certified or registered mail, return receipt requested, to the address of record as required in § 2.15. Where a tribe is an interested party, service shall be made on the authorized tribal official or tribal governing body.

(c) A document will be considered to have been served at the date (1) of acknowledgment of service, (2) of personal service, (3) of delivery of a certified or registered letter, or (4) of the return by the post office of an undelivered certified or registered letter.

(d) In all cases where a party is represented by an attorney, such attorney will be recognized as fully controlling the same on behalf of his client, and service of any document relating to the proceeding upon such attorney shall be deemed to be service on the party he represents. Where a party is represented by more than one attorney, service upon one of the attorneys shall be sufficient.

**§ 2.12 Answers.**

If any party served with an appeal wishes to participate in the proceeding on appeal, he must file a written answer within 20 days after service of the appeal upon him. If an additional statement of reasons is filed by the appellant, the interested party shall have 10 days after service thereof within which to answer. The answer must be filed with the Area Director, and be personally served or mailed to the appellant, in the manner prescribed in § 2.11, at the time the answer is filed. Proof of such service must be filed with the Area Director within 15 days after service. If an answer is not filed or if a copy is not served, as required, a default will not result but the answer may be disregarded in deciding the appeal.

**§ 2.13 When a document is filed.**

A document is properly filed when received in the office of the official with whom the filing is required during regular office hours. No degree of formality

is required to file an appeal; a simple letter will suffice. The appellant need not be represented by counsel. An appeal received in an office other than that to which it should be properly addressed shall be transmitted to the proper office and the appellant advised. If such office is unknown where received, it shall be returned to the writer.

**§ 2.14 Record address.**

Every interested party who files a document in connection with an appeal shall state his address at the time of initial filing in the matter. Thereafter, he must promptly inform the official with whom the filing was made of any change in address, giving appropriate identification of all matters in which he has made such a filing; otherwise, the address, as stated shall be accepted as the proper address. The successors of such party shall likewise promptly inform the official of their interest in the matter and state their addresses. If an interested party fails to furnish his address as required in this section, he will not be entitled to notice in connection with the proceedings.

**§ 2.15 Computation of time for filing and service.**

In computing any period of time prescribed herein for filing or serving a document, the day upon which the decision or document to be appealed or answered was received or served, or the day of any other event after which the designated period of time begins to run, is not to be included. The last day of the period so computed is to be included unless it falls upon a Saturday, Sunday, or legal holiday.

**§ 2.16 Extensions of time.**

The period for filing or serving any document may be extended on behalf of an interested party by the officer to whom the appeal is taken, for good cause shown, except for the time for filing a notice of appeal and except where such extension is contrary to law or regulation.

**§ 2.17 Summary dismissal.**

An appeal to the Area Director may be subject to summary dismissal for any of the following causes:

- (a) If a statement of the reasons for the appeal is not included in the appeal.
- (b) If the appeal and any additional statement of reasons in support of the appeal are not filed or not served upon the interested parties as required.

**§ 2.18 Action by Area Director on appeal.**

The Area Director shall render a written decision in each case appealed to him, a copy of which will be forwarded to each known interested party by certified or registered mail, return receipt requested. Such receipts shall become a permanent part of the record.

**§ 2.19 Scope of review.**

When a matter is before an Area Director of the Bureau of Indian Affairs on

appeal, any information available to that officer may be used whether formally part of the record or not, but where reliance is placed on information not of record, such information shall be identified as to source and nature and inserted in the record.

**[ 25 CFR Part 162 ]**

**ROAD PROJECTS**

**Public Hearings; Starting Date**

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 FR 13938).

Notice is hereby given that it is proposed to revise § 162.10 of Part 162, Subchapter O, Chapter I of Title 25 of the Code of Federal Regulations.

The purpose of the revision is to establish a starting date to begin conducting public hearings on roads projects.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed revision to the Commissioner, Bureau of Indian Affairs, Washington, D.C. 20245, no later than January 18, 1974.

It is proposed to revise the first sentence of § 162.10 of Chapter I, Title 25 of the Code of Federal Regulations to read as follows:

The regulations in this subpart govern the calling and conducting of public hearings on Bureau of Indian Affairs road projects beginning with road projects scheduled to begin construction in Fiscal Year 1975, and thereafter.

Dated December 12, 1973.

LaFOLLETTE BUTLER,

**Office of the Secretary**

**[ 43 CFR Part 4 ]**

**APPEALS FROM ADMINISTRATIVE ACTIONS**

**Review in Other Indian Matters Not Relating to Probate Proceedings**

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under R.S. 463, 465, 5 U.S.C. sec. 301, and 25 U.S.C. secs. 2, 9, it is proposed to amend Department Hearings and Appeals Procedures in 43 CFR Part 4, to provide for the taking of appeals direct to the Interior Board of Indian Appeals by persons aggrieved by administrative actions of an official of the Bureau of Indian Affairs in cases involving determinations, findings and orders protested as a violation of a right or privilege of the appellant. The regulations specify the authority which is



being delegated to the Board to decide such appeals finally for the Department. However, they retain the Secretary's authority to decide, where appropriate, those cases dependent upon the exercise of Secretarial discretion.

The new procedures will streamline the appellate process by eliminating the intermediate appeal to the Commissioner of the Bureau of Indian Affairs in these cases, presently provided for in 25 CFR Part 2. Unchanged is the initial right of appeal to the Area Director, also provided for in 25 CFR Part 2. The regulations do not affect appeals procedures relating to action on wills of Osage Indians, nor appeals procedures pertaining to enrollment of Indians, provided for specifically in other parts of 25 CFR.

Exercise of the Secretary's review authority in these matters will insure impartial review free from organizational conflict in that the Board is a part of the Office of Hearings and Appeals in the Office of the Secretary and as such is independent of the Bureau of Indian Affairs.

The new appellate regulations provide, generally, that appeals to the Board must be in writing, identify the case, state the reasons for the appeal, and list the names and addresses of any additional interested parties. Persons seeking to appeal must act within 45 days after the decision of the Bureau official has been served on them. Provisions are made for service of documents on all interested parties, proof of such service, and for answer by interested parties, including the Bureau official involved. Where the Board finds from the record on appeal that there is a need for a hearing to resolve a genuine issue of material fact, it may order such hearing upon due notice to all parties. Administrative law judges of the Office of Hearings and Appeals would conduct any such hearings. The Board will issue a written decision or order in each case appealed to it.

Incorporated into Subpart D of the Department Hearings and Appeals Procedures, the proposed regulations will provide also that, to the extent they are not inconsistent with the rules in Subpart D, the general rules applicable to all types of proceedings before the Hearings Division and the several Appeals Boards of the Office of Hearings and Appeals, contained in Subparts A and B of Part 4, will be applicable to proceedings under the proposed regulations.

Appropriate changes in existing procedural rules in 25 CFR Parts 1 and 2 to eliminate references to an appeal to the Commissioner of the Bureau of Indian Affairs and to include appropriate references to the Secretarial review functions as provided herein, will also be accomplished as a result of the addition of the proposed new regulations. These conforming changes are being proposed in a separate document published elsewhere in this volume. Necessary editorial changes will be made also in references

to existing procedures which appear in other parts of 25 CFR upon issuance of the final regulations pertaining to such procedures.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons are invited to submit written comments, suggestions, or objections with respect to the proposed regulations to the Director, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203. All communications received on or before January 18, 1974, will be considered before action is taken on the proposed regulations. The proposed regulations contained in this notice may be changed in light of comments received.

**Effective date.** If adopted, the procedural rules proposed herein would be effective as of the date of their publication in final form in the *FEDERAL REGISTER* and would govern all appeals involving decisions of Bureau of Indian Affairs officials issued after the effective date and all pending appeals in matters within the enlarged jurisdiction of the Board of Indian Appeals except to the extent that application of the regulations or any portion thereof in a pending proceeding would not be feasible or would work injustice, in which case the appropriate former rule or rules would apply.

Dated: December 14, 1973.

RICHARD R. HITE,  
Deputy Assistant Secretary  
of the Interior.

1. Section 4.1(2), pertaining to the administrative jurisdiction and procedural rules of the Board of Indian Appeals, is revised to read as follows:

§ 4.1 Scope of authority; applicable regulations.

(2) *Board of Indian Appeals.* The Board decides finally for the Department appeals to the head of the Department pertaining to (a) administrative actions of officials of the Bureau of Indian Affairs, issued under regulations in Title 25 of the Code of Federal Regulations, in cases involving determinations, findings and orders protested as a violation of a right or privilege of the appellant under regulations in 25 CFR Part 2, and (b) orders and decisions of administrative law judges in Indian probate matters other than those involving estates of the Five Civilized Tribes of Indians, and Osage Indian wills. The Board also decides such other matters pertaining to Indians as are referred to it by the Director of the Office of Hearings and Appeals for exercise of review authority of the Secretary. Special regulations applicable to proceedings before the Board are contained in Subpart D of this part.

The heading and authority citation to Subpart D are revised and the proposed procedural regulations are added to Subpart D as set forth below.

Subpart D—Special Rules Applicable to Appellate Review in Indian Affairs Generally and to Proceedings in Indian Probate, Including Hearings and Appeals

APPEALS FROM ADMINISTRATIVE ACTIONS OF OFFICIALS OF THE BUREAU OF INDIAN AFFAIRS; ADMINISTRATIVE REVIEW IN OTHER INDIAN MATTERS NOT RELATING TO PROBATE PROCEEDINGS

- Sec.  
4.350 Definitions.  
4.351 Scope.  
4.352 Extensions of time.  
4.353 Who may appeal.  
4.354 Appeal to the Board; how taken; mandatory time for filing; requirement for bond.  
4.355 Service of appeal documents.  
4.356 Proof of service.  
4.357 Transmittal of record by officials of the Bureau of Indian Affairs.  
4.358 Answer by interested party.  
4.359 Answer by an official of the Bureau of Indian Affairs.  
4.360 Reply to new matter in the answer.  
4.361 Action by the Board.  
4.362 Notice of hearing.  
4.363 Prehearing conference.  
4.364 Hearing.  
4.365 Evidence; form and admissibility.  
4.366 Failure to comply with orders.  
4.367 Submission by the judge of proposed findings, conclusions and recommended decision.  
4.368 Exceptions to proposed findings of fact or recommended decision by judge.  
4.369 Decision by the Board.

**AUTHORITY:** Secs. 1, 2, 36 Stat. 855, as amended, 856, as amended, sec. 1, 38 Stat. 586, 42 Stat. 1185, as amended, secs. 1, 2, 56 Stat. 1021, 1022; R.S. 463, 465; 25 U.S.C. 2, 9, 372, 373, 374, 373a, 373b.

**CROSS REFERENCE:** See Part 2, Title 25 of the Code of Federal Regulations, for procedures for appeals to Area Directors of the Bureau of Indian Affairs.

APPEALS FROM ADMINISTRATIVE ACTIONS OF OFFICIALS OF THE BUREAU OF INDIAN AFFAIRS; ADMINISTRATIVE REVIEW IN OTHER INDIAN MATTERS NOT RELATING TO PROBATE PROCEEDINGS

§ 4.350 Definitions.

The definitions set forth in this subpart and in 2 CFR 2.1 apply also to these special rules.

§ 4.351 Scope.

These regulations apply to the practice and procedure for (1) appeal to the Board of Indian Appeals from administrative actions and decisions of officials of the Bureau of Indian Affairs issued under regulations 25 CFR, in cases involving determinations, findings and orders protested as a violation of a right or privilege of the appellant under regulations in Title 25 CFR Part 2, and (2) administrative review by the Board of Indian Appeals of other matters pertaining to Indians which are referred to it by the Director of the Office of Hearings and Appeals for exercise of review authority of the Secretary. Included are procedural rules for any necessary hearings in such proceedings, conducted by administrative law judges of the Office of Hearings and Appeals.

§ 4.352 Extensions of time.

The Board or the administrative law judge, as appropriate, may rule ex parte on requests for extensions of time to file documents in proceedings before them.



Such requests may be granted upon a showing of good cause, except for the time fixed for filing an appeal, as specified in § 4.354, which may not be extended, and except where such extension is contrary to law or regulation. Where the request is made after the expiration of the specified period for the filing of the document, the filing may be permitted where reasonable grounds are found for the failure to file timely.

**§ 4.353 Who may appeal.**

Any interested party adversely affected by a final administrative action or decision of an official of the Bureau of Indian Affairs issued under regulations in 25 CFR, in a case involving a determination, finding, or order protested as a violation of a right or privilege of the appellant under regulations in 25 CFR Part 2, may appeal to the Board of Indian Appeals, except to the extent that decisions of officials under the supervision of an Area Director of the Bureau of Indian Affairs must first be appealed to the Area Director under provisions in 25 CFR Part 2, except where such decision has been approved by the Secretary prior to promulgation, except where the exercise of discretionary authority of the Secretary is required, and except as otherwise provided by law or regulation. When the appellant is an Indian or Indian tribe, the officer who issued the decision which is being appealed shall, upon request of the appellant, render such assistance as is appropriate in the preparation of the appeal.

**§ 4.354 Appeal to the Board; how taken; mandatory time for filing; requirement for bond.**

(a) An appeal shall be in writing, signed by the appellant or by his attorney of record or other qualified representative, and filed in duplicate with the Board (address: Board of Indian Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, VA 22203), within 45 days after the person taking the appeal is served with the decision from which he is appealing. An appeal shall include:

- (1) A full identification of the case.
- (2) A statement of the reasons for the appeal and of the relief sought.
- (3) Any arguments the appellant wishes to make.

(4) The names and addresses of all additional interested parties, Indian tribes, tribal corporations, or groups having rights or privileges which may be affected by a change in the decision, whether or not they participated as interested parties in the earlier proceedings.

(b) The appellant also may file an additional written statement of reasons and arguments or briefs within 10 days after filing of the appeal.

(c) At any time during the pendency of an appeal, an appropriate bond may be required to protect the interest of any Indian, Indian tribe, or other parties involved.

**§ 4.355 Service of appeal documents.**

(a) On the date of filing of the appeal the appellant shall serve a copy of the appeal and of any written statement of reasons, arguments, or briefs, in support of the appeal, upon each interested party named therein, and upon the official of the Bureau of Indian Affairs from whose decision the appeal is being taken, in the manner prescribed in paragraph (b) of this section. Similar procedure shall be followed by the appellant with regard to any supplemental filing made during the 10-day period specified in § 4.354(b). If the appellant is an Indian or an Indian tribe not represented by counsel, the appellant may request the official of the Bureau whose decision is being appealed to assist in obtaining service of copies of the appeal and supporting documents in accordance with these regulations.

(b) A document will be considered to have been served at the date of (1) acknowledgement of service; (2) personal service; (3) delivery of a registered or certified letter, or (4) return by the post office of an undelivered registered or certified letter.

**§ 4.356 Proof of service.**

(a) In any case service may be proved by an acknowledgement of service signed by the person to be served. Personal service may be proved by a written statement of the person who made such service. Service by registered or certified mail may be proved by a post office return receipt showing that the document was delivered at the person's record address or showing that the document could not be delivered to such person because he had moved therefrom without leaving a forwarding address or because delivery was refused at that address or because no such address exists.

(b) Proof of service of appeal documents shall be filed with the Board, not later than 15 days after the service.

**§ 4.357 Transmittal of record by official of the Bureau of Indian Affairs.**

Upon receipt of a copy of the appeal or upon notice from the Board, the official of the Bureau of Indian Affairs whose decision is being appealed shall assemble the record of all prior proceedings concerned and transmit the same immediately to the Board. The record on appeal shall include, without limitation, all original documents, petitions, applications, and the like, by which the proceeding was initiated and all supplemental or other documents which set forth the claims of interested parties and those documents upon which all previous decisions were based.

**§ 4.358 Answer by interested party.**

(a) Any interested party may file an answer or legal brief in opposition to or in support of the appeal or to appellants' additional statement within 20 days after service of a copy upon him.

(b) The answer shall be filed with the Board, and a copy shall be served on the appellant and all other interested parties named in the appeal and upon the

official of the Bureau of Indian Affairs from whose decision the appeal is taken.

(c) Proof of such service as required by § 4.355 must be filed within 15 days after service.

(d) Failure to answer will not result in a default. If an answer is not filed and served within the time required, it may be disregarded in deciding the appeal.

**§ 4.359 Answer by an official of the Bureau of Indian Affairs.**

(a) Within 20 days after receipt of a copy of the appeal or appellants' additional statement the official of the Bureau of Indian Affairs whose decision is being appealed may file any comment or answer he may believe would be of assistance in consideration of the appeal.

(b) A copy of any such comment or other writing filed by the Bureau official shall be served on all interested parties named in the appeal and proof of such service shall be filed.

**§ 4.360 Reply to new matter in the answer.**

(a) If any answer filed by the Bureau official or an interested party includes new matter not in issue, the appellant and any interested party desiring to reply to same shall file his reply within 10 days after the date of service of a copy of the answer upon him. No new issues may be raised in the reply and if raised will not be considered.

(b) No further pleading will be permitted except upon specific authorization by the Board.

**§ 4.361 Action by the Board.**

The Board may make a final decision, or in the alternative, where the record in any matter referred or appealed to the Board indicates the need for further inquiry to resolve a genuine issue of material fact, the Board may require such hearing as it deems necessary. Any such hearing shall be conducted by an administrative law judge of the Office of Hearings and Appeals.

**§ 4.362 Notice of hearing.**

Where a matter is referred to a judge for hearing, the judge may convene a hearing only after serving notice of the time and place of the hearing to all persons appearing in the proceeding not less than 20 days prior to the date set therefor.

**§ 4.363 Prehearing conference.**

The judge may, upon his own motion or the motion of any party, call upon the parties to appear at a specific time and place for a prehearing conference to consider:

(a) The simplification or clarification of the issues.

(b) The possibility of obtaining stipulations, admissions, agreements or documents, understandings on matters already of record, or similar agreements which will avoid unnecessary proof.

(c) The limitation of the number of expert witnesses, or avoidance of similar cumulative evidence, if the case is to be heard.



(d) The possibility of agreement disposing of all or any of the issues in dispute.

(e) Such other matters as may aid in the disposition of the proceeding.

#### § 4.364 Hearings.

(a) All testimony shall be under oath and shall be taken in public except in those circumstances which in the opinion of the judge justify all but interested parties to be excluded from the hearing.

(b) The proceedings of hearings shall be recorded verbatim and transcribed and made a part of the record.

(c) The record shall include a showing of the names of all parties in interest and of their attorneys of record who attended such hearing.

#### § 4.365 Evidence; form and admissibility.

(a) The parties may offer any oral or documentary evidence, but as a matter of policy, irrelevant, immaterial, or unduly repetitious evidence will be excluded.

(b) The judge may admit letters or copies thereof, affidavits, or other evidence not ordinarily admissible under the generally accepted rules of evidence, the weight to be attached to evidence presented in any particular form being within the discretion of the judge, taking into consideration all the circumstances of the particular case.

(c) Stipulations of fact and stipulations of testimony that would be given by witnesses were such witnesses present, agreed upon by the parties in interest, may be used as evidence at the hearing.

(d) The judge may in any case require evidence in addition to that offered by the interested parties.

#### § 4.366 Failure to comply with orders.

In the event of the failure of a party to comply with any order of the Board or of a judge for production of a witness or documentary evidence, the Board or judge may:

(a) Decide the fact or issue in accordance with the allegations of opposing interested parties, or in accordance with other evidence available; or

(b) Make such other ruling as appears just and proper.

#### § 4.367 Submission by the judge of proposed findings, conclusions and recommended decision.

(a) When the hearing is concluded, the judge shall make his proposed findings of fact and conclusions of law, in a recommended decision, giving the reasons or basis for his recommendations, upon all of the material issues of fact, law or discretion presented on the record. A copy of the recommended decision shall be sent by registered or certified mail, return receipt requested, to each party to the proceeding, to the Bureau official involved, and to the Board. Simultaneously, the entire record of the proceedings shall be returned to the Board.

#### § 4.368 Exceptions to proposed findings of fact or recommended decision by judge.

Within 20 days after service of the recommended decision of the judge, any

party may file with the Board exceptions thereto or any part thereof, or to the failure of the judge to make any recommendation, finding or conclusion, or to the admission or exclusion of evidence, or other ruling of the judge, supported by such legal brief as may appear advisable.

#### § 4.369 Decision by the Board.

The Board shall issue a decision in the proceedings, which shall set forth findings of fact and conclusions of law, as well as the reasons or basis therefor, upon all material issues of fact, law or discretion presented on the record. This decision shall include such additional findings and conclusions as do not appear in the recommended decision and such rulings on proposed findings and conclusions submitted by the parties as have not been made by the judge. This decision may adopt, modify, or set aside any finding, conclusion or order of the judge. The decision of the Board shall be final for the Department and copies shall be mailed to the appropriate official of the Bureau of Indian Affairs and to all interested parties.

[FR Doc. 73-26813 Filed 12-18-73; 8:45 am]

### DEPARTMENT OF AGRICULTURE

#### Agricultural Stabilization and Conservation Service

#### [7 CFR Part 812]

#### SUGAR IN HAWAII AND PUERTO RICO

#### Proposed Requirements and Quotas for Local Consumption for the Calendar Year 1974

Notice is hereby given that the Administrator, Agricultural Stabilization and Conservation Service, pursuant to authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended; 7 U.S.C. 1101), is considering the determination of sugar requirements and the establishment of quotas for local consumption in Hawaii and Puerto Rico for the calendar year 1974.

In accordance with the rule making requirements in 5 U.S.C. 553, all persons who desire to submit written data, views or arguments for consideration in connection with the proposed regulation may file the same in duplicate with the Director, Sugar Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250, on or before December 27, 1973. All written submissions made pursuant to this notice will be made available for public inspection at such time and places and in a manner convenient to the public business (7 CFR 1.27(b)).

The proposed determination of sugar requirements and quotas for Hawaii and Puerto Rico for the calendar year 1974, set forth in form and language appropriate for issuance if adopted by the Secretary, is as follows:

*Statement of purpose, bases, and considerations.* The purpose of Sugar Regulation 812 is to determine pursuant to sections 201 and 203 of the Sugar Act of 1948, as amended (hereinafter referred

to as the "Act"), the amount of sugar needed to meet the requirements of consumers in Hawaii and in Puerto Rico and to establish quotas for local consumption in such areas for the calendar year 1974. To the extent required by section 201 of the Act, this regulation establishes sugar requirements based on official estimates of the Department of Agriculture and on statistics published by other agencies of the government.

Pursuant to section 203 of the Act, the determination of the amounts of sugar needed to meet the requirements of consumers in Hawaii and in Puerto Rico relates to (1) the quantities of sugar distributed for local consumption in Hawaii and in Puerto Rico during the twelve-month period ended September 30, 1973, (2) deficiencies or surpluses in inventories of sugar, and (3) changes in consumption because of changes in population and demand conditions.

The quantities of sugar distributed for consumption in Hawaii and in Puerto Rico, including that which was lost in refining after charged to the local quotas, during such twelve-month period are estimated to have been approximately 42,000 short tons of sugar, raw value, and 154,000 short tons of sugar, raw value, respectively.

Based on the latest U.S. Census data available, the population of Hawaii as of July 1, 1972, was 809,000 and the population of Puerto Rico as of April 1, 1970, was 2,712,000.

In Hawaii industrial use accounts for a substantial portion of the total consumption of sugar and this demand is a significant factor in the total sugar requirements. During the period 1962 through 1972 the annual sugar consumption in this area has varied from approximately 92.3 to 130.0 pounds, raw value, per person. These wide year-to-year variations suggest the possibility that requirements could be higher in 1974 than in the twelve months ended September 30, 1973, when sugar marketings approximated 42,000 short tons, raw value.

In Puerto Rico during the twelve months ended September 30, 1973, marketings of sugar for local consumption totaled approximately 154,000 short tons, raw value. After making allowance for possible consumption increases in 1974 resulting from probable population increases, the total sugar needed to meet requirements for local consumption in Puerto Rico in 1974 may be approximately 160,000 short tons, raw value.

Circumstances prevailing in the utilization of quota for local consumption in Hawaii and Puerto Rico are such that no special problems arise nor are the objectives of the Act jeopardized if the 1974 local quotas are not completely filled. It is, therefore, desirable to establish the 1974 requirements and quotas sufficiently high initially so that later adjustments may be avoided.

In accordance with the above, the requirements for local consumption in Hawaii and Puerto Rico for 1974 have been determined to be 50,000 and 160,000 short tons, raw value, respectively.



Since the Act provides that the Secretary of Agriculture determine sugar requirements for local consumption in Hawaii and in Puerto Rico and establish local consumption quotas to be effective on January 1, 1974, it is found to be impracticable and not in the public interest to comply with the 30-day effective date requirements in 5 U.S.C. 553(d) (80 Stat. 378), and these regulations shall be effective January 1, 1974.

- Sec.  
812.1 Sugar requirements and quota—Hawaii  
812.2 Sugar requirements and quota—Puerto Rico  
812.3 Restrictions on marketing

**AUTHORITY:** Secs. 201, 203, 209, 211, 403, 61 Stat. 923, as amended, 925, 928, 932; 7 U.S.C. 1111, 1113, 1119, 1121, 1153.

**§ 812.1 Sugar requirements and quota—Hawaii.**

It is hereby determined, pursuant to Section 203 of the Act, that the amount of sugar needed to meet the requirements of consumers in Hawaii for the calendar year 1974 is 50,000 short tons, raw value, and a quota of 50,000 short tons, raw value, is hereby established for Hawaii for local consumption for the calendar year 1974.

**§ 812.2 Sugar requirements and quota—Puerto Rico.**

It is hereby determined, pursuant to Section 203 of the Act, that the amount of sugar needed to meet the requirements of consumers in Puerto Rico for the calendar year 1974 is 160,000 short tons, raw value, and a quota of 160,000 short tons, raw value, is hereby established for Puerto Rico for local consumption for the calendar year 1974.

**§ 812.3 Restrictions on marketing.**

Pursuant to section 209 of the Act, for the calendar year 1974 all persons are hereby prohibited from marketings, pursuant to Part 816 of this chapter (33 FR 8495), in Hawaii or in Puerto Rico, for consumption therein, any sugar or liquid sugar after the quota for the area for the calendar year 1974 has been filled. Pursuant to section 211(c) of the Act, the quota for each area may be filled only with sugar produced from sugarcane grown in the respective area, except as provided in section 204(c).

Furthermore, pursuant to section 211(c) of the Act, sugar may be unladed from a carrier and brought into a Foreign Trade Zone for manipulating therein or manufacturing therein another product for the subsequent entry into Hawaii or Puerto Rico for consumption only if such sugar is charged, pursuant to S.R. 816, to the applicable respective local quota.

Signed at Washington, D.C., on December 13, 1973.

GLENN A. WEIR,  
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 73-26805 Filed 12-18-73; 8:45 am]

**Forest Service**  
**[ 36 CFR Parts 251, 252 and 293 ]**  
**MINERAL RESOURCES ON NATIONAL FORESTS**

**Use Under U.S. Mining Laws**

The Forest Service proposes to amend Parts 251 and 293, and add a new Part 252 to Chapter II, Title 36 of the Code of Federal Regulations. The new and revised regulations proposed will apply to prospecting, discovery, exploration, development, mining and processing operations under the United States mining laws of May 10, 1872. They will apply to approximately 140 million acres that are open to location and entry under the mining laws within the National Forest System.

Increasing demand for minerals is causing an intensive search for new resources. Most easily accessible deposits have been found and it will be necessary to mine from greater depths and from larger, low grade near-surface deposits. Regulation of surface use of National Forest lands has not been adequate to achieve uniform protection of the environment. In order to meet environmental responsibilities, insure future productivity of renewable Forest resources, and more clearly define the rights and obligations of mineral operators; it is appropriate to provide new mining regulations to meet these objectives. Primary authority for these regulations is found in the Organic Administration Act of 1897 which provides that persons entering the National Forests for purposes of prospecting, locating, and developing mineral resources must comply with the rules and regulations covering the National Forests.

All persons who wish to submit written data, views, or objections pertaining to the proposed amendment may do so by submitting them to the U.S. Department of Agriculture, Forest Service, Division of Watershed Management, Rosslyn Plaza E, Room 810, 1621 North Kent Street, Arlington, Virginia 22209, by February 15, 1974.

All written submissions made pursuant to this notice will be available for public inspection in the Division of Watershed Management during regular business hours (7 CFR 1.27(b)).

The proposed amendment of Chapter II follows.

**PART 251—LAND USES**

**§ 251.12 [Revoked]**

1. Part 251 is amended by revoking § 251.12.

2. A new Part 252 is added to read as follows:

**PART 252—MINERALS**

- Sec.  
252.1 Authority.  
252.2 Purpose.  
252.3 Scope.  
252.4 Definitions.  
252.5 Use of mining claims, surface resources.  
252.6 Plan of operations—requirements.  
252.7 Plan of operations—approval.

- Sec.  
252.8 Availability of information to the public.  
252.9 Inspection, noncompliance.  
252.10 Requirements for environmental protection.  
252.11 Maintenance during operations, public safety.  
252.12 Cessation of operations, removal of structures and equipment.  
252.13 Prevention and control of fire.  
252.14 Access.  
252.15 Performance bonds.  
252.16 Appeals.  
252.17 Operations within National Forest Wilderness.

**§ 252.1 Authority.**

Pursuant to the Act of June 4, 1897 (30 Stat. 35, 36, as amended; 16 U.S.C. 478, 551), persons entering National Forests for the purpose of prospecting, locating and developing mineral resources must comply with the rules and regulations covering National Forests. Section 4 of the Act of July 23, 1955 (69 Stat. 368, 30 U.S.C. 612), provides that mining claims subject to the provisions of that Act are to be used only for prospecting, mining, or processing operations and uses reasonably incident thereto, and that rights under such claims are subject to the right of the United States to manage and dispose of the vegetative surface resources and to manage other surface resources thereof. The Multiple Use-Sustained Yield Act of June 12, 1960 (74 Stat. 215, 16 U.S.C. 528-531), authorizes and directs the Secretary of Agriculture to develop and administer the renewable natural resources of the National Forests for multiple use and sustained yield of their several products and services for outdoor recreation, range, timber, watershed, and wildlife and fish purposes. Section 102 of the National Environmental Policy Act of 1969 (83 Stat. 853, 42 U.S.C. 4332), authorizes and directs that, to the fullest extent possible, the policies, regulations, and laws of the United States shall be interpreted and administered in accordance with the policies of the Act.

**§ 252.2 Purpose.**

It is the purpose of these regulations to set forth rules and procedures through which use of the surface of National Forest lands in connection with operations authorized by the United States mining laws shall be conducted so as to minimize adverse environmental impacts on National Forest resources.

**§ 252.3 Scope.**

These regulations apply to operations under the United States mining laws of May 10, 1872, as amended (30 U.S.C. 22 et seq.) on all National Forest land under the jurisdiction of the Secretary of Agriculture to which such laws are applicable: *Provided, however,* That any area of National Forest lands covered by a special Act of Congress (16 U.S.C. 482a-482q) is subject to the provisions of this part and the provisions of the special act, and in the case of conflict the provisions of the special act shall apply.

**§ 252.4 Definitions.**

For the purposes of this part the following terms, respectively, shall mean:



(a) *Operations.* All functions, work, and activities in connection with prospecting, exploration, development, mining or processing of mineral resources and all uses reasonably incident thereto, including roads and other means of access whether on or off a mining claim, on lands subject to the regulations in this part.

(b) *Operator.* A person conducting or proposing to conduct operations.

(c) *Person.* Any individual, partnership, corporation, association, or other legal entity.

(d) *Mining claim.* Any unpatented claim or millsite authorized by the United States mining laws of May 10, 1872, as amended (30 U.S.C. 22 et seq.).

#### § 252.5 Use of mining claims, surface resources.

(a) No mining claim shall be used for any purposes other than prospecting, exploration, development, mining or processing operations and uses reasonably incident thereto.

(b) Except for claims not subject to surface management under the provision of the Act of July 23, 1955 (69 Stat. 368, 30 U.S.C. 612), mining claims shall be subject to the right of the United States to manage and dispose of the vegetative surface resources thereof and to manage other surface resources thereof, including the right of the United States, its permittees and licensees, to use so much of the surface as may be necessary for such purposes, or for access to adjacent land, so long as the use of the surface does not endanger or materially interfere with the prospecting, exploration, development, mining or processing of the mineral resources thereon or access reasonably incident thereto.

(c) No operator shall sever, remove or use any vegetative or other surface resources subject to management or disposition by the United States except to the extent required for prospecting, exploration, development, mining or processing operations, and uses reasonably incident thereto, or for the construction of building or structures in connection therewith, or to provide clearance for such operations or uses, or to the extent otherwise authorized by the United States. Any severance or removal of timber permitted under the exceptions of the preceding sentence, other than severance or removal for clearance, shall be in accordance with sound principles of forest management, as specified in the plan of operations.

#### § 252.6 Plan of operations—requirements.

(a) Any person proposing to conduct operations which might cause a significant disturbance of the environment on lands subject to the regulations in this part shall first submit a proposed plan of operations to the District Ranger having jurisdiction over the area within which operations will be conducted. The requirements to submit a plan of operations shall not apply (1) to operations which will be limited to the use of vehicles on existing roads open to public use,

(2) to individuals desiring to search for and occasionally remove small mineral samples or specimens for other than commercial purposes, and (3) prospecting which will not cause significant surface resource disturbance and will not involve removal of more than a reasonable amount of mineral deposit for analysis and study.

(b) Any person conducting operations on the effective date of these regulations shall within 120 days submit a plan of operations to the District Ranger having jurisdiction over the area within which operations are being conducted: *Provided, however,* That upon a showing of good cause the Forest Supervisor may grant an extension of time, not to exceed an additional 6 months. The requirement to submit a plan of operations shall not apply (1) to operations which are limited to the use of vehicles on existing roads open to public use, (2) prospecting which does not cause significant surface resource disturbance and does not involve removal of more than a reasonable amount of mineral deposit for analysis and study, and (3) to operations concluded prior to the effective date of the regulations in this part.

(c) The plan of operations shall include:

(1) The name and address of the operator(s) and the owner(s) if operations are to be conducted by other than the owner(s). If any of the foregoing are other than individual proprietors, the names and addresses of the principal officers of the business entity and the person(s) designated to represent such entity with the Department of Agriculture shall be included;

(2) A description sufficient to identify the area or areas on the ground within which the operations are being conducted or are to be conducted and the estimated period of activity;

(3) A map or sketch of access routes used or to be used and the description of the means of transportation used or to be used, submitted in compliance with the provisions of § 252.14;

(4) A map or sketch showing the location of existing and proposed roads within mining claims, a description of the type and standard of such existing and proposed roads, and a description of the means of transportation used or to be used;

(5) A list of equipment and a description of facilities used or to be used in the operations;

(6) A description of the methods of operation used or to be used;

(7) A map or sketch showing the location and size of areas upon which it is expected vegetation or soil will be disturbed;

(8) A description of the effects the operations are having or may have upon the environment and forest resources; and

(9) A description of the measures used or to be used to minimize the adverse environmental impacts of the operations, including the measures to be taken to meet the requirements of § 252.10.

(d) The plan of operations shall cover the requirements set forth in paragraph (c) above for the entire operation for the full estimated period of activity: *Provided, however,* That if the development of a plan for an entire operation is not possible at the time of preparation of a plan, the operator shall file an initial plan setting forth his proposed operation to the degree reasonably foreseeable at that time, and shall thereafter file a supplemental plan or plans whenever it is proposed to undertake any operations not covered by the initial plan.

(e) At any time during operations under an initial or supplemental plan of operations, the Forest Supervisor may require the operator to submit a proposed modification to the initial or supplemental plan detailing the means of minimizing unforeseen significant adverse environmental impacts.

(f) An environmental statement pursuant to section 102(2)(c) of the National Environmental Policy Act will be prepared in the review and approval of plans of operations, supplemental plans, or modifications of initial or supplemental plans where operations will significantly affect the quality of the environment. Not every plan of operations, supplemental plan or modification will involve the preparation of an environmental statement. Environmental impacts will vary substantially depending on whether the nature of operations is prospecting, exploration, development or processing, and on the scope of operations (such as size of operations, construction required, length of operations and equipment required), resulting in varying degrees of disturbance to vegetative resources, soil, water, air, or wildlife. The determination whether an environmental statement will be prepared will be on a case-by-case basis and will follow Guidelines of the Council on Environmental Quality (40 CFR 1500).

#### § 252.7 Plan of operations—approval.

(a) No operations shall be conducted unless they are in accordance with an approved plan of operations, except as provided in paragraph (b) of this section and in § 252.6(b). A proposed plan of operation shall be submitted to the District Ranger, who shall promptly acknowledge receipt thereof to the operator. Within thirty (30) days of such receipt, the Forest Supervisor shall:

(1) Notify the operator that the plan of operations is approved; or

(2) Notify the operator of any changes in, or additions to, the plan of operations deemed necessary to meet the purpose of the regulations in this part; or

(3) Notify the operator that the plan is being reviewed, but that more time, not to exceed an additional sixty (60) days, is necessary to complete such review, setting forth the reasons why additional time is needed: *Provided, however,* That days during which the area of operations is inaccessible for inspection shall not be included when computing the sixty (60) day period; or

(4) Notify the operator that the plan cannot be approved until a final environ-



mental statement has been prepared and filed with the Council on Environmental Quality as provided in § 252.6(f).

(b) Pending final approval of the plan of operations, the Forest Supervisor may approve such operations as may be necessary to comply with the provisions of State law so long as such operations do not create impacts which must be considered in an environmental statement pursuant to the National Environmental Policy Act.

(c) A supplemental plan or plans of operations provided for in § 252.6(d) and a modification of an initial or supplemental plan as provided for in § 252.6(e) shall be subject to approval in the same manner as the initial plan of operations.

(d) In the provisions for review of operating plans, the Forest Service will arrange for consultation with appropriate agencies of the Department of the Interior with respect to significant technical questions concerning the character of unique geologic formations and special exploration and development systems, techniques and equipment, and with respect to the relative values of minerals.

#### § 252.8 Availability of information to the public.

Except as provided herein, all information and data submitted by an operator pursuant to the regulations in this part shall be available for examination by the public at the office of the District Ranger in accordance with the provisions of 7 CFR 1.1-1.6 and 36 CFR 200.5-200.10. Specifically identified information and data submitted by the operator as confidential concerning trade secrets or privileged commercial or financial information will not be available for public examination. Information and data to be withheld from public examination may include, but is not limited to, known or estimated outline of the mineral deposits and their location, attitude, extent, outcrops, and content, and the known or planned location of exploration pits, drill holes, excavations pertaining to location and entry pursuant to the United States mining laws, and other commercial information which relates to competitive rights of the operator.

#### § 252.9 Inspection, noncompliance.

(a) Forest Officers shall periodically inspect operations to determine if the operator is complying with the regulations in this part and an approved plan of operations.

(b) If an operator fails to comply with the regulations or his approved plan of operations, the Forest Supervisor shall serve a notice of noncompliance upon the operator or his agent in person or by certified mail. Such notice shall describe the noncompliance and shall specify the action to comply and the time within which such action must be completed, generally not to exceed thirty (30) days; *Provided, however,* That the Forest Supervisor shall require immediate suspension of operations if noncompliance is causing significant environmental damage.

#### § 252.10 Requirements for environmental protection.

All operations shall be conducted so as, where feasible, to minimize adverse environmental impacts on National Forest resources, including the following requirements:

(a) *Air quality.* Operator shall comply with applicable Federal and State air quality standards, including the requirements of the Clean Air Act (84 Stat. 1676, et. seq.) and wherever practicable, shall conduct operations in such a manner as to minimize damage to forest resources by air pollutants resulting from such operations.

(b) *Water quality.* Operator shall comply with applicable Federal and State quality standards including regulations issued pursuant to the Federal Water Pollution Control Act, as amended (86 Stat. 816; 84 Stat. 91; 70 Stat. 498), and wherever practicable, shall conduct operations in such a manner as to minimize damage to downstream waters by water pollutants resulting from such operations.

(c) *Solid wastes.* Operator shall comply with applicable Federal and State standards for the disposal and treatment of solid wastes. All garbage, refuse, or waste, including buildings and equipment no longer usable in connection with operations shall either be removed from National Forest lands or disposed of or treated so as to minimize, so far as is practicable, its impact on the environment and the forest resources. All tailings, dumptage, deleterious materials or substances, and other waste produced in operations shall be disposed of or treated so as to minimize adverse impact upon the environment and forest resources.

(d) *Scenic values.* Operator shall, to the extent practicable, harmonize operations with scenic values through such measures as the design and location of operating facilities, including roads and other means of access, vegetative screening of operations, and construction of structures and improvements which blend with the landscape.

(e) *Fisheries habitat.* In addition to compliance with water quality and solid waste disposal standards required by this section, operator shall take all practicable measures to maintain and protect fisheries habitat which may be affected by the operations, including but not limited to, maintenance of normal ranges of water temperature and turbidity levels, unobstructed fish passage, and protection of fish spawning, rearing, and feeding areas.

(f) *Roads within mining claims.* Operator shall construct and maintain all roads within mining claims on a location and to a design and standard to assure adequate drainage and to minimize or where practicable, eliminate damage to soil, water, and other resource values. Unless otherwise approved by the Forest Supervisor, roads within mining claims no longer needed for operations (1) shall be closed to normal vehicular traffic, (2)

bridges and culverts shall be removed, (3) cross drains, dips, or water bars shall be constructed, and (4) the road surface shall be restored to as near a natural contour as practicable and be permanently stabilized.

(g) *Reclamation.* At the earliest possible time during operations, or within 1 year of the conclusion of operations, unless a longer time is allowed by the Forest Supervisor, operator shall, where practicable, restore the surface disturbed in operations to a natural-appearing condition and take such measures as will prevent or control on-site and off-site damage to the environment and forest resources including, but not limited to:

- (1) Control of erosion and landslides;
- (2) Control of water runoff;
- (3) Isolation, removal or control of toxic materials;
- (4) Reshaping and revegetation of disturbed areas;
- (5) Elimination of hazards to public health and safety;
- (6) Restoration of fisheries and wildlife habitat in surface water bodies; and
- (7) Stabilization of access roads by proper grading, drainage control, surface treatment, and revegetation.

(h) Certification or other approval issued by State agencies or other Federal agencies of compliance with laws and regulations relating to mining operations will be accepted as compliance with similar or parallel requirements of these regulations.

#### § 252.11 Maintenance during operations, public safety.

During all operations operator shall maintain his structures, equipment, and other facilities in a safe, neat and workmanlike manner. Hazardous sites or conditions resulting from operations shall be marked by signs, fenced or otherwise identified to protect the public.

#### § 252.12 Cessation of operations, removal of structures and equipment.

Unless otherwise authorized by the Forest Supervisor, operator shall remove within a reasonable time following cessation of operations all structures, equipment and other facilities and clean up the site of operations. Other than seasonally, where operations have ceased temporarily, an operator shall file a statement with the District Ranger which includes (1) verification of intent to maintain the structures, equipment and other facilities, (2) the expected reopening date, and (3) an estimate of extended duration of operations. A statement shall be filed every year in the event operations are not reactivated. Operator shall maintain the operating site, structures, equipment and other facilities in a neat and safe condition during nonoperating periods.

#### § 252.13 Prevention and control of fire.

Operator shall comply with all applicable Federal and State fire laws and regulations and shall take all necessary measures to prevent and suppress fires



## PROPOSED RULES

on the area of operations and shall require his employees, contractors and sub-contractors to do likewise.

#### § 252.14 Access.

An operator shall be entitled to access in connection with operations, but no road or other means of access, including landing areas for aircraft, shall be constructed or improved until the operator has received authorization in writing from the Forest Supervisor. Application for such access shall be filed with the District Ranger and shall include a description of the type and standard of the proposed means of access, a plat showing the proposed route of access, and a description of the means of transportation to be used. Authorization for such access shall specify the location of the access route, design standards, means of transportation, and other conditions reasonably necessary to protect the environment and forest resources, including, but not limited to, vegetative screening and other measures to protect scenic values and to insure against erosion and water or air pollution.

#### § 252.15 Performance bonds.

(a) To assure that operator will faithfully comply with the regulations in this part and adhere to an approved plan of operations, a performance bond in a minimum amount of \$2,000 will be required prior to approval of each plan of operations. In lieu of a performance bond, the operator may deposit into a Federal depository, as directed by the Forest Service, and maintain therein cash in an amount equal to the required dollar amount of the bond or negotiable securities of the United States having market value at the time of deposit of not less than the required dollar amount of the bond. A blanket bond covering nationwide or statewide operations may be furnished if the terms and conditions thereof are sufficient to comply with the regulations in this part.

(b) In determining the amount of the bond, consideration will be given to the nature of the reclamation and restoration requirements and the estimated costs of reclamation and restoration in the event that the operator forfeits his performance bond. This consideration will include (1) the size of the operations; (2) the estimated damage to the environment and National Forest resources if the operator fails to comply with the regulations in this part or fails to adhere to the approved plan of operations; (3) the estimated cost of stabilizing, rehabilitating and restoring the area of operations; and (4) the type and amount of access to be constructed in connection with operations.

(c) In the event that an initial plan of operations is supplemented or amended in accordance with § 252.6(d) and (e), the Forest Supervisor will review the initial performance bond for adequacy and, if necessary, will adjust the performance bond to conform to the operations plan as amended or supplemented.

(d) When the operations have been

conducted and completed in accordance with the regulations in this part and the approved plan of operations, the Forest Supervisor will notify the operator that performance under the bond has been completed: *Provided, however,* That when the Forest Service has accepted as completed any portion of the operations, the Forest Supervisor shall notify the operator of such acceptance and reduce proportionally the amount of bond thereafter to be required with respect to the remaining operations.

#### § 252.16 Appeals.

(a) Any operator aggrieved by a decision of the Forest Supervisor in connection with the regulations in this part may file with the Forest Supervisor a written statement setting forth in detail the respects in which the decision complained of is contrary to, or in conflict with, the facts, the law, or the regulations of the Secretary, or is otherwise in error. No such appeal will be considered unless it is filed with the Forest Supervisor within thirty (30) days after the date of notification to the operator of the action or decision complained of. Upon receipt of appellant's statement, the Forest Supervisor shall prepare his own statement explaining his decision and the reasons therefor and forward the statements and record to the appropriate Regional Forester for review and decision. The decision of the Regional Forester shall be final.

(b) At the time appellant files his written statement of appeal he may request and shall be afforded an opportunity to present his views orally to the Regional Forester.

(c) If the Regional Forester considers the record inadequate to support a decision on the appeal, he may provide for the production of such additional evidence or information as may be appropriate or may remand the case with appropriate instructions for further action.

(d) The official files of the Forest Service relating to such an appeal and any testimony and documents submitted by the parties on which the decision of the Forest Supervisor was based constitute the record in the appeal. The Forest Supervisor shall maintain the record under separate cover and shall certify that it is the record on which his decision was based at the time it is forwarded to the Regional Forester for review. The Forest Service shall make the record available to the appellant upon request.

(e) On or before the expiration of forty-five (45) days after closing the record the Regional Forester shall make his decision: *Provided, however,* That if more than forty-five (45) days are required for a decision after the record is received, the Regional Forester shall notify the parties to the appeal and specify the reason for delay. The decision of the Regional Forester shall include (1) a statement of facts, (2) conclusions, and (3) reasons upon which the conclusions are based.

(f) A decision of the Forest Supervisor from which an appeal is taken shall not

be automatically stayed by filing a statement of appeal. A request for a stay may accompany the statement of appeal or may be directed to the Regional Forester. The Regional Forester shall promptly rule on requests for stays, and his ruling shall be final.

#### § 252.17 Operations within National Forest Wilderness.

(a) The United States mining laws shall extend to each National Forest Wilderness for the period specified in the Wilderness Act and subsequent establishing legislation to the same extent they were applicable prior to the date the Wilderness was designated by Congress as a part of the National Wilderness Preservation System. Subject to valid existing rights, no person shall have any right or interest in or to any mineral deposits which may be discovered through prospecting or other information-gathering activity after the legal date on which the United States mining laws cease to apply to the specific Wilderness.

(b) Holders of unpatented mining claims validly established on any National Forest Wilderness prior to inclusion of such unit in the National Wilderness Preservation System shall be accorded the rights provided by the United States mining laws as then applicable to the National Forest land involved. Persons locating mining claims in any National Forest Wilderness on or after the date on which said Wilderness was included in the National Wilderness Preservation System shall be accorded the rights provided by the United States mining laws as applicable to the National Forest land involved and subject to provisions specified in the establishing legislation. Persons conducting operations as defined in § 252.4 in National Forest Wilderness shall comply with the regulations in this part so as to provide for the protection of National Forest resources in accordance with the general purposes of maintaining the National Wilderness Preservation System unimpaired for future use and enjoyment as Wilderness and so as to provide for the preservation of its wilderness character.

(c) Persons with valid mining claims wholly within National Forest Wilderness shall be permitted access to such surrounded claims by means consistent with the preservation of National Forest Wilderness which have been or are being customarily used with respect to other such claims surrounded by National Forest Wilderness. No operator shall construct roads across National Forest Wilderness unless authorized in writing by the Forest Supervisor in accordance with § 252.14. Specifically the Forest Supervisor shall require such changes in location and type and standard of construction as are necessary for the protection of National Forest resources in accordance with the general purposes of maintaining the National Wilderness Preservation System unimpaired for future use and enjoyment as Wilderness and so as to provide for the preservation of its



wilderness character, consistent with mineral location, exploration, development, drilling, and production and for transmission lines, and processing operations, including, where essential, the use of mechanical transport, aircraft or motorized equipment.

(d) On all mining claims validly established on lands within the National Wilderness Preservation System, the operator shall take all reasonable measures to remove any structures, equipment and other facilities no longer needed for mining purposes in accordance with the provisions in § 252.12 and restore the surface in accordance with the requirements in § 252.10(g).

(e) The title to timber on patented claims validly established after the land was included within the National Wilderness Preservation System remains in the United States, subject to a right to cut and use timber for mining purposes. So much of the mature timber may be cut and used as is needed in the extraction, removal, and beneficiation of the mineral deposits, if needed timber is not otherwise reasonably available. The cutting shall comply with the requirements for sound principles of forest management as defined by the National Forest rules and regulations and set forth in stipulations to be included in the plan of operations, which as a minimum incorporate the following basic principles of forest management:

(1) Harvesting operations shall be so conducted as to minimize soil movement and damage from water runoff; and

(2) Slash shall be disposed of and other precautions shall be taken to minimize damage from forest insects, disease, and fire.

(f) The Chief, Forest Service, shall allow any activity including prospecting, for the purpose of gathering information about minerals in National Forest Wilderness except that any such activity for gathering information shall be carried on in a manner compatible with the preservation of the wilderness environment as specified in the plan of operations (78 Stat. 890, 16 U.S.C. 1131-1136).

#### PART 293—WILDERNESS—PRIMITIVE AREAS

3. The regulations of Part 293 were transferred from Part 251 on March 5, 1973 (38 FR 5851). The new Part 293 is further amended by revising §§ 293.13, 293.14 and 293.15. Regulations applicable to activities under the 1872 mining law in National Forest Wilderness, now appear in Part 252 rather than Part 293.

##### § 293.13 Access to valid occupancies.

Persons with valid occupancies wholly within National Forest Wilderness shall be permitted access to such surrounded occupancies by means consistent with the preservation of National Forest Wilderness which have been or are being customarily used with respect to other such occupancies surrounded by National Forest Wilderness. The Forest Service will, when appropriate, issue permits which shall prescribe the routes of travel to and from the surrounded occupancies,

the mode of travel, and other conditions reasonably necessary to preserve the National Forest Wilderness.

##### § 293.14 Mineral leases and mineral permits.

(a) All laws pertaining to mineral leasing shall extend to each National Forest Wilderness for the period specified in the Wilderness Act or subsequent establishing legislation to the same extent they were applicable prior to the date the Wilderness was designated by Congress as a part of the National Wilderness Preservation System. No person shall have any right or interest in or to any mineral deposits which may be discovered through prospecting or other information-gathering activity after the legal date on which the laws pertaining to mineral leasing cease to apply to the specific Wilderness, nor shall any person after such date have any preference in applying for a mineral lease, license, or permit.

(b) Mineral leases, permits, and licenses covering lands within National Forest Wilderness will contain reasonable stipulations for the protection of the wilderness character of the land consistent with the use of the land for purposes for which they are leased, permitted, or licensed. The Chief, Forest Service, shall specify the conditions to be included in such stipulations.

(c) Permits shall not be issued for the removal of mineral materials commonly known as "common varieties" under the Minerals Act of July 31, 1947, as amended and supplemented.

(30 U.S.C. 601-604).

##### § 293.15 Gathering information about resources other than minerals.

(a) The Chief, Forest Service, shall allow any activity, for the purpose of gathering information about resources, other than minerals, in National Forest Wilderness, except that any such activity for gathering information shall be carried on in a manner compatible with the preservation of the wilderness environment. Prospecting for minerals or any activity for the purpose of gathering information about minerals in National Forest Wilderness is subject to the regulations in Part 252.

(b) No overland motor vehicle or other form of mechanical overland transport may be used in connection with any activity for the purpose of gathering information about resources, other than minerals, except as authorized by the Chief, Forest Service.

(c) Any person desiring to use motorized equipment, to land aircraft, or to make substantial excavations for the purpose of gathering information about resources, other than minerals, shall apply in writing to the Office of the Forest Supervisor or District Ranger having jurisdiction over land involved. Excavations shall be considered "substantial" which singularly or collectively exceed 200 cubic feet within any area which can be bounded by a rectangle containing 20 surface acres. Such use or excavation may be authorized by a permit issued by the Forest Service. Such permits may

provide for the protection of National Forest resources, including wilderness values, protection of the public, and restoration of disturbed areas, including the posting of performance bonds.

(d) Prospecting for water resources and the establishment of new reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest and the subsequent maintenance of such facilities, all pursuant to section 4(d) (4) (1) of the Wilderness Act, will be permitted when and as authorized by the President.

(78 Stat. 890 (16 U.S.C. 1131-1136))

ROBERT W. LONG,  
Assistant Secretary for Conservation, Research, and Education.

DECEMBER 12, 1973.

[FR Doc. 73-26634 Filed 12-18-73; 8:45 am]

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

#### USE OF BENTONITE IN ANIMAL FEEDS CONTAINING NIHYDRAZONE

##### Termination of Rule Making Proceeding

A proposal was published in the FEDERAL REGISTER of October 18, 1967 (32 FR 14403), proposing that 21 CFR 121.237 be amended to specify that animal feeds containing nihydrazone should not contain bentonite. In the proposal, it was stated that the presence of bentonite in feeds interferes with the method of analysis for nihydrazone and thereby influences control over the safety and effectiveness of nihydrazone-containing feeds.

Following publication of the proposal, the Commissioner of Food and Drugs received data establishing that bentonite does not interfere with the method of analysis for nihydrazone.

Accordingly, the rule-making procedure in this matter is terminated.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-351; 21 U.S.C. 360b) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: December 12, 1973.

WILLIAM F. RANDOLPH,  
Acting Associate Commissioner  
for Compliance.

[FR Doc. 73-26779 Filed 12-18-73; 8:45 am]

#### Social and Rehabilitation Service

[45 CFR Parts 205 and 249]

#### CHILD HEALTH SERVICES

##### Failure To Provide

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations implement the penalty provisions



## PROPOSED RULES

of Section 299F of Pub. L. 92-603 (Social Security Amendments of 1972) by amending the existing regulations on specific limitations on federal financial participation under title IV-A and on early and periodic screening, diagnosis and treatment of individuals under 21 years of age in the medical assistance programs administered under title XIX of the Social Security Act.

Prior to the adoption of the proposed regulations, consideration will be given to any written comments, suggestions, or objections thereto received by the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, 330 Independence Avenue SW, Washington, D.C. 20201 within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Comments received will be available for public inspection in Room 5224 of the Department's offices at 330 C Street, SW, Washington, D.C. on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (area code 202-245-0365).

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))  
(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program and No. 13.761, Public Assistance-Maintenance Assistance (State Aid))

Dated: October 11, 1973.

JAMES S. DWIGHT, Jr.,  
Administrator, Social and  
Rehabilitation Service.

Approved: December 11, 1973.

CASPAR W. WEINBERGER,  
Secretary.

Chapter II, Title 45 of the Code of Federal Regulations is amended as follows:

1. Section 205.146 of Part 205 is amended by adding a new paragraph (c) to read as set forth below:

§ 205.146 Specific limitations on Federal financial participation under title IV-A.

(c) *Penalty for failure to provide early and periodic screening, diagnosis and treatment of children under Title XIX of the Act.*—(1) *General.* Pursuant to section 403(g) of the Act, notwithstanding any other provision of this chapter, total payments to a State under title IV-A of the Act for any quarter of any fiscal year beginning on or after July 1, 1974 shall be reduced by 1 percentage point (calculated without regard to any other reduction under this section), if the State fails to:

(i) Inform all families in the State receiving Aid to Dependent Children under the State's title IV-A plan of the availability of child health screening services under the State's title XIX plan. For purposes of this provision, to "inform" means to: Notify all AFDC families in writing no less often than annually of the availability of the early and periodic screening, diagnosis and treatment (EPSDT) program under the State title XIX plan by providing pamphlets, brochures, or other written materials which

clearly and specifically describe (A) what EPSDT services are available and (B) where and how they may be obtained. States must also have arrangements to inform those individuals for whom printed material is inappropriate.

(ii) Provide or arrange for the provision of such screening services in all cases where they are requested. This means that a State must:

(A) Inform recipients requesting screening services of the names and locations of providers offering such services, and provide transportation services as necessary and otherwise authorized under title XIX; and

(B) Take steps to assist recipients requesting screening services so that such recipients are able to receive them within a reasonable period not to exceed 60 days from the date of request.

(iii) Arrange for (directly or through referral to appropriate agencies, organizations, or individuals) corrective treatment the need for which is indicated by such screening services and which is available under the State plan in accordance with § 249.10(a)(3) of this chapter.

This means that the State must:

(A) Inform recipients in need of diagnostic and treatment services of the names and locations of health providers offering such services, and of transportation services otherwise authorized under title XIX; and

(B) Take steps to assist recipients needing diagnostic and treatment services so that such recipients are able to receive them within a reasonable time period. Initial diagnosis and treatment must be available within 60 days of the screening.

(2) *Application of penalty.* (i) The penalty will be applied on a quarterly basis, beginning with the quarter starting July 1, 1974.

(ii) Determination of whether the penalty is applicable will be based on:

(A) Reports from States on actual compliance in practice with the conditions specified in paragraph (c)(1) of this section; and

(B) Such other surveys or reviews as may be deemed necessary by SRS.

(iii) Whenever a penalty is imposed under this provision, the State shall be entitled to and upon request shall receive a reconsideration of the imposition of the penalty in accordance with section 1116(d) of the Social Security Act, and regulations issued thereunder.

(3) *Documentation.* States must be able to document that they have met each condition of paragraph (c)(1) of this section and shall provide reports thereon as prescribed in this regulation and in Program Regulation Guides and Program Instructions issued by SRS.

2. Section 249.10(a)(3) is revised as set forth below:

§ 249.10 Amount, duration, and scope of medical assistance.

(a) *State plan requirements.* . . .

(3) In carrying out the requirements

in subparagraphs (1) and (2) of this paragraph with respect to the item of care set forth in paragraph (b)(4)(ii) of this section, provide:

(i) For establishment of administrative mechanisms to identify available screening and diagnostic facilities, to assure that individuals under 21 years of age who are eligible for medical assistance may receive the services of such facilities, and to make available such services as may be included under the State plan;

(ii) For identification of all eligible individuals, including those who are in need of medical or remedial care and services furnished through title V grantees, and for assuring that individuals eligible for title V services are informed of such services and are referred to title V grantees for care and services, as appropriate;

(iii) For agreements to assure maximum utilization of existing screening, diagnostic, and treatment services provided by other public and voluntary agencies such as child health clinics, OEO Neighborhood Health Centers, day care centers, nursery schools, school health programs, family planning clinics, maternity clinics, and similar facilities;

(iv) That early and periodic screening and diagnosis to ascertain physical and mental defects, and treatment of conditions discovered within the limits of the State plan on the amount, duration, and scope of care and services, will be available to all eligible individuals under 21 years of age; and that, in addition, eyeglasses, hearing aids, and other kinds of treatment for visual and hearing defects, and at least such dental care as is necessary for relief of pain and infection and for restoration of teeth and maintenance of dental health, will be available, whether or not otherwise included under the State plan, subject, however, to such utilization controls as may be imposed by the State agency. See § 205.146(c) of this chapter relating to reduction in Federal financial participation under title IV-A of the Act for failure to provide early and periodic screening, diagnosis, and treatment of children.

[FR Doc. 73-26807 Filed 12-18-73; 8:45 am]

## SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

## SMALL BUSINESS SIZE STANDARDS

Definition of Small Business Nonmanufacturer for Purpose of Bidding on Government Procurement

The purpose of this notice by the Administrator of the Small Business Administration is to propose a change in the definition of a small nonmanufacturer to permit a nonmanufacturer with 500 or fewer employees, which is bidding on a contract not set aside for small business, to be considered small for other preferential treatment to small business, even if it is not furnishing a product



manufactured in the United States by a small manufacturer.

The present size regulation provides in part that, in the case of a Government procurement not reserved for or involving preferential treatment of small business, a concern which submits a bid or offer in its own name (other than on a construction or service contract) but which, in the performance of the contract, will furnish a product manufactured by another concern, is deemed small if its number of employees does not exceed 500 persons. However, for the purpose of Government procurement, (1) reserved for or (2) involving preferential treatment of small business (which includes Certificate of Competency (COC) assistance and preference in the case of a tie bid with a concern which is other than small business), the regulation provides that a nonmanufacturer is small if its number of employees does not exceed 500 employees and, in addition, such nonmanufacturer furnishes in the performance of the contract the products of a small business manufacturer which products are manufactured or produced in the United States.

Interested parties have suggested to this Agency that if a concern qualifies as a small business for the purpose of a particular Government procurement not set aside for small business, it is not

equitable to deny such concern preferential treatment such as the right to a Certificate of Competency or preference on the case of a tie bid, even though, in the performance of such unrestricted procurement, such concern will furnish a product not manufactured or produced in the United States by a small manufacturer. It appears that such argument may have merit.

Accordingly, it is proposed to amend Part 121 of Chapter I of Title 13 of the Code of Federal Regulations by deleting from the first sentence of § 121.3-8(c) (2)(i), the phrase, "or involving the preferential treatment of small business." As amended, § 121.3-8(c) (2)(i) will read as follows:

**§ 121.3-8 Definition of small business for Government procurement.**

**(c) Nonmanufacturing. . . .**

(2)(i) In the case of Government procurement reserved for small businesses, such nonmanufacturer furnishes in the performance of the contract the products of a small business manufacturer or producer which products are manufactured or produced in the United States: Provided, however, If the goods to be furnished are woolen, worsted, knitwear, duck, and webbing, dealers and converters shall furnish such products which have been manufactured

or produced by a small weaver (small knitter or knitwear), and if finishing is required by a small finisher. If the procurement is for thread, dealers and converters shall furnish such products which have been finished by a small finisher. (Finishing of thread is defined as all "dyeing, bleaching, glazing, mildew proofing, coating, waxing and other applications required by the pertinent specifications but excluding, mercerizing, spinning, throwing, or twisting operation.")

Interested parties may file with the Small Business Administration by January 18, 1973, written statements of facts, opinions, or arguments concerning the proposal.

All correspondence shall be addressed to:

William L. Pellington, Director, Office of Industry Studies and Size Standards, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416

Dated: December 7, 1973.

(Catalog of Federal Domestic Assistance Program No. 59.009, Procurement Assistance to Small Business)

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.73-26793 Filed 12-18-73; 8:45 am]



# Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF THE TREASURY

### Fiscal Service

[Dept. Circ. 570, 1973 Rev., Supp. No. 6]

#### THE HOME INDEMNITY COMPANY Change of Name

The Home Indemnity Company, Inc., a New Hampshire corporation, has formally changed its name to The Home Indemnity Company, effective September 1, 1973. Documents evidencing the change of name are on file in the Treasury.

A new Certificate of Authority as an acceptable surety on Federal bonds, dated September 1, 1973, has been issued by the Secretary of the Treasury to The Home Indemnity Company, Manchester, New Hampshire, under sections 6 to 13 of Title 6 of the United States Code, to replace the Certificate issued July 1, 1973 (38 FR 18344, July 9, 1973) to the Company under its former name, The Home Indemnity Company, Inc. The underwriting limitation of \$6,037,000 previously established for the Company remains unchanged.

The change in name of The Home Indemnity Company, Inc., does not affect its status or liability with respect to any obligation in favor of the United States or in which the United States has an interest, which it may have undertaken pursuant to the Certificate of Authority issued by the Secretary of the Treasury.

Certificates of Authority expire on June 30 each year, unless sooner revoked and new Certificates are issued on July 1, so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1, in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact surety business and other information. Copies of the Circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

Dated: December 12, 1973.

[SEAL] JOHN K. CARLOCK,  
Fiscal Assistant Secretary.

[FR Doc.73-26800 Filed 12-18-73;8:45 am]

[Dept. Circ. 570, 1973 Rev., Supp. 7]

#### AMERICAN DRUGGISTS INSURANCE COMPANY

Surety Company Acceptable on Federal Bonds

A Certificate of Authority as an acceptable surety on Federal bonds has

been issued by the Secretary of the Treasury to the following company under Sections 6 to 13 of Title 6 of the United States Code. An underwriting limitation of \$361,000.00 has been established for the company.

*Name of Company, Location of Principal Executive Office, and State in Which Incorporated*

THE AMERICAN DRUGGISTS' INSURANCE  
COMPANY, CINCINNATI, OHIO

Certificates of Authority expire on June 30 each year, unless sooner revoked, and new Certificates are issued on July 1 so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact fidelity and surety business and other information. Copies of the Circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

Dated: December 13, 1973.

[SEAL] JOHN K. CARLOCK,  
Fiscal Assistant Secretary.

[FR Doc.73-26815 Filed 12-18-73;8:45 am]

### Internal Revenue Service

[Order 143]

#### ASSISTANT COMMISSIONER (COMPLIANCE) ET AL. Delegation of Authority

Subject: Authority to Enforce the Currency and Foreign Transactions Reporting Act of 1970 (Titles I and II of Public Law 91-508).

The authority and responsibilities vested in the Commissioner of Internal Revenue by 31 CFR 103.46(a) (8) and 26 CFR 301.7701-9(c), for assuring compliance with the requirements of 31 CFR 103 which are under the jurisdiction of the Internal Revenue Service, are delegated as follows:

Assistant Commissioner (Compliance)  
Regional Commissioners  
District Directors

The authority delegated herein may be redelegated by the officials specified in this Order and may not be further redelegated.

Issued: December 12, 1973.

Effective: December 12, 1973.

[SEAL] DONALD C. ALEXANDER,  
Commissioner.

[FR Doc.73-26816 Filed 12-18-73;8:45 am]

## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### USAF SCIENTIFIC ADVISORY BOARD STRATEGIC PANEL

#### Notice of Meeting

DECEMBER 13, 1973.

The USAF Scientific Advisory Board Strategic Panel will hold closed meetings on January 3, 1974, from 8 a.m. until 5 p.m., and on January 4, from 8 a.m. until 3 p.m. at Headquarters, North American Air Defense Command, Ent Air Force Base, Colorado.

The Panel will receive classified briefings from the North American Air Defense Command on strategic defense issues.

For further information, contact the Scientific Advisory Board Secretariat at 202-697-8404.

STANLEY L. ROBERTS,  
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.73-26798 Filed 12-18-73;8:45 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CA 391]

#### CALIFORNIA

#### Proposed Withdrawal and Reservation of Lands

DECEMBER 11, 1973.

The Department of Agriculture, on behalf of the Forest Service has filed application CA 391 for the withdrawal of 11.25 acres of national forest lands described herein, from all forms of appropriation under the mining laws (30 U.S.C. Ch. 2) but not from leasing under the mineral leasing laws, subject to valid existing rights.

The lands originally included in the withdrawal application, comprised 75 acres in unsurveyed sec. 19, T. 6 N., R. 6 E., Hum. Mer., California, described as the NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ . The Forest Service has amended its application by deleting all of the lands heretofore described except for that tract of land described below, comprising 11.25 acres in unsurveyed sec. 19, T. 6 N., R. 6 E., Hum. Mer. Therefore pursuant to 43 CFR 2202.5, effective at 10 a.m., on February 19, 1974, the segregation of the mineral estate as to the lands described in this paragraph will terminate.

The lands described below are to be made available to the State of California



and developed by the State as a roadside rest adjacent to California State Highway 299.

On or before January 20, 1974, all persons wishing to submit comments, suggestions or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

The Department's regulations provide that the authorized officer will undertake such investigations as are necessary to determine the existing and potential demands for the land and its resources. Adjustments will be made as necessary to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's and to reach agreement on the concurrent management of the land and its resources.

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

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

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the amended application are:

HUMBOLDT MERIDIAN  
SIX RIVERS NATIONAL FOREST  
Salyer Roadside Rest

T. 6 N., R. 6 E.,

That portion of unsurveyed Section 19, described as follows: Beginning at Corner 4B of Tract 51; thence S. 00°14'00" E., 89.07 feet; thence N. 69°03'53" W., 246.64 feet; thence N. 32°09'30" W., 686.59 feet; thence S. 25°20'30" W., 250.00 feet; thence S. 00°14'00" E., 471.94 feet; thence S. 40°34'19" W., 100.00 feet; thence S. 89°46'00" W., 378.00 feet; thence N. 56°40'00" W., 74.22 feet; thence S. 53°41'43" W., 382.37 feet; thence S. 62°40'07" W., 177.56 feet; thence S. 49°11'02" W., 127.14 feet; thence S. 17°25'56" W., 121.22 feet; thence S. 72°34'04" E., 50.00 feet; thence S. 17°25'56" W., 200.00 feet; thence N. 72°34'04" W., 200.00 feet; thence N. 17°25'56" E., 200.00 feet; thence S. 72°34'04" E., 50.00 feet; thence N. 17°25'56" E., 149.66 feet; thence N. 49°11'02" E., 179.56 feet; thence N. 62°40'07" E., 177.56 feet; thence N. 53°41'43" E., 328.63 feet; thence N. 56°40'00" W., 224.72 feet; thence S. 51°31'30" W., 425.00 feet; thence S. 84°00'00" W., 590.00 feet; thence N. 00°00'00", 170.00 feet; thence N. 79°00'00" E., 690.00 feet; thence N. 51°31'30" E., 510.00 feet; thence N. 01°55'30" E., 123.43 feet; thence N. 73°54'20" E., 185.85 feet; thence N. 51°31'30" E., 129.46 feet; thence along a curve to the right with a radius of 690 feet through an angle of 44°58', for a distance of 541.12 feet; thence N. 17°39'40" E., 142.26 feet; thence S. 80°11'50" E., 41.53 feet;

thence S. 07°12'10" E., 175.31 feet; thence along a curve to the right with a radius of 666 feet through an angle of 48°28', for a distance of 563.37 feet; thence S. 25°31'30" E., 105.62 feet; thence along a curve to the left with a radius of 384 feet through an angle of 33°57', for a distance of 227.54 feet; thence S. 59°28'30" E., 75.05 feet; thence S. 00°14'00" E., 111.08 feet to the point of beginning.

44°58', for a distance of 541.12 feet; The area described aggregates 11.25 acres in Trinity County, California.

WALTER F. HOLMES,  
Chief, Branch of Lands  
and Minerals Operations.

[FR Doc.73-26780 Filed 12-18-73;8:45 am]

[INT DES 73-79]

#### OSCEOLA NATIONAL FOREST, FLA.

#### Draft Environmental Impact Statement and Public Hearings Regarding Proposed Phosphate Leasing and Mining

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior in cooperation with the Department of Agriculture has prepared a draft environmental impact statement relating to the possible issuance of forty-one (41) phosphate preference right leases on 52,000 acres, and the extraction of government-owned phosphate on 28,000 of these acres located in the Osceola National Forest, Florida.

The draft environmental statement is available for public review at the following places:

Office of Communications, Room 7218, Bureau of Land Management, Washington, D.C. 20240

Office of Information, Room 5643, Bureau of Land Management, Washington, D.C. 20240

Director, Eastern States Office, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Maryland 20910

State Clearinghouse, 660 Apalachee Parkway, Tallahassee, Florida 32304

Jacksonville Area Planning Board, 330 Bay Street, Jacksonville, Florida 32202

Suwannee River Regional Library, 111 North Columbia, Lake City, Florida 32055

State Library, Supreme Court Building, Tallahassee, Florida 32304

University of Florida Libraries, University Station, Gainesville, Florida 32601

Individual copies may be obtained from Director, Eastern States Office, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Maryland 20910.

The Department of the Interior will hold public hearings to receive comments and suggestions concerning the proposed leasing and mining of government-owned phosphate. Public hearings have tentatively been scheduled as follows:

Jacksonville, Florida, January 15, 1974.  
Lake City, Florida, January 17, 1974.  
Tallahassee, Florida, January 21, 1974.

Specific locations and times will be made available in a subsequent release. Comments concerning the environmental statement and impacts should be

addressed to Director, Eastern States Office, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Maryland 20910. These comments must be submitted on or before February 4, 1974 to be considered in the preparation of the final environmental statement.

GEORGE L. TURCOTT,  
Acting Director,  
Bureau of Land Management.

Approved:

WILLIAM A. VOGELY,  
Acting Deputy Assistant Secretary of the Interior.

[FR Doc.73-26777 Filed 12-18-73;8:45 am]

#### Office of Oil and Gas

#### OIL IMPORT LICENSE FEES

#### Bond To Assure Payment

Recent amendment of Proclamation 3279, as amended authorized the posting of a bond to assure payment of oil import license fees as an alternative to payment accompanying the application. This authority has been implemented in paragraph (d) of section 32 of Oil Import Regulation 1 (Revision 5), as amended.

Paragraph (d) of section 32 of Oil Import Regulation 1 (Revision 5) provides as follows:

Applications for allocations under this section shall be accompanied by the applicant's certified check, or a cashier's check, payable to the order of the Treasury of the United States in the amount chargeable pursuant to paragraph (i) of this section or by a bond with a surety on the list of acceptable sureties on Federal Bonds maintained by the Bureau of Accounts, Department of the Treasury, in the sum not less than the amount chargeable pursuant to paragraph (i) of this section, conditioned upon payment to the order of the Treasurer of the United States, within thirty (30) calendar days from the date of the entry or withdrawal from warehouse for consumption of the commodities for the importation of which a license or licenses have issued, in the amount chargeable pursuant to paragraph (i) of this section. Applications not accompanied by a certified check, cashier's check, or bond in the amount required shall not be considered. Applications by or for the account of a department, establishment, or agency of the United States need not be accompanied by a certified check or cashier's check or a bond as required by this paragraph.

A proposed bond form was published in the FEDERAL REGISTER on October 5, 1973, (38 FR 27630). Comments concerning the proposed form were generally favorable therefore the proposed form is being adopted effective December 19, 1973.

The bond required to be posted pursuant to this provision of the oil import regulation shall be submitted in the following form.

L. ROY GOODEARLE,  
Associate Director,  
Office of Oil and Gas.



## NOTICES

## BOND FOR PAYMENT OF LICENSE FEES AND PENALTIES

Check here if this is used as single license bond ☐  
 (If this box is checked, the sections of the bond marked "Continuous Bond Only" are excluded.)

PRINCIPAL

AMOUNT OF BOND

Check here if this is used as continuous bond ☐  
 (If the box is checked, the sections of the bond marked "Single License Bond Only" are excluded.)

ADDRESS OF BUSINESS OFFICE

SURETY

EFFECTIVE DATE (Continuous Bond Only)

KNOW ALL MEN BY THESE PRESENTS, That we, the above-named principal and surety, are held and firmly bound unto the United States of America in the above amount, lawful money of the United States; for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly these presents.

(Single License Bond Only)

WHEREAS, the above-bounden principal requests issuance of an import license authorizing entry for consumption or withdrawal from warehouse for consumption of \_\_\_\_\_

barrels of \_\_\_\_\_ within the period from \_\_\_\_\_, to and including \_\_\_\_\_ (quantity)  
 (commodity)

and desires issuance of such license prior to the payment of fees therefor;

(Continuous Bond Only)

WHEREAS, the above-bounden principal will from time to time request issuance of import license authorizing entry for consumption or withdrawal from warehouse for consumption of petroleum commodities, and desires issuance of such licenses prior to the payment of fees therefor; and

NOW, THEREFORE, the condition of this obligation is such that if the above-bounden principal shall pay to the Office of Oil and Gas such license fees and penalties as may become due, pursuant to Oil Import Regulation 1 and amendments thereto, then this obligation to be void, otherwise to remain in full force and effect.

THE LIABILITY of the surety shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall aggregate the penalty of this bond, and in no event shall the surety's total obligation hereunder exceed said penalty.

(Continuous Bond Only)

THIS bond shall continue in effect until discharged or terminated as herein provided. The principal or surety may at any time terminate this bond by written notice to the Office of Oil and Gas at its office in Washington, D.C. 20240. Such termination shall become effective thirty (30) days after receipt of said notice by the Office of Oil and Gas. The surety shall not be liable for any requests made by the principal after the expiration of said thirty (30) day period but such termination shall not affect the liability of the principal and surety for any breach of condition hereof occurring prior to the date when said termination becomes effective.

SIGNED and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

SIGNED, SEALED, and delivered in the presence of

Witness for principal:

(name) (address)

(name) (address)

Witness for surety:

(name) (address)

(name) (address)

## CERTIFICATE AS TO CORPORATE PRINCIPAL

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_ of the corporation named \_\_\_\_\_ as principal in the within bond; that \_\_\_\_\_ who signed the said bond on behalf of the principal, was then \_\_\_\_\_ of said corporation; that I know his signature thereto is genuine; and that said bond was duly signed, sealed, and attested for and in behalf of said corporation by authority of its governing body.

(SEAL)

[FR Doc. 73-26855 Filed 12-17-73; 12:34 pm]

## DEPARTMENT OF AGRICULTURE

## Agricultural Marketing Service

## GENERAL TERMS AND CONDITIONS FOR THE PROCUREMENT OF AGRICULTURAL COMMODITIES OR SERVICES

## Notice of Issuance

Notice is hereby given of the issuance of "General Terms and Conditions for the Procurement of Agricultural Commodities or Services" dated October 1973 (Short Reference—USDA-1) containing information, representations, and requirements relating to the submission and acceptance of offers made pursuant to announcements or invitations for offers for the purchase or servicing of agricultural commodities which specifically incorporate the document, in whole or in part, by reference, and which are issued by the Department of Agriculture or Commodity Credit Corporation.

The new USDA-1 also specifies terms and conditions, in addition to those contained in the announcements or invitations, which are applicable to the proposed procurements of commodities or services.

At the time of mailing announcements or invitations, USDA-1 will be enclosed if it has not previously been furnished to the prospective bidder. Additional copies may be obtained from the appropriate Division of the Agricultural Marketing Service—either Fruit and Vegetable Division, Grain Division, Livestock Division, or Poultry Division, United States Department of Agriculture, Washington, D.C. 20250; or, the Commodity Operations Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250. Copies may also be obtained from the Minneapolis ASCS Commodity Office, United States Department of Agriculture, at 6400 France Avenue South, Minneapolis, Minnesota 55435, or at the Prairie Village ASCS Commodity Office, United States Department of Agriculture, Brymar Office Center, 2400 West 75th Street, Prairie Village, Kansas 66208 (mailing address: Post Office Box 8377, Shawnee Mission, Kansas 66208).

The new USDA-1 will become effective under the various programs of the Department as soon as practicable. Present announcements incorporating ASCS-101 and C&MS Purchase Document No. 1 will continue in effect until they have expired or are terminated or superseded by new announcements.

Dated: December 7, 1973.

E. L. PETERSON,  
 Administrator,  
 Agricultural Marketing Service.

Dated: December 13, 1973.

GLENN A. WEIR,  
 Acting Administrator, Agricultural  
 Stabilization and Conservation  
 Service.

[FR Doc. 73-26806 Filed 12-18-73; 8:45 am]



## Forest Service

GRAND MESA-UNCOMPAHGRE NATIONAL  
FOREST MIGUEL DISTRICT ADVISORY  
BOARD

## Notice of Meeting

The Miguel District Grazing Advisory Board will hold its annual meeting January 8, 1974, at 1:30 p.m., in the Shavano Building Conference Room at 101 North Uncompahgre, Montrose, Colorado.

The purpose of this meeting is to provide Miguel District range users a means for collective expression of what their views and recommendations are concerning the management and administration of the Miguel District grazing lands; to develop local interest and responsibility in better range management.

The meeting will be open to the public. Persons who wish to attend should notify District Ranger Edward Heist, 101 North Uncompahgre, Post Office Box 1047, Montrose, Colorado 81401. Phone 249-3711. Written statements may be filed with the committee before or after the meeting.

JOHN T. MINOW,  
Forest Supervisor.

DECEMBER 10, 1973.

[FR Doc. 73-26791 Filed 12-18-73; 8:45 am]

TONTON NATIONAL FOREST GRAZING  
ADVISORY BOARD

## Notice of Meeting

The Tonto National Forest Grazing Advisory Board will meet December 20, 1973, at 1 p.m. at the Office of the Supervisor, Tonto National Forest, 102 S. 28th Street, Phoenix, Arizona.

The purpose of this meeting is to seek the advice of the Tonto Grazing Advisory Board concerning action proposed on the A Cross grazing allotment.

The meeting will be open to the public. Persons who wish to attend should notify Fred J. Wirth, Supervisor Tonto National Forest, 102 South 28th Street, Phoenix, Arizona, 85034, Telephone No. 261-3205. Written statements may be filed with the committee before or after the meeting.

No specific rules have been established for public participation. Comments from the public are welcome at anytime during the meeting.

FRED J. WIRTH,  
Forest Supervisor.

DECEMBER 10, 1973.

[FR Doc. 73-26775 Filed 12-18-73; 8:45 am]

## DEPARTMENT OF COMMERCE

Domestic and International Business  
Administration

## EASTMAN DENTAL CENTER, ET AL.

Notice of Consolidated Decision on Appli-  
cations for Duty-Free Entry of Ultra-  
microtomes

The following is a consolidated decision on applications for duty-free entry of ultramicrotomes pursuant to section 6 (c) of the Educational, Scientific, and

Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00094-33-46500. Applicant: Eastman Dental Center, 800 East Main Street, Rochester, New York 14603. Article: Ultramicrotome, Model LKB 8800A and 4806A Ultratome Table. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The foreign article is intended to be used in research studies on biological, mainly human tissues but also mammalian tissues derived from experimental animals. The tissues will exhibit both normal and pathologic structures. Specific studies will cover (1) formation of pit and fissure plaque, (2) alterations in the enamel adjacent to the pit and fissure plaque and (3) pathological changes in the pulpal tissue under carious lesions. Application Received by Commissioner of Customs: August 27, 1973. Advice submitted by Department of Health, Education, and Welfare on: November 23, 1973.

Docket number: 74-00095-33-46500. Applicant: Case Western Reserve University Medical School, 2119 Abington Road, Cleveland, Ohio 44106. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The foreign article is intended to be used in experiments on the normal visual system of mice as well as surgical procedures such as enucleation and coagulation of the lateral geniculate nucleus with the objective of revealing the ultrastructural characteristics of the normal structure of the visual cortex of anophthalmic mice. Application received by Commissioner of Customs: August 27, 1973. Advice submitted by Department of Health, Education, and Welfare on: November 23, 1973.

Docket Number: 74-00096-33-46500. Applicant: Yale University, Purchasing Department, 260 Whitney Avenue, New Haven, Connecticut 06520. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The foreign article will be used in studies on the ultrastructural aspects of (1) spontaneous retinal degeneration of rats; (2) sialodacryoadenitis and anterior uveitis of rats; (3) hypertensive vascular disease of rats; (4) transmissible colonic adenomatoid hyperplasia of mice; (5) enzootic intestinal adenocarcinoma of hamsters; and (6) cytochemistry of cholinesterase activity in the ciliary body of rabbits. Experiments to be conducted include: 1) temporal pathogenetic examination of retinal degeneration, hypertensive vascular disease, anterior uveitis and sialodacryoadenitis of rats; 2) pathogenetic and eti-

ologic studies of adenomatous and neoplastic lesions of the intestinal tract of mice and hamsters and 3) cytochemical evaluation of cholinesterase activity in the eye under normal conditions and following the administration of certain drugs. Application received by Commissioner of Customs: August 27, 1973. Advice submitted by Department of Health, Education, and Welfare on: November 28, 1973.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles for such purposes as these articles are intended to be used, is being manufactured in the United States. Reasons: Each of the foreign articles provides a range of cutting speeds from 0.1 to 20 millimeters per second. The most closely comparable domestic instrument is the Model MT-2B ultramicrotome which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Model MT-2B has a range of cutting speeds from 0.09 to 3.2 millimeters per second. The conditions for obtaining high-quality sections that are uniform in thickness, depend to a large extent on the hardness, consistency, toughness and other properties of the specimen materials, the properties of the embedding materials, and geometry of the block. In connection with a prior application (Docket Number 69-00665-33-46500), which relates to the duty-free entry of an article that is identical to those to which the foregoing applications relate, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting, (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section."

In connection with another prior application (Docket Number 70-00077-33-46500) which also relates to an article that is identical to those described above, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that the "production of ultrathin serial sections of specimens that have a great variation in physical properties is very difficult." Accordingly, HEW advises in its respectively cited memoranda, that cutting speeds in excess of 4 millimeters per second are pertinent to the satisfactory sectioning of the specimen materials and the relevant embedding materials that will be used by the applicants in their respective experiments. For these reasons, we find that the Sorvall Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.



The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,  
Director, Special Import  
Programs Division.

[FR Doc.73-26796 Filed 12-18-73; 8:45 am]

#### YALE-NEW HAVEN HOSPITAL, INC.

##### Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before January 8, 1974.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the *FEDERAL REGISTER*, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00221-33-00530. Applicant: Yale-New Haven Hospital, Inc., Department of Therapeutic Radiology, 789 Howard Avenue, New Haven, Conn. 06504. Article: Sagittaire Linear Electron Accelerator, Treatment Couch, Floor Elevator and Spare parts kit. Manufacturer: Thomson-CSF, France. Intended use of article: The article is intended to be used for a variety of radiotherapeutics, radiobiologic and radiological physics research projects. These will include the effects of tumor response of combined x-ray and electron beam therapy, and of different time-dose relations; the effect of ultra-high dose rates obtainable from the electron beam on tissue culture, optimization of x-ray target design; determination of high energy x-ray spectra; studies in electron beam dosimetry. The article will also be used in two courses namely, Therapeutic Radiology 101 and 102, which will involve medical students learning about radiation therapy and the operation and use of the article. The major role of the article in the teaching program will be

accomplished through in-house training programs for technologists and residents in radiology, and other medical specialists. Application received by Commissioner of Customs: November 26, 1973.

Docket number: 74-00224-33-46040. Applicant: Veterans Administration Hospital (673), 13000 North 30th Street, Tampa, FL 33612. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for electron microscopic study of specimens of cartilage and joint synovia taken from rabbits and human patients to determine whether subcellular changes consequent to virus infection resemble changes in rheumatoid arthritis. Specimens of hamster bronchial epithelium taken following exposure of the animals to airborne pollutants will be studied to define the pathology and functional changes which such pollutants evoke in lung tissue. Livers and spleens taken from Venezuelan equine encephalitis virus infected animals will be studied for ultra structural changes related to the enhanced immune responsiveness and protection against bacterial endotoxin which follows such infection. In addition, the article will be used in teaching medical students and M.D. post doctoral fellows the techniques of electron microscopy, as well as normal and abnormal subcellular structure. Application received by Commissioner of Customs: November 21, 1973.

Docket number: 74-00225-33-43780. Applicant: Prosthetics Research Study, Eklind Hall, Room 409, 1102 Columbia Street, Seattle, WA 98104. Article: Controlled Environment for Wound Healing. Manufacturer: Dept. of Health & Social Security, United Kingdom. Intended use of article: The article will be used to investigate amputation sites in a transparent, controlled environment. The article will be applied as an immediate post surgical component, with the objective of reducing edema and improving blood flow at the wound site. The technique will be a phased application of pressure, temperature and humidity in a controlled environment. Application received by Commissioner of Customs: November 28, 1973.

Docket number: 74-00226-33-77030. Applicant: Richard B. Russell, Agricultural Research Center, P.O. Box 5677, Athens, GA 30604. ARTICLE: NMR Spectrometer, Model JNM-PS/PFT-100. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in experiments in which the following objectives will be pursued:

- (a) Determination of the structural features of the polymeric compounds which are the cell wall constituents affecting digestibility.
- (b) Structural elucidation of beneficial and/or deleterious biologically active constituents in forages and feeds.
- (c) Determination of the sites of silica deposition in plants and elucidation of the process of silica deposition.
- (d) Identification and determination

of pesticide residues and metabolites in forages, feeds, and animals ingesting forages and feeds.

(e) Elucidation of protein structure conformation, and

(f) Evaluation of the nature of polymer cross-linking in cell wall constituents.

Application received by Commissioner of Customs: November 21, 1973.

(Catalog of Federal Domestic Assistance Program No. 11.105 Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,  
Director, Special Import  
Programs Division.

[FR Doc.73-26797 Filed 12-18-73; 8:45 am]

#### National Technical Information Service GOVERNMENT-OWNED INVENTIONS

##### Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for licensing in accordance with the GSA Patent Licensing Regulations.

Copies of Patent applications, either paper copy (PC) or microfiche (MF), can be purchased from the National Technical Information Service (NTIS), Springfield, VA 22151, at the prices cited. Requests for copies of patent applications must include the PAT-APPL number and the title. Requests for licensing information should be directed to the address cited with each copy of the patent application.

Paper copies of patents cannot be purchased from NTIS but are available from the Commissioner of Patents, Washington, D.C. 20231, at \$0.50 each. Requests for licensing information should be directed to the address cited below for each agency.

DOUGLAS J. CAMPION,  
Patent Program Coordinator,  
National Technical Information Service.

Patent 3,766,020: Steam Jet Ejectors to Reduce Pressure in and Produce Stripping Steam for Deaerator; filed 27 October 1971, patented 16 October 1973; not available NTIS.

DEPARTMENT OF THE NAVY, Assistant Chief for Patents, Office of Naval Research, Code 302, Arlington, VA 22217.

Patent 3,489,318: Buoyancy System; filed 11 December 1967, patented 13 January 1970, not available NTIS.

Patent 3,489,591: Method of Making Radiation Resistant Fabric; filed 16 February 1967, patented 13 January 1970; not available NTIS.

Patent 3,489,988: In-Line Cable Connectors; filed 22 September 1967, patented 13 January 1970; not available NTIS.

Patent 3,490,230: Combustion Air Control Shutter; filed 22 March 1968, patented 20 January 1970; not available NTIS.

Patent 3,490,268: Nondestructive Testing of Hull Stiffeners; filed 22 January 1968, patented 20 January 1970; not available NTIS.

Patent 3,490,924: Method of Electroless Nickel Plating and Plating Baths Therefor; filed 13 May 1966, patented 20 January 1970; not available NTIS.

Patent 3,491,027: Composition and Method for Cleaning Salt Residues From Metal



Surfaces; filed 26 February 1966, patented 20 January 1970; not available NTIS.

Patent 3,491,355: Automatic Data Sequencer; filed 24 January 1966, patented 20 January 1970; not available NTIS.

Patent 3,491,358: Atmospheric Turbulence Detection System; filed 2 February 1968, patented 20 January 1970; not available NTIS.

Patent 3,492,149: Surface Modified Hard Inorganic Solid and Method of Making Same; filed 31 October 1967, patented 27 January 1970; not available NTIS.

Patent 3,492,150: Surface Modified Hard Inorganic Solid and Method of Making Same; filed 31 October 1967, patented 27 January 1970; not available NTIS.

Patent 3,493,220: Furnace for Treating Material in a Gas Atmosphere; filed 7 March 1968, patented 3 February 1970; not available NTIS.

Patent 3,495,158: Harmonic Generator System; filed 23 May 1968, patented 10 February 1970; not available NTIS.

Patent 3,496,809: Universal Vulcanizing Mold; filed 3 October 1967, patented 24 February 1970; not available NTIS.

Patent 3,496,908: Day/Night Bidirectional Marine Marker; filed 2 February 1968, patented 24 February 1970; not available NTIS.

Patent 3,497,312: Atmosphere Regeneration Method for Closed Environmental Vehicles; filed 23 January 1964, patented 24 February 1970; not available NTIS.

Patent 3,497,393: Sea Water Activated Battery; filed 3 August 1967, patented 24 February 1970; not available NTIS.

Patent 3,497,840: Magnetic Anchor for Curved and Irregular Surfaces; filed 27 December 1967, patented 24 February 1970; not available NTIS.

Patent 3,497,889: Inflatable Life Preserver; filed 21 March 1968, patented 3 March 1970; not available NTIS.

Patent 3,497,962: Method and Means for Minimizing Horizontal Accelerations in Ship-Board Vertical Pendula; filed 6 November 1967, patented 3 March 1970; not available NTIS.

Patent 3,497,962: Method and Means for Minimizing Horizontal Accelerations in Ship-Board Vertical Pendula; filed 6 November 1967, patented 3 March 1970; not available NTIS.

Patent 3,498,112: Microwave System for Determining Water Content in Fuel Oil; filed 30 April 1968, patented 3 March 1970; not available NTIS.

Patent 3,498,124: Apparatus for Measuring Tension in a Running Line of Magnetic Material; filed 26 December 1967, patented 3 March 1970; not available NTIS.

Patent 3,498,768: Rust-Inhibitive Abrasive Blasting; filed 18 October 1967, patented 3 March 1970; not available NTIS.

Patent 3,498,922: Method of Displacing Liquid Organic Films from Solid Surfaces; filed 18 October 1968, patented 3 March 1970; not available NTIS.

Patent 3,498,923: Surface-Active Compositions and Method for Displacing Liquid Organic Films from Solid Surfaces; filed 18 October 1968, patented 3 March 1970; not available NTIS.

Patent 3,499,058: Mixture of Two Polyesters with Pyromellitic Dianhydride; filed 22 April 1966, patented 3 March 1970; not available NTIS.

Patent 3,499,240: Illuminated Grid for Backlighted Plotting Boards; filed 21 February 1967, patented 10 March 1970; not available NTIS.

Patent 3,499,315: Contamination Determination in a Fluid System; filed 31 August 1967,

patented 10 March 1970; not available NTIS.

Patent 3,500,067: Symmetrical Waveform Rate-of-Rise Clipper Amplifier; filed 11 July 1966, patented 10 March 1970; not available NTIS.

Patent 3,500,191: Microcircuit Test Probe with Grappler; filed 7 December 1967, patented 10 March 1970; not available NTIS.

Patent 3,512,493: Adjustable Buoyancy Lift Device; filed 23 April 1968, patented 19 May 1970; not available NTIS.

Patent 3,520,218: Transistor Cap Remover; filed 10 April 1968, patented 14 July 1970; not available NTIS.

Patent 3,521,443: Hook for Cargo Tie-Down; filed 23 May 1968, patented 21 July 1970; not available NTIS.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, Assistant General Counsel for Patent Matters, NASA—Code GP-2, Washington, D.C. 20546.

Patent application 174,684: Stored Charged Device; filed 25 August 1971, PC \$3.50/MF \$1.45.

Patent application 177,985: Recorder/Processor Apparatus filed 7 September 1971, PC \$4.75/MF \$1.45.

Patent application 187,143: Laser Beam Intensity Control for Thermomagnetic Recording and Magneto-Optic Playback Systems; filed 6 October 1971, PC \$3.50/MF \$1.45.

Patent application 380,468: Deep Trap, Laser Activated Image Converting System; filed 22 August 1973, PC \$3.00/MF \$1.45.

Patent application 389,929: Digital Phase Locked Loop; filed 20 August 1973, PC \$3.25/MF \$1.45.

Patent application 394,898: Dual Cycle Aircraft Turbine Engine; filed 6 September 1973, PC \$3.00/MF \$1.45.

Patent 3,394,286: Ultrahigh Vacuum Measuring Ionization Gauge; patented 23 July 1968, not available NTIS.

[FR Doc.73-26622 Filed 12-18-73;8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

[GRASP 4G0035]

### MILES LABORATORIES, INC.

#### Notice of Filing of Petition for Affirmation of GRAS Status

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201 (s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784-1786; 21 U.S.C. 321(s), 348, 371(a)) and the regulations for affirmation of GRAS status (21 CFR 121.40), published in the FEDERAL REGISTER of December 2, 1972 (37 FR 25705), notice is given that a petition (GRASP 4G0035) has been filed by Miles Laboratories, Inc., Marshall Division, 1127 Myrtle St., Elkhart, IN 46514, and placed on public display at the office of the Hearing Clerk, Food and Drug Administration, proposing affirmation that citric acid produced by fermentation and subsequent solvent extraction is generally recognized as safe (GRAS) for use in food.

Interested persons may, on or before February 19, 1974, review the petition and/or file comments (preferably in quintuplicate) with the Hearing Clerk, Food and Drug Administration, Rm. 6-

86, 5600 Fishers Lane, Rockville, MD 20852. Comments should include any available information that would be helpful in determining whether the substance is, or is not, generally recognized as safe. A copy of the petition and received comments may be seen in the office of the Hearing Clerk, address given above, during working hours, Monday through Friday.

Dated December 9, 1973.

VIRGIL O. WODICKA,  
Director, Bureau of Foods.

[FR Doc.73-26677 Filed 12-17-73;8:45 am]

## National Institutes of Health

### NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND STROKE

#### Notice of Establishment

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776), the National Institutes of Health announces the establishment by the Secretary, DHEW, on August 24, 1973, the following Public Advisory Committee:

*Designation.* Neurological Disorders Program-Project Review B Committee.

*Purpose.* The Committee provides technical advice to the Director, National Institutes of Health and reviews applications for support of research and program projects in basic science aspects of the Institute's programs in stroke, spinal cord injury, head injury, epilepsy, and multiple sclerosis. The Committee also periodically surveys progress and promising research approaches in the various areas of investigation.

Authority for this Committee will expire June 30, 1974, unless the Secretary, DHEW, formally determines that continuance is in the public interest.

(Catalog of Federal Domestic Assistance Program No. 13.356, National Institutes of Health.)

Dated: December 13, 1973.

ROBERT S. STONE,

Director,  
National Institutes of Health.

[FR Doc.73-26843 Filed 12-18-73;8:45 am]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### Office of Assistant Secretary for Community Planning and Development

[Docket No. N-73-209]

#### HUD ENGINEERING HANDBOOK MD 1360.1

##### Waiver of Procedural Requirements

The Department of Housing and Urban Development hereby waives certain procedural requirements contained in HUD Engineering Handbook MD 1360.1, which require HUD review of bidding documents, contractual documents and



change orders, and HUD participation at bid openings, construction conferences and project inspections. Programs governed by the handbook are Water and Sewer, Open Space Land, Neighborhood Facilities and Public Facility Loans. Official title of the document is, "Metropolitan Development Regional Engineering Services," dated March 1968.

The waiver provision is applicable to all projects receiving Federal funding assistance under the aforementioned programs, excepting those connected with communities participating for the first time. In addition, each Regional Administrator is authorized to except the waiver provision in any instance where the grant or loan recipient is considered to have a past record of poor performance.

Guidance contained in the Handbook is for the use of HUD field offices to be utilized in the administration and management of Resources Programs projects. These changes, which are primarily technical and internal to the Department, are consistent with the President's objective which is to minimize Federal control over local governments in the administration of their programs. Accordingly, solicitation of public comments is considered unnecessary.

Because the changes relieve an existing requirement, good cause exists for making them effective upon publication in the FEDERAL REGISTER.

The procedures affected by this Waiver Authority are:

1. Review and approval of Architect/Engineer Agreement. (Par. 10 of Handbook)
2. Submission of contract documents by grantee to HUD. (Par. 13 of Handbook)
3. Review of contract documents by HUD. (Par. 14 of Handbook)
4. Letter of approval of contract documents. (Par. 16 of Handbook)
5. HUD concurrence in construction contract award. (Par. 18 of Handbook)
6. HUD attendance at bid opening and granting of conditional concurrence in awarding of contract. (Par. 19 of Handbook)
7. Review and approve executed contract documents. (Par. 21 of Handbook)
8. HUD representation at preconstruction conference. (Par. 22 of Handbook)
9. Disbursements from the construction account. (Par. 28 of Handbook)
10. Scheduled project inspections by Area Office Engineer. (Par. 33 of Handbook)
11. Review and approval of change order. (Par. 34 of Handbook)

(Sec. 7(d), Department of HUD Act; 42 U.S.C. 3535(d)).

**Effective Date.** The changes are effective December 19, 1973.

WARREN H. BUTLER,  
Deputy Assistant Secretary  
for Community Development.

[FR Doc.73-26804 Filed 12-18-73; 8:45 am]

#### Office of Assistant Secretary for Housing Management

[Docket No. D-73-258]

#### DEPUTY ASSISTANT SECRETARY ET AL.

#### Designation as Acting Assistant Secretary for Housing Management

**SECTION A. Designation.** The officials appointed to, or designated to serve as Acting during a vacancy in, the following positions are hereby designated to serve as Acting Assistant Secretary for Housing Management during the absence of the Assistant Secretary for Housing Management with all the powers, functions and duties delegated or assigned to the Assistant Secretary for Housing Management; *Provided*, That no official is authorized to serve as Acting Assistant Secretary for Housing Management unless all other officials whose appointed, or designated Acting, position titles precede his in this designation are unable to act by reason of absence:

1. Deputy Assistant Secretary for Housing Management.
2. Executive Assistant to the Assistant Secretary for Housing Management.
3. Director, Office of Property Disposition.
4. Director, Office of Loan Management.
5. Director, Office of Housing Programs.
6. Director, Office of Administrative and Program Services.

**Sec. B. Authorization.** Each head of an organizational unit of Housing Management is authorized to designate an employee under his jurisdiction to serve as Acting during the absence of the head of the unit.

**Sec. C. Supersession.** This designation supersedes the designation of Acting Assistant Secretary for Housing Management published at 38 FR 21200, August 6, 1973.

(Secretary's delegation of authority to designate Acting officials, 38 FR 5004, Mar. 16, 1971)

**Effective date.** This designation to serve as Acting Assistant Secretary for Housing Management is effective as of November 21, 1973.

H. R. CRAWFORD,  
Assistant Secretary for  
Housing Management.

[FR Doc.73-26803 Filed 12-18-73; 8:45 am]

#### ATOMIC ENERGY COMMISSION

[Docket No. 50-244]

#### ROCHESTER GAS AND ELECTRIC CORP.

Availability of Final Environmental Statement for the R. E. Ginna Nuclear Power Plant, Unit 1

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that the Final En-

vironmental Statement prepared by the Commission's Directorate of Licensing, related to the proposed issuance of a full-term operating license for the R. E. Ginna Nuclear Power Plant, Unit 1 by Rochester Gas and Electric Corporation located on Lake Ontario, Wayne County, New York is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. and in the Lyons Public Library, 67 Canal Street, Lyons, New York 14489. The Final Environmental Statement is also being made available at the New York State Office of Planning Services, 488 Broadway, Albany, New York 12207, and at the Genesee Finger Lakes Regional Planning Board, 65 Broad Street, West, Rochester, New York 14614.

The notice of availability of the Draft Environmental Statement for the R. E. Ginna Nuclear Power Plant, Unit 1, and requests for comments from interested persons was published in the FEDERAL REGISTER on April 8, 1973 (38 FR 9617). The comments received from Federal, State, local and interested members of the public have been included as appendices to the Final Environmental Statement.

Single copies of the Final Environmental Statement may be obtained by writing the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Maryland, this 14th day of December 1973.

For the Atomic Energy Commission,

WM. H. REGAN, Jr.,  
Chief, Environmental Projects  
Branch No. 4, Directorate of  
Licensing.

[FR Doc.73-26915 Filed 12-18-73; 11:30 am]

#### CIVIL AERONAUTICS BOARD

[Docket No. 25661; Order 73-12-44]

#### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Order Relating to North Atlantic Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 11th day of December, 1973.

The Board is informed that the member carriers of the International Air Transport Association (IATA) have reached a revised agreement on fares to be applicable on the North Atlantic from January 1, 1974. Although the agreement has not yet been filed with the Board, we understand that it essentially provides for maintenance of normal economy fares at currently effective levels, increases in the 22/45 day-exursion and affinity-group fares, and elimination of youth fares. The proposed fares are set forth in the attachment hereto.

In view of the very limited period of time available prior to termination of



presently effective tariffs for North Atlantic service, the Board believes it in the interest of all concerned to establish a procedural schedule which will insure prompt disposition of the agreement. Accordingly, we are directing the U.S.-flag carrier members of IATA to file the agreement, accompanied by their respective supporting justifications, no later than December 17, 1973. Comments in

support of or in opposition to the agreement shall likewise be submitted no later than December 17, 1973.

Accordingly, it is ordered, That:

1. The U.S. carrier members of IATA are directed to file the IATA agreement establishing air fares over the North Atlantic for effect January 1, 1974, together with supporting evidence and justification no later than December 17, 1973.

2. Comments in support of or in opposition to the agreement shall be submitted no later than December 17, 1973.

This order will be placed in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

COMPARISON OF PRESENT AND PROPOSED NORTH ATLANTIC ROUND-TRIP AIR FARES<sup>1</sup>

	New York to London			New York to Paris			New York to Frankfurt			New York to Rome		
	Present	Proposed	Percent Increase	Present	Proposed	Percent Increase	Present	Proposed	Percent Increase	Present	Proposed	Percent Increase
First class.....	\$842	\$890	5.7	\$888	\$928	4.5	\$900	\$970	7.8	\$1,036	\$1,076	3.9
Economy:												
Winter.....	430	430		452	452		494	494		588	588	
Shoulder.....	484	484		504	504		536	536		640	640	
Peak.....	590	590		636	636		678	678		746	746	
14/21-Day Excursion:												
Basic.....	349	376	7.7	382	412	7.9	412	444	7.8	462	498	7.8
Peak.....	412	444	7.8	445	480	7.9	475	512	7.8	525	566	7.8
22/45-Day Excursion:												
Winter.....	219	246	12.3	229	257	12.2	240	270	12.5	292	321	9.9
Shoulder.....	240	264	10.0	255	281	10.2	261	287	10.0	324	349	7.7
Peak.....	313	344	9.9	324	356	9.9	334	367	9.9	387	420	8.5
Affinity Group:												
Winter.....	198	218	10.1	203	224	10.3	208	229	10.1	276	304	10.1
Shoulder.....	219	242	10.5	229	253	10.5	240	264	10.0	308	337	9.4
Peak.....	292	322	10.3	303	334	10.2	313	344	9.9	371	407	9.7
Incentive Group:												
Winter.....	198	218	10.1	203	224	10.3	208	229	10.1	276	304	10.1
Shoulder.....	219	242	10.5	229	253	10.5	240	264	10.0	308	337	9.4
Group Inclusive Tour:												
Basic.....	241	260	7.9	262	283	8.0	283	306	8.1	346	374	8.1
Peak.....	304	330	8.6	325	353	8.6	346	376	8.7	409	444	8.6
Winter Group Inclusive:												
Tour.....	220	235	6.8	230	245	6.5	235	250	6.4	272	287	5.6

<sup>1</sup> Excludes 6 percent currency surcharge for U.S.-originating passengers.

[FR Doc.73-26671 Filed 12-18-73;8:45 am]

## UNITED STATES COMMISSION ON CIVIL RIGHTS

### NEW JERSEY STATE ADVISORY COMMITTEE

#### Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New Jersey State Advisory Committee to this Commission will convene at 7:30 p.m. on December 27, 1973, in Room 730, Federal Building, 970 Broad Street, Newark, New Jersey 07102.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mid-Atlantic Regional Office of the Commission, Room 510, 2120 L Street, N.W., Washington, D.C. 20425.

The purpose of this meeting shall be to review the status of the New Jersey Prison Project and other Committee reports.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., December 14, 1973.

ISAIAH T. CRESWELL, JR.,  
Advisory Committee  
Management Officer.

[FR Doc.73-26811 Filed 12-18-73;8:45 am]

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN MACAU

#### Entry or Withdrawal From Warehouse for Consumption

DECEMBER 13, 1973.

On January 11, 1973, there was published in the FEDERAL REGISTER (38 FR 1302) a letter dated January 5, 1973 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs implementing those provisions of the Bilateral Cotton Textile Agreement of December 22, 1972, between the Governments of the United States and Portugal, which establish specific export limitations on certain categories of cotton textile products produced or manufactured in Macau and exported to the United States during the twelve-month period beginning on January 1, 1973 and extending through December 31, 1973. The agreement was amended by directive of July 19, 1973 (38 FR 20116), to establish additional specific limitations for Category 49 and Category 51 in combination with Category 50.

Under the terms of the agreement, as amended, the levels of restraint are subject to adjustment pursuant to para-

graph 4 which provides that within the aggregate limit, specific limits may be exceeded by not more than five percent.

Accordingly, at the request of the Government of Portugal and pursuant to the provisions of the bilateral agreement referred to above, there is published below a letter of December 13, 1973 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs amending the levels of restraint applicable to cotton textile products produced or manufactured in Macau and exported to the United States in Categories 49 and 50/51 during the twelve-month period which began on January 1, 1973.

ALAN POLANSKY,  
Acting Chairman, Committee  
for the Implementation of  
Textile Agreements, and Acting  
Deputy Assistant Secretary  
for Resources and Trade  
Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF  
TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,  
Department of the Treasury,  
Washington, D.C. 20229

DECEMBER 13, 1973.

DEAR MR. COMMISSIONER: On January 5, 1973, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-



month period beginning January 1, 1973 of cotton textile products in certain specified categories, produced or manufactured in Macau, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.<sup>1</sup> The directive of January 5, 1973 was amended on July 19, 1973.

Pursuant to paragraph 4 of the Bilateral Cotton Textile Agreement of December 22, 1972, as amended, between the Governments of the United States and Portugal, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of January 5, 1973, as amended, for cotton textile products exported from Macau to the United States in Categories 49 and 50/51 to the following:

Category:	Amended 12-month levels of restraint <sup>2</sup>
49	dozens 29,077
50/51	do 56,049

The actions taken with respect to the Government of Portugal and with respect to imports of cotton textile products from Macau have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ALAN POLANSKY,  
Acting Chairman, Committee for the  
Implementation of Textile Agree-  
ments, and Acting Deputy Assist-  
ant Secretary for Resources and  
Trade Assistance.

[FR Doc.73-26819 Filed 12-18-73;8:45 am]

#### CERTAIN MAN-MADE FIBER TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN MACAU

##### Entry or Withdrawal From Warehouse for Consumption

DECEMBER 13, 1973.

On January 11, 1973, there was published in the FEDERAL REGISTER (38 FR 1303) a letter dated January 5, 1973 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs implementing those provisions of the Bilateral Wool and Man-Made Fiber Textile Agreement of December 22, 1972 between the Governments of the United States and Portugal, which establish specific export limitations on certain wool and man-made fiber textile products, pro-

duced or manufactured in Macau and exported to the United States during the twelve-month period beginning January 1, 1973 and extending through December 31, 1973. The agreement was amended by directive of July 19, 1973 (38 FR 20118) to adjust the levels of restraint applicable to Categories 219, 221 and 224, among other categories.

Under the terms of the agreement, as amended, the levels of restraint are subject to adjustment pursuant to paragraphs 3 and 6 which provide, respectively, that in consideration of transitional problems arising in the implementation of the agreement an additional three million square yards equivalent of man-made fiber textile products may be exported in the first agreement year, or divided between the first and second agreement years; and that within the applicable aggregate limit, limits on certain categories may be exceeded by not more than five percent.

Accordingly, at the request of the Government of Portugal and pursuant to the provisions of the bilateral agreement referred to above, there is published below a letter of December 13, 1973 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs further amending the levels of restraint applicable to man-made fiber textile products exported from Macau to the United States in Categories 219, 221, and 224 during the twelve-month period which began on January 1, 1973.

ALAN POLANSKY,  
Acting Chairman, Committee for the  
Implementation of Textile Agree-  
ments, and Acting Deputy Assist-  
ant Secretary for Resources and  
Trade Assistance.

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

DECEMBER 13, 1973.

COMMISSIONER OF CUSTOMS,  
Department of the Treasury,  
Washington, D.C. 20229.

DEAR MR. COMMISSIONER: On January 5, 1973, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning January 1, 1973 of wool and man-made fiber textile products in certain specified categories, produced or manufactured in Macau, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustments. The directive of January 5, 1973 was amended on July 19, 1973.

Pursuant to paragraphs 3 and 6 of the Bilateral Wool and Man-Made Fiber Textile

<sup>1</sup> The term "adjustment" refers to those provisions of the Bilateral Wool and Man-Made Fiber Textile Agreement of December 22, 1972, as amended, between the Governments of the United States and Portugal which provide, in part, for an additional three million square yards equivalent of man-made fiber textile products which may be exported from Macau in the first agreement year, or divided between the first and second agreement years; for the limited carryover of shortfalls in certain categories to the next agreement year; that within the aggregate limit, limits on certain categories may be exceeded by not more than five percent; and for administrative arrangements.

Agreement of December 22, 1972, as amended, between the Governments of the United States and Portugal, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend further, effective as soon as possible, the levels of restraint established in the aforesaid directive of January 5, 1973, as amended, for man-made fiber textile products exported from Macau in Categories 219, 221, and 224 to the following:

Category	Amended 12-month levels of restraint <sup>2</sup>
219	dozens 379,107
221	do 69,837
224	pounds 274,571

The actions taken with respect to the Government of Portugal and with respect to imports of wool and man-made fiber textile products from Macau have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,  
ALAN POLANSKY,  
Acting Chairman, Committee for the  
Implementation of Textile Agree-  
ments, and Acting Deputy Assist-  
ant Secretary for Resources and  
Trade Assistance.

[FR Doc.73-26820 Filed 12-18-73;8:45 am]

#### CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN ROMANIA

##### Entry or Withdrawal From Warehouse for Consumption

DECEMBER 13, 1973.

On January 3, 1973, there was published in the FEDERAL REGISTER (38 FR 75), a letter dated December 21, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, establishing levels of restraint applicable to certain specified categories of cotton textiles and cotton textile products, among which is Category 47, produced or manufactured in Romania and exported to the United States during the twelve-month period beginning January 1, 1973. As set forth in that letter, the levels of restraint are subject to adjustment pursuant to paragraph 7 of the Bilateral Cotton Textile Agreement of December 30, 1970 between the Governments of the United States and Romania, which provides for the limited carryover of shortfalls in certain categories to the next agreement year. The level of restraint for Category 47 was previously increased pursuant to paragraph 4 of the bilateral agreement on November 5, 1973 (38 FR 30905).

Accordingly, there is published below a letter of December 13, 1973 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs further

<sup>2</sup> These levels have not been adjusted to reflect any entries made on or after January 1, 1973.



increasing the level of restraint applicable to cotton textile products in Category 47, produced or manufactured in Romania and exported to the United States during the twelve-month period which began on January 1, 1973.

Sincerely,

ALAN POLANSKY,  
Acting Chairman, Committee  
for the Implementation of  
Textile Agreements, and Acting  
Deputy Assistant Secretary  
for Resources and Trade  
Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF  
TEXTILE AGREEMENTS

DECEMBER 13, 1973.

Commissioner of Customs  
Department of the Treasury  
Washington, D.C. 20229  
Dear Mr. Commissioner:

On December 21, 1972 the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning January 1, 1973 of certain cotton textiles and cotton textile products in certain specified categories, produced or manufactured in Romania, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.<sup>1</sup> The directive of December 21, 1972 was previously adjusted by directives of May 21, 1973 and November 5, 1973.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraph 7 of the Bilateral Cotton Textile Agreement of December 31, 1970 between the Governments of the United States and Romania, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed, effective as soon as possible, to increase the level of restraint established for Category 47 in the directive of December 21, 1972, as amended, for the twelve-month period which began on January 1, 1973, to 48,776 dozens.<sup>2</sup>

The actions taken with respect to the Government of Romania and with respect to imports of cotton textiles and cotton textile products from Romania have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

ALAN POLANSKY,  
Acting Chairman, Committee for  
the Implementation of Textile  
Agreements, and Acting Deputy  
Assistant Secretary for Resources  
and Trade Assistance.

[FR Doc.73-26821 Filed 12-18-73;8:45 am]

<sup>1</sup> The term "adjustment" refers to those provisions of the Bilateral Cotton Textile Agreement of December 31, 1970 between the Governments of the United States and Romania which provide in part that within the aggregate limit, limits on certain categories may be exceeded by not more than five percent; for limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

<sup>2</sup> These levels have not been adjusted to reflect any entries made on or after January 1, 1973.

## FEDERAL MARITIME COMMISSION GULF SHIPPING LTD. AND TROPICAL SHIPPING AND CONSTRUCTION CO., LTD.

### Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street, N.W., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before January 8, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

### Notice of agreement filed by:

Mr. William L. Beylund  
Chester, Blackburn & Roder, Inc.  
P.O. Box 1470  
Miami, Florida 33101

Agreement No. 10100, between Gulf Shipping, Ltd. and Tropical Shipping and Construction Co., Ltd., common carriers by water operating in the trade between U.S. East Coast ports and the Bahama Islands, provides for the establishment of a cooperative working arrangement whereby the carriers agree to exchange information and to cooperate in developing information relating to:

1. Freight rates, handling charges, equipment demurrage charges and practices, warehousing and storage charges and related data bearing on the rate structure of common carrier steamship services required by shippers;
2. Cost of service and tariff rules;
3. Practices in connection with the receipt and delivery of cargo, pickup and delivery charges, including interchange with connecting land carriers, and all other procedures outlined in their respective tariffs.

The purpose of exchanging this information is to explore the possibility of establishing a rate agreement in the trade to be filed with the Federal Maritime Commission for approval at a later date. Nothing in the agreement authorizes the parties thereto to carry out any substantive agreement which may be

reached except upon the prior approval of the Commission. The agreement shall remain in effect for one year; however, its duration may be extended for additional six-month periods with the Commission's approval. It shall be cancelled if a rate agreement is finally submitted and subsequently approved by the Commission.

By order of the Federal Maritime Commission.

Dated: December 14, 1973.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.73-26817 Filed 12-18-73;8:45 am]

## FEDERAL RESERVE SYSTEM

### AUSTIN BANCSHARES CORP.

#### Order Approving Acquisition of Bank

Austin Bancshares Corporation, Austin, Texas, 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 all of the voting shares (less directors' qualifying shares) of Oak Hill National Bank, Oak Hill, Texas ("Bank"), a proposed new bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the fifteenth largest banking organization in Texas, has one bank with aggregate deposits of approximately \$287 million representing 0.83 percent of total deposits in commercial banks in the State.<sup>1</sup> Since Bank is a proposed new bank, its acquisitions would neither eliminate any existing competition nor immediately increase Applicant's share of commercial bank deposits in either Texas or the Austin banking market.

The proposed site of bank will be in the Austin banking market (approximated by the Austin SMSA). Applicant's sole subsidiary bank is the largest of 17 banks in the relevant market, controlling 24.7 percent of the market deposits. The second and third largest banking organizations in the market control 23.0 and 17.9 percent of market deposits, respectively. Applicant's formation and acquisition of Bank will improve Applicant's competitive position in the market but not to the extent that its position will be so dominant as to foreclose others from entry. In view of the fact that the market's population has increased faster than the State average, it does not appear that acquisition of Bank by Applicant would significantly reduce the prospects of future expansion or entry by other banking organizations. The Board concludes that

<sup>1</sup> All banking data are as of December 31, 1972, and reflect bank holding company acquisitions and formations approved through October 31, 1973.



approval of the application would not eliminate any significant existing or future competition.

The financial and managerial resources and future prospects of Applicant and its subsidiary bank are regarded as satisfactory and consistent with approval of the application. Bank, as a proposed new bank, has no financial or operating history; however, its prospects under Applicant's management appear favorable.

Although there is no evidence that the major banking needs of the community are not being adequately met, Bank would serve as an additional source of banking services. Therefore, considerations relating to convenience and needs of the communities to be served are consistent with approval. Accordingly, it is the Board's judgment that the proposed acquisition 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 made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after that date, and (c) Oak Hill National Bank, Oak Hill, Texas, shall be opened for business not later than six months after the effective date of this Order. Each of the periods described in (b) and (c) may be extended for good cause by the Board or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Board of Governors,\* effective December 12, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.  
[FR Doc.73-26789 Filed 12-18-73;8:45 am]

#### BARNETT BANKS OF FLORIDA, INC. Acquisition of Bank

Barnett Banks of Florida, Inc., Jacksonville, Florida, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 51 percent or more of the voting shares of Charlotte County National Bank, Port Charlotte, Florida. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than January 11, 1974.

\* Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Governors Mitchell and Daane.

Board of Governors of the Federal Reserve System, December 12, 1973.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.  
[FR Doc.73-26787 Filed 12-18-73;8:45 am]

#### CAROLINA BANCORP, INC. Proposed Acquisitions

Carolina Bancorp, Inc., Sanford, North Carolina, has applied in separate applications, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of National Finance Company, Inc., and The Friendly Loan Company, Inc., both in Rockingham, North Carolina. Notice of the applications were published between September 28 and October 4, 1973, inclusive, in newspapers of general circulation in the following locations: Clinton, Dunn, Durham, Erwin, Fuquay Varina, Laurinburg, Oxford, Raeford, Robbins, Robersonville, Rockingham, Sanford, and Southern Pines, North Carolina.

Applicant states that the proposed subsidiaries would engage in the activities of consumer finance, dealer financing, and as sales agent for accident and health and credit life insurance on loans made at the aforementioned locations. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for banking holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Richmond.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 10, 1974.

\* Board of Governors of the Federal Reserve System, December 11, 1973.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.  
[FR Doc.73-26783 Filed 12-18-73;8:45 am]

#### FIRST PEOPLES BANCO

##### Formation of Bank Holding Company

First Peoples Banco, Haddon Township, New Jersey, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of all of the voting shares (less directors' qualifying shares) of the successor by merger to Peoples National Bank of New Jersey, Haddon Township, New Jersey. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Philadelphia. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank, to be received not later than January 8, 1974.

Board of Governors of the Federal Reserve System, December 11, 1973.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.  
[FR Doc.73-26781 Filed 12-18-73;8:45 am]

#### FIRST BANCORP OF NEW HAMPSHIRE, INC.

##### Order Approving Acquisition of Bank

First Bancorp of N.H., Inc., Exeter, New Hampshire, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 per cent or more of the voting shares of the successor by merger to The Merchants National Bank of Manchester, Manchester, New Hampshire ("Bank"). Since 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, the proposed acquisition of the shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and none has been received. The Board has considered the application in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant presently has one subsidiary bank, The Exeter Banking Company, Exeter, New Hampshire ("Exeter Bank"), and is the State's ninth largest banking organization, with deposits of

\* In addition, the Board, on December 3, 1973, approved Applicant's proposed acquisition of Laconia Peoples National Bank and Trust Company, Laconia, New Hampshire ("Laconia Bank"), with deposits of \$21.8 million.



\$31.8 million<sup>2</sup> representing 2.4 per cent of total commercial bank deposits in the State. Acquisition of Bank (deposits of \$37.5 million) would increase Applicant's share of commercial bank deposits in New Hampshire by 2.8 percentage points to 5.2 per cent.<sup>3</sup>

Bank ranks eighth in size among the State's commercial banks, and is the fourth largest of 12 commercial banks with offices in the Manchester Standard Metropolitan Statistical Area (SMSA), which approximates the relevant market. Bank operates three offices in Manchester (population 87,754), the State's largest city, located in south central New Hampshire, and one office in a contiguous town.

Exeter Bank operates in Rockingham County, in the southeastern sector of New Hampshire, and serves a market essentially separate from the Manchester area served by Bank. A distance of approximately 18 miles separates the closest banking offices of Exeter Bank and Bank and neither is able to penetrate effectively the other's market area. Consequently, there is no significant competition existing between Applicant and Bank. Further, it appears unlikely that any meaningful competition would develop between Applicant and Bank in the future in view of New Hampshire's restrictive branch banking law and because the two organizations are closely associated, directors of Bank having a combined equity interest in Applicant of over 50 percent.<sup>4</sup> Accordingly, approval of the proposed transaction will have no adverse competitive effects, and may, in fact, enable Bank to compete more effectively with the two largest commercial banks in Manchester, which together control 61.8 percent of the SMSA's total commercial bank deposits. Moreover, there are two savings banks in the Manchester SMSA with combined deposits of approximately \$356 million. These institutions, both of which are substantially larger than Bank, offer keen competition for time and savings deposits, and one savings bank has recently introduced negotiable orders of withdrawal (NOW accounts).

The financial and managerial resources of Applicant and Bank are satisfactory and lend some support toward approval because of Applicant's plans to expand further. Future prospects of Applicant and Bank are considered satisfactory, and affiliation with a holding company should improve Bank's future prospects. Although the record indicates that the banking needs of the communities involved are being adequately served, the convenience and needs factor is consistent with approval of the application. It is the Board's judgment that the

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 made (a) before the thirtieth calendar day following the date of this Order or (b) later than three 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 Boston pursuant to delegated authority.

By order of the Board of Governors,  
effective December 12, 1973.

[SEAL] CHESTER E. FELDBERG,  
Secretary of the Board.  
[FR Doc.73-26788 Filed 12-18-73; 8:45 am]

#### MERCANTILE BANCORPORATION, INC. Proposed Acquisition

Mercantile Bancorporation Inc., St. Louis, Missouri, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Franklin Finance Company, Clayton, Missouri. Notice of the application was published on various dates in newspapers of general circulation in the communities in which the 37 offices of subsidiaries of Franklin Finance Company are located. The subsidiaries are located in Alabama, Florida, Georgia, Kentucky, Louisiana, Oklahoma, Oregon, South Carolina, Washington, West Virginia, Illinois and Missouri.

Applicant states that the proposed subsidiary would engage through its subsidiaries in the activities of making, acquiring or servicing loans or other extensions of credit for personal, family or household purposes, such as are made by a finance company; and insurance agency or brokerage in connection with selling to consumer finance borrowers credit life insurance, credit accident and health insurance and property damage insurance for collateral securing loans made to borrowers. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b). Consumer loan, insurance sales, and sales finance operations are conducted by Franklin Finance Company subsidiaries operating under the names, Franklin Finance Company, Gables Loan Company, Bond Finance Company, Realty Acceptance Associates, Inc., Capitol Finance Company, Bond Industrial Loan Co., Reliable Loan Company, Denny Loan Company. The insurance underwriting and reinsurance activities of Franklin Finance Company are conducted by its wholly-owned subsidiary Acme Life Insurance Company.

<sup>3</sup> Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Governors Mitchell and Daane.

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 11, 1974.

Board of Governors of the Federal Reserve System, December 12, 1973.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.  
[FR Doc.73-26784 Filed 12-18-73; 8:45 am]

#### SAFETY FUND CORP.

##### Formation of Bank Holding Company

The Safety Fund Corporation, Fitchburg, Massachusetts, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of First Safety Fund National Bank, Fitchburg, Massachusetts. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Boston. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank, to be received not later than January 7, 1974.

Board of Governors of the Federal Reserve System, December 11, 1973.

THEODORE E. ALLISON,  
Assistant Secretary of the Board.  
[FR Doc.73-26782 Filed 12-18-73; 8:45 am]

#### SOUTHEAST BANKING CORP.

##### Order Approving Acquisition of Bank

Southeast Banking Corporation, Miami, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 80 per cent of the voting shares of Bank of Wildwood, Wildwood, Florida ("Bank").

<sup>2</sup> All banking data are as of June 30, 1973.

<sup>3</sup> Acquisition of both Bank and Laconia Bank would increase Applicant's share of commercial bank deposits in New Hampshire to 6.8 per cent.

<sup>4</sup> Also as a result of New Hampshire's restrictive branch banking law, it appears unlikely that future competition would develop between Bank and Laconia Bank.



Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the largest banking organization in Florida, controls 24 banks with aggregate deposits of approximately \$1.7 billion, which represents approximately 8.4 per cent of total deposits in commercial banks in Florida.<sup>1</sup> Upon acquisition of Bank (deposits of approximately \$8 million), Applicant's share of deposits in the State would increase by an insignificant amount.

Bank is the only bank operating in Wildwood, a small residential community (1970 population 2,500) located in the northeast portion of Sumter County, Florida. Bank's relevant market is approximated by the community of Wildwood and the immediately surrounding area. Applicant's banking subsidiary closest to Bank is located 45 miles to the east in Deltona, Florida. No significant competition exists between Bank, Applicant's Deltona subsidiary or any of Applicant's other banking subsidiaries. It appears unlikely that any significant competition would develop in the future between Bank and any of Applicant's subsidiary banks due to Bank's small size, the restrictive nature of Florida branching laws, the relatively undeveloped character of the areas immediately adjacent to the Wildwood market, and the number of banks located in areas outside of this market. Moreover, the prospects of Applicant entering the Wildwood market de novo in the near future appear remote due to the small size of that market and the rate of population growth in the area which is below the average for the State. Although consummation of this proposal will result in acquisition by Applicant of the only bank in the Wildwood market, the Board concludes that consummation of the proposed transaction is not likely to have a significant adverse effect on competition between Bank and any of Applicant's banking subsidiaries or on banking competition in any relevant area.

Although the service area of Applicant's mortgage banking subsidiary includes the Wildwood market, no significant competition exists between Bank and Applicant's mortgage subsidiary. During all of 1972, Applicant's subsidiary originated only one small mortgage loan in all of Sumter County, Florida.

The financial and managerial resources and future prospects of Applicant and its present subsidiaries are generally satisfactory. Banking factors as they relate to Bank are satisfactory. There is no evidence that the banking needs of the

Wildwood community are going unserved at the present time, however inasmuch as it is proposed that upon affiliation, Applicant will provide managerial and technical expertise to strengthen and expand Bank's existing services and allow Bank to modernize internal operations, convenience and needs considerations are viewed as lending some weight toward approval. It is the Board's judgment that the proposed acquisition is 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 made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,<sup>2</sup> effective December 12, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc.73-26790 Filed 12-18-73; 8:45 am]

#### SOUTHERN BANCORPORATION, INC.

##### Proposed Acquisition

Southern Bancorporation, Inc., Greenville, South Carolina, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire through its wholly-owned subsidiary, World Acceptance Corporation, all of the assets of P&I Finance Company, Inc., Sherman, Texas. Notice of the application was published on November 14, 1973, in the *Sherman Democrat* a newspaper circulated in Sherman, Texas.

Applicant states that it would thereby engage in the activities of making extensions of credit of \$100 or less to individuals as a licensed consumer finance lender under the Texas Consumer Credit Code. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a

hearing on this question should be accompanied by a statement summarizing the evidence the person requesting a hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Richmond.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 11, 1974.

Board of Governors of the Federal Reserve System, December 12, 1973.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary  
of the Board.

[FR Doc.73-26786 Filed 12-18-73; 8:45 am]

#### STATE STREET BOSTON FINANCIAL CORP.

##### Order Approving Acquisition of Bank

State Street Boston Financial Corporation, Boston, Massachusetts, 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 of the voting shares of Chatham Trust Company, Chatham, Massachusetts ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired and none has been received. The Federal Reserve Bank of Boston has considered the application in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls two subsidiary banks with aggregate deposits of \$1,184.3 million, representing 9.2 percent of commercial bank deposits in Massachusetts, and is the fourth largest banking organization and bank holding company in the State.<sup>1</sup> Acquisition of Bank, with deposits of \$7.3 million would have a minimal effect on Applicant's share of commercial bank deposits in Massachusetts and state-wide concentration of banking resources.

Bank is the smallest of nine commercial banks on Cape Cod, controlling 3.8 percent of total deposits of commercial banks in the market approximated by Barnstable County. There is presently no significant competition between Applicant and Bank as Applicant's closest banking office is located more than 80 miles from Bank, and there are numerous banking alternatives in the intervening

<sup>1</sup> All banking data are as of June 30, 1973, and reflect acquisitions approved by the Board through November 15, 1973.

<sup>2</sup> Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Governors Mitchell and Daane.

<sup>1</sup> Banking data are as of June 30, 1973, adjusted to reflect holding company formations and acquisitions approved through September 30, 1973.



area. Further, it appears unlikely that any meaningful competition would develop between Applicant and Bank in the future. Because Massachusetts law restricts branch banking to the home office county, Applicant's banking subsidiaries cannot establish de novo branches in Barnstable County. Moreover, Barnstable County does not appear to be an attractive area for de novo entry since it has a year-round population per commercial banking office of 2,300, which is significantly below the State average of 6,000. Thus approval of the proposed transaction will have no adverse competitive effects.

The financial and managerial resources and prospects of Applicant and its existing subsidiary banks are satisfactory, particularly in view of Applicant's action to improve the management and equity capital base of its recently acquired banking subsidiary. The financial and managerial resources of Bank are considered to be satisfactory. Although Bank's future prospects are considered favorable, there is developing on Cape Cod a trend of bank holding company affiliations, which portends intensified competition. Affiliation with Applicant will provide Bank with additional management depth and greater financial resources which should improve Bank's prospects. It is this Reserve Bank's judgment that banking factors are consistent with, and lend some weight in support of, approval of the application.

There is no evidence in the record to indicate that the convenience and needs of the community are not being adequately served by existing institutions. However, Applicant has stated its intention to expand or improve Bank's services, particularly in the areas of residential and commercial mortgage lending. The convenience and needs factors are consistent with and lend slight weight toward approval of the application.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the date of this Order or (b) later than three months after the date of this Order, unless such period is extended for good cause by the Board or by this Federal Reserve Bank pursuant to delegated authority.

By order of the Federal Reserve Bank of Boston, acting pursuant to delegated authority for the Board of Governors of the Federal Reserve System, effective December 10, 1973.

[SEAL]

FRANK E. MORRIS,  
President.

[FR Doc.73-26785 Filed 12-18-73;8:45 am]

# INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

## EARL COOK COAL CORP.

Applications for Initial Permits Electric Face Equipment Standards; Opportunity for Hearing

Applications for Initial Permits for Noncompliance with the Electric Face

Equipment Standard have been received for items of equipment in the underground coal mines listed below.

ICP Docket No. 4040-000, EARL COOK COAL CORPORATION, Mine No. 1, Mine ID No. 15 04209 0, Phelps, Kentucky.

In accordance with the provisions of section 305(a)(2) (30 U.S.C. 865(a)(2)) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Pub. L. 91-173), notice is hereby given that requests for public hearing as to an application for an initial permit may be filed on or before January 3, 1974. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,

Chairman,

Interim Compliance Panel.

DECEMBER 13, 1973.

[FR Doc.73-26771 Filed 12-18-73;8:45 am]

## V. J. COAL CO. AND LUCKY STAR COAL CO.

Applications for Initial Permits Electric Face Equipment Standards; Opportunity for Hearing

Applications for Initial Permits for Noncompliance with the Electric Face Equipment Standard have been received for items of equipment in the underground coal mines listed below.

(1) ICP Docket No. 4036-000, V. J. COAL COMPANY, Mine No. 2, Mine ID No. 15 02332 0, Isom, Kentucky.

(2) ICP Docket No. 4037-000, LUCKY STAR COAL COMPANY, Lucky Star No. 4 Mine, Mine ID No. 15 02042 0, Hyden, Kentucky.

In accordance with the provisions of section 305(a)(2) (30 U.S.C. 865(a)(2)) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Pub. L. 91-173), notice is hereby given that requests for public hearing as to an application for an initial permit may be filed on or before January 3, 1974. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,

Chairman,

Interim Compliance Panel.

DECEMBER 13, 1973.

[FR Doc.73-26769 Filed 12-18-73;8:45 am]

## UNITED STATES STEEL CORP.

Application for Renewal Permit; Opportunity for Hearing

Application for Renewal Permit for Noncompliance with the Interim Manda-

tory Dust Standard (2.0 mg/m<sup>3</sup>) has been received as follows:

ICP Docket No. 20463, UNITED STATES STEEL CORPORATION, Somerset Coal Mine, Mine ID No. 06 00294 0, Somerset, Colorado.

Section ID No. 012 ("C" Seam Section),  
Section ID No. 006 (4 West-3 Dip "B"),  
Section ID No. 009 (4 East-3 Dip "B"),  
Section ID No. 010 (5 West-3 Dip "B"),  
Section ID No. 016 (5 Left-3 South "B"),  
Section ID No. 014 (8 Right-3 South "B").

In accordance with the provisions of section 202(b)(4) (30 U.S.C. 842(b)(4)) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Pub. L. 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed on or before January 3, 1974. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of the application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,

Chairman,

Interim Compliance Panel.

DECEMBER 13, 1973.

[FR Doc.73-26770 Filed 12-18-73;8:45 am]

## NATIONAL ENDOWMENT FOR THE ARTS

### DANCE PROGRAM

#### Guidelines for Fiscal 1975

The following are guidelines for grants made under the Dance Program of the National Endowment for the Arts, an independent agency of the Federal government which makes grants to organizations and individuals concerned with the arts throughout the United States.

Notice is hereby given that the deadlines for the following programs are: Choreography Fellowships and Production Grants, February 1, 1974; Resident Professional Dance Companies, June 1, 1974; Management and Administration, February 1, 1974; Services to the Field, February 1, 1974. Interested persons should contact Don Anderson, Director, Dance Program, National Endowment for the Arts, Washington, D.C. 20506, (202) 382-5853, for further information and application forms. Only the Dance Program may distribute application forms.

Signed at Washington, D.C. on 13 December 1973.

FANNIE TAYLOR,

Director, Program Information.

#### SUMMARY OF APPLICATION DEADLINES AND PROJECT PERIODS

Application deadlines for each program are listed below. Applications must be postmarked no later than the appropriate date for each program in order to be considered. The Endowment regrets that because of review procedures applications postmarked after the deadline cannot be considered.



The beginning date under "Period of Support Requested" on the application must fall within the grant period indicated below for each program. Please note that several programs cover more than a twelve month period. This is being done in an attempt to adjust grant periods for the applicant's convenience, and to insure more efficient grant making procedures.

#### Choreography Fellowships and Production Grants

Deadline: February 1, 1974

Project Period: July 1, 1974 through June 30, 1975 (12 months)

#### Resident Professional Dance Companies

Deadline: June 1, 1974

Project Period: December 1, 1974 through December 31, 1975 (13 months)

#### Management and Administration

Deadline: February 1, 1974

Project Period: October 1, 1974 through December 31, 1975 (15 months)

#### Services to the Field

Deadline: February 1, 1974

Project Period: October 1, 1974 through December 31, 1975 (15 months)

#### GENERAL INTRODUCTORY COMMENTS

The Dance Program of the National Endowment for the Arts has been shaped to meet the needs of a performing art which is in an unprecedented state of creativity and growth. Grants are offered in support of touring, choreography fellowships and production grants, resident professional dance company development, management and administration, services to the field, and dance films.

It should be noted that the activities of mime companies and individuals fall within the scope of Dance Programs unless they are particularly theater-oriented.

A few basic facts to keep in mind concerning programs of support in dance are these:

(1) Grants are made to enable a company or individual to carry out a specific described project; grants usually will not be made for "general support." Applicants are advised to budget each project to achieve high standards of artistic excellence at a minimum cost.

(2) Grants are usually less than the maximum dollar amount stated in the program. Applicants are particularly urged to budget realistically and present minimum figures of Federal support needed to achieve the purpose of the project and high standards of artistic excellence. (Revision of projects and budgets is time consuming for applicants and the Endowment.)

(3) Grants to dance companies must usually be matched at least dollar for dollar with non-Federal funds (that is, contributions, non-Federal grants, and/or earned income). Choreography fellowships to individuals are non-matching.

(4) Larger grants are generally made through the Treasury Fund. When the National Endowment for the Arts was created, Congress included a unique provision in its enabling legislation. This provision allows the Endowment to work in partnership with private and other non-Federal sources of funding for the arts. Designed to encourage and stimulate continued private funding for

the arts, the Treasury Fund allows non-Federal contributors to join the Endowment in the grant-making process.

The Endowment encourages use of the Treasury Fund method as a means of producing larger grants, as an especially effective way of combining Federal and private support, and as an encouragement to all potential donors, particularly those representing new or substantially increased sources of funds.

Treasury Fund grants are project grants applied for and approved in the same manner and for the same purposes as regular grants.

Under the Treasury Fund method, when a donation is received, it frees an equal amount from the Treasury Fund, and the doubled amount is then made available to the grantee to match. Thus for every \$1.00 given by private sources under this program, another \$1.00 is released from the Treasury. The grantee then matches this \$2.00 with an additional \$2.00 since almost all Endowment grants are for no more than half the total budget of an approved project.

The Endowment encourages applicants to apply for Treasury Funds when undertaking substantial and relatively costly projects. Projects supported under Category D, Production Grants, and under the Resident Professional Dance Companies Program may be particularly suited to the Treasury Fund method of awarding grants.

(5) By statute, the National Endowment for the Arts is limited to the support of organizations which meet the following criteria:

(a) Only those organizations which meet the requirements of Title VI of the Civil Rights Act of 1964 for the duration of any project supported in whole or in part by the National Endowment for the Arts.

(b) Only those organizations in which no part of net earnings inures to the benefit of a private stockholder or individual and to which donations are allowable as a charitable contribution under section 170(c) of the Internal Revenue Code of 1954, as amended. A copy of Internal Revenue Service Determination letter for tax-exempt status must be submitted with each application.

(c) Only those organizations which compensate all professional performers, related or supporting professional personnel, laborers, and mechanics at the equivalent of the prevailing minimum compensation level or on the basis of negotiated agreements which would satisfy the requirements of Parts 3, 5, and 505 of Title 29 of the Code of Federal Regulations for the duration of any project supported in whole or in part by the National Endowment for the Arts.

#### GENERAL INSTRUCTIONS FOR MAKING APPLICATION

(1) Note Well: Applications must be postmarked no later than the deadline date for the program under which you are applying. The Endowment regrets that because of review procedures applications postmarked after the appropriate deadline cannot be considered.

(2) All formal applications should be prepared in triplicate and mailed to:

Grants Office  
National Endowment for the Arts  
Washington, D.C. 20506

Questions and preliminary project descriptions for programs that request them should be directed to:

Director of Dance Programs  
National Endowment for the Arts  
Washington, D.C. 20506

(3) Applicants should consider carefully which categories of support are most ap-

plicable to and productive for the applicant and project. Making large numbers of applications, or applications in virtually every category, whether appropriate or not, does not work to the advantage of the individual or company.

(4) The front page of your application will be reproduced in multiple copies for the consideration of the Dance Advisory Panel, so it is in your interest to submit a clear, typewritten copy, as well as a succinct but thorough project description.

(5) Applications must be submitted in triplicate according to instructions on the Endowment's official application forms. Please follow closely the instruction sheet attached to your application and additional instructions detailed under each program. Failure to supply all information requested will result in unavoidable delays that may adversely affect consideration of your proposal.

(6) Organizational applications must be submitted by the institution or company named in the IRS letter of determination of tax-exemption which must accompany the application. The authorizing official must be an officer of that institution or company legally able to commit the Board.

(7) Budget breakdowns should cover only the costs of the specific project for which application is being made. Please note that "X. Contributions, Grants and Revenues (for this project)" plus "VII. Total Amount Requested from NEA" should equal "Total Project Costs" (under "VI. Summary of Estimated Costs"). This applies to applications made under all programs except Choreography Fellowships, Categories A, B, C, and E.

(8) Proposed projects may not be scheduled to begin prior to the beginning date stated in the program description (see page 2 for a summary of this information). Notices of rejection or approval of projects will be sent prior to these beginning dates, but in no case before June 15, 1974. Applicants are requested not to seek information about the status of their applications prior to this date.

(9) The Endowment will make every attempt to make grant payments when requested. However, grantees should understand that, because of Congressional appropriation procedures, payments may be delayed until late Summer 1974.

#### APPLICATION REVIEW PROCEDURE

The Endowment's Dance Program staff reviews applications and refers them to the Dance Advisory Panel. This Panel is made up of professionals from the dance field and state arts agencies from across the country. The recommendations of the Dance Advisory Panel are submitted to the National Council on the Arts, an advisory group of twenty-six Presidentially-appointed members. The National Council reviews and makes recommendations on all applications to the Chairman of the National Endowment for the Arts. Upon action by the Chairman, the applicant will be notified in writing by the Endowment.

#### FINAL REPORTING PROCEDURES

Please note that it is a requirement of all grants awarded by the National Endowment for the Arts that grantees provided to the Endowment, within 90 days of the termination of the grant period, both a Final Expenditure Report and a Final Descriptive Report on the project undertaken with the grant.

Information to be provided in Final Descriptive Reports will, of course, vary with the project, but should in general be related directly to the application form. Grant award letters will, in the future, include a paragraph describing the information the Final Report should contain.



## THE BICENTENNIAL

The Endowment recognizes that the arts will play an important role in the next few years in the celebration of our country's bicentennial. The Endowment welcomes this involvement on the part of artists and cultural organizations. The Endowment has an active interest in participating in these efforts, within funds available to it, and insofar as they are directed to professional creation and presentation of new works, improvement of artistic standards, preservation of our cultural heritage, and increasing the availability of the arts for all Americans. If funds under these guidelines are sought for projects deemed by the applicant to be related to the bicentennial, a brief description of this relationship should be made in the application.

## STATE/REGIONAL/NATIONAL COOPERATION

The Endowment would like to encourage cooperation among professional dance organizations, state arts agencies, regional arts groups, and service organizations. Applications should be for projects designed to strengthen professional dance activities through cooperative efforts. Generally, applications should be made under "General Programs." All applications which involve more than one group must include a list of participating organizations and a letter from each of them confirming its participation.

## THE DANCE TOURING PROGRAM

The National Endowment for the Arts has provided substantial support to sponsors of touring dance companies through the Coordinated Residency Touring Program and the Large Company Touring Program. Beginning in Fiscal Year 1975, these Programs are being merged into a single Dance Touring Program. Detailed "Guidelines for Sponsors" and "Guidelines for Dance Companies" are available from the Endowment. Following is a brief summary of the Dance Touring Program.

The purpose of the Program is to provide the best of American dance to the largest possible number of the American people. At the same time, the Program is designed to improve touring practices for companies and audiences by supporting residencies rather than one-night stands. There is considerable emphasis on involving the resident community as broadly as possible in the scheduled activities of the residency.

Under the Dance Touring Program, sponsors of professional dance company residencies receive, through their state arts agencies, up to one-third of the fee of companies participating in the Program. In general, sponsors are expected to engage at least two companies for a minimum of one-half week (2½ days) each.

Dance companies wishing to participate in the Dance Touring Program must meet certain quantitative criteria and must complete a "Company Information Questionnaire" in order to be listed in the Directory of Dance Companies from which sponsors will make their choices for touring engagements to be supported under this Program.

Quantitative criteria which participating companies must have met in order to participate in the Fiscal 1975 Dance Touring Program include the following:

- (1) The company must be a non-profit, tax-exempt organization.
- (2) The company must pay on tour all professional performers, related or supporting staff, laborers and mechanics no less than the minimum compensation level as determined by the appropriate union, and must meet the applicable requirements of Title VI of the Civil Rights Act of 1964.
- (3) The company must have performed at least 15 public appearances for which the

dancers and staff were paid no less than the minimum compensation level as defined by the appropriate union during the 1973-74 season, and have projected at least 15 such for the 1973-74 season.

(4) The company must have adequate management to provide potential tour sponsors with the necessary services to contract and carry out tour engagements.

(5) The company must have a history of sound administrative practices.

The application deadline for companies wishing to participate in the 1974-75 Touring Program has already passed. Inasmuch as this is the first year during which the above criteria have been used as a basis for participation in the Program, the second year may see some alterations in the quantitative criteria and in the information requested on the "Company Information Questionnaire". The application deadline for companies wishing to participate in the Dance Touring Program for Fiscal Year 1976 (the 1975-76 touring season) has not yet been set. It will be widely announced in the late Spring of 1974.

Sponsors wishing to engage companies participating in the Dance Touring Program should contact their state arts agency for copies of the "Guidelines for Sponsors" and the "Directory of Dance Companies," or should write or call:

Dance Programs, National Endowment for the Arts, Washington, D.C. 20506, (202) 382-5853.

## CHOREOGRAPHY FELLOWSHIPS AND PRODUCTION GRANTS

The National Endowment for the Arts offers five categories of choreography fellowships and production grants for Fiscal Year 1975. THE DEADLINE FOR APPLICATIONS IN ALL FIVE CATEGORIES IS FEBRUARY 1, 1974. Applications must be postmarked by that date. The Endowment regrets that because of necessary review procedures, applications postmarked after February 1 cannot be considered.

## PROJECT PERIOD

The grant period covered by this program is July 1, 1974 through June 30, 1975. Projects may not begin prior to July 1, 1974 and should be completed within the twelve month period.

## CATEGORY A, CHOREOGRAPHY FELLOWSHIPS

Individual fellowships to experienced professional choreographers who are permanently associated with a professional performing company.

## PURPOSE

The purpose of this program is to provide rehearsal time and opportunity for experienced choreographers to create new works for the professional company with which they are permanently associated.

## FUNDING

Grants in this category are made directly to the choreographer. They may include funds for the following expenses:

- (1) An individual fellowship to the choreographer not to exceed \$4,000;
- (2) Rehearsal salaries for the required number of dancers for the required length of time (not to exceed four weeks, or a total of 100 hours per dancer). Dancers' wages must be at least scale as defined by the American Guild of Musical Artists. If dancers' salaries are already established in excess of scale, the choreographer may apply for the actual costs incurred by those salaries; and
- (3) The notation and/or creation of a simple videotape or black and white film record of the work. It should be noted that, if funds for recording are included in the grant

award, such recording must take place within the project period of the grant.

## HOW TO APPLY

Please use "Individual Grant Application/NEA-2 (Rev.)". At the very top of the page, please enter "Category A, Choreography Fellowship."

The following information about the proposed choreography should be included on the application form under "Description of Proposed Activity."

- Do not continue onto an additional page.
- (1) A brief description of the proposed work, including designer(s), and composer.
  - (2) Number of dancers.
  - (3) Approximate length of the dance.
  - (4) Projected dates of rehearsal.
  - (5) Anticipated date and place of premiere.
  - (6) A budget in the following format:

(a) amount of choreography fellowship	\$-----
(b) number of dancers × number of hours or weeks × amount per hour or week =	\$-----
(c) cost of notation and/or simple video or film record of the work (if requested)	\$-----
Total	\$-----

Under "Career Summary or Background," please list works choreographed by the applicant during the last three years, and for whom they were choreographed.

Under "Prizes/Honors Received," please list the sources of all fellowships and commissions received during the last three years, excluding those from the Endowment.

Please attach to the application form the current year's performance schedule for the company with which the applicant works, and a projection of the company's activity for the 1974-75 season.

## CATEGORY B

## WORKSHOP FELLOWSHIPS

Individual fellowships to aid in the creation of a new dance work, awarded to:

- (1) Choreographers working in workshops, civic, regional, educational, or other companies with limited performance schedules,
- (2) Choreographers wishing to work in new and experimental areas, and
- (3) Members of professional companies which have a policy of offering choreographic opportunities to their members.

This category is not intended for support of student choreographers.

## PURPOSE

The purpose of this program is to assist choreographers in the development and expansion of their art. Additionally, the purpose is to assist non-professional companies to expand and diversify their repertoires, and to encourage professional companies to provide choreographic opportunities for company members with choreographic promise.

## FUNDING

Fellowships of \$1,500 awarded directly to the choreographer to be used for the creation of the described work. This program carries no additional payment of any kind.

## HOW TO APPLY

Please use "Individual Grant Application/NEA-2 (Rev.)". At the very top of the page, please enter "Category B, Workshop Fellowships."

The following information about the proposed choreography should be included under "Description of Proposed Activity."

- (1) A brief outline of the proposed work and the number of performers required.



(2) Name, location and brief description of the group for which the work is to be created.

(3) Approximate dates of rehearsal, projected date and place of premiere (if known) and an indication of future performances of the work.

The following information should appear on the application form under the appropriate title:

(1) List of previous works choreographed (under "Career Summary").

(2) Brief résumé of professional experience (under "Career Summary").

(3) Sources of all previous grants and awards received during the last three years, excluding those from the National Endowment for the Arts (under "Prizes/Honors Received").

#### CATEGORY C

##### VISITING CHOREOGRAPHER

##### FELLOWSHIPS

Non-matching grants to professional performing companies to enable them to award fellowships to experienced professional choreographers who have no permanent association with the company to create new works, to restage existing works, or to work with the company over an extended period of time.

##### PURPOSE

The purpose of this program is to assist companies in acquiring the works of visiting choreographers in order to broaden the repertoire available to the general public, and to encourage and enable established American choreographers to work with a variety of companies.

##### FUNDING

For single work: Grants are made directly to the company. If the choreographer is being engaged to create a new work or to restage an existing work, the application may request funds to cover the visiting choreographer's fee, travel and per diem expenses for the choreographer, plus the costs of notating (if not already notated) and/or the making of a simple video or film record of the work. Limitations on the above costs for a single work are:

(1) The choreographer's fee may not exceed \$3,000 to create a new work, or \$2,500 to restage an existing work.

(2) Travel expenses may not exceed two round-trip tourist class fares between the point of residence of the choreographer and the location of the host company. (Note: The Endowment regrets the application may not include the costs of foreign travel.)

(3) Per diem expenses are to be estimated at the applying company's established rate for the costs of room and board at the point of rehearsal (if the choreographer is based in a community other than the resident community of the host company) for the period of time the visiting choreographer is in residence. This may not exceed a total of three weeks.

For extended engagement: The National Endowment for the Arts would also like to encourage companies to establish extended and continuing relationships with choreographers not permanently associated with the company. In Fiscal Year 1975, a limited number of grants will be made on a pilot basis to accomplish this goal.

Applications for funds to carry out such a project should be made by the dance company. In describing the project please indicate the extent to which the visiting choreographer will be working with the company, what the company hopes to gain from the residency, the amount of time the company will be available to the choreographer, all activities the choreographer will be engaged in while in residence, and any other

pertinent information which explains the benefits the company is seeking by entering into an extended residency by a visiting choreographer.

Limitations on the costs for which the company may apply are:

(1) The choreographer's fee or salary for period of time the choreographer will be working with the company.

(2) Reasonable housing costs while the choreographer is in residence with the host company.

(3) Reasonable travel costs (tourist class) between the choreographer's resident city and the resident city of the company. (More than one round trip is allowable.)

##### HOW TO APPLY

Please use "Project Grant Application NEA-3 (Rev.)".

For projects involving the setting or re-mounting of a single work, the following information should appear on the application form under "IV. Summary of Project Description."

(1) Name of the visiting choreographer

(2) Title of work (if known)

(3) Composer of music

(4) Designer(s)

(5) Number of dancers

(6) Approximate length of work

(7) Dates of rehearsal

(8) Projected date and place of premiere

Since this is a non-matching grant, the project budget should include only those costs applicable to the project as outlined above (that is, choreographer's fee, travel expenses and per diem), and should equal the total amount requested from the National Endowment for the Arts. Details included on page 2 of the application form, under "Budget Breakdown," should include only the applicable costs. Item "X. Contributions, Grants, and Revenues" should be left blank.

The following information should be attached to the application form:

(1) A resume of the visiting choreographer including:

(a) a listing of the companies with whom the choreographer has previously worked

(b) a listing of the works created by the choreographer during the past three years

(2) A letter of intent from the choreographer to set the work, including reference to the following:

(a) the choreographer's fee

(b) the rehearsal dates

(c) travel arrangements

Note.—It is the responsibility of the company and the choreographer to arrive at an agreement for performance royalties.

(3) The performance schedule for the company's current year, and projections of the company's activity for the 1974-75 year.

(4) A listing of the company's active repertoire.

(5) A copy of the company's IRS tax-exempt determination letter.

For extended residency projects, the following information should appear on the application form under "IV. Summary of Project Description."

(1) Name of the visiting choreographer.

(2) The goals of the project in terms of the benefits being sought through an extended residency of the choreographer.

(3) Description of the working relationship which is being entered into, including an indication of the time schedule, work schedule, dances to be created and/or restaged, et cetera.

(4) The duties of the choreographer during his time with the company.

(5) All other pertinent information which will aid the Endowment in evaluating the application.

For extended residency projects, the following information should be attached to the application form:

(1) A resume of the visiting choreographer including:

(a) a listing of the companies with whom the choreographer has previously worked

(b) a listing of the works created by the choreographer during the past three years.

(2) A copy of the contract or preliminary agreement between the choreographer and the company signed by both the choreographer and the company. This should include specific mention of:

(a) the time schedule for the residency

(b) the duties of the choreographer during the residency

(c) the travel and living arrangements for the choreographer

(d) rights and royalty arrangements for any works created or restaged during the residency

(e) the fee or salary to be paid the choreographer

(f) all other financial arrangements between the choreographer and the company with regard to the residency

(g) any other information which requires prior agreement between the company and the choreographer for efficient and effective planning.

(3) The rehearsal and performance schedule for the company's current year, and projections of the company's activity for the 1974-75 year.

(4) A listing of the company's active repertoire.

(5) A copy of the company's IRS tax-exempt determination letter.

#### CATEGORY D PRODUCTION GRANTS

Matching grants to professional companies for new productions.

##### PURPOSE

The purpose of this program is to assist established professional companies with national or wide regional exposure to expand and diversify their repertoire. Companies applying must have attained at least a twenty-week rehearsal/performance season during 1973-74, and must have been in existence for at least three years.

##### FUNDING

Grants are made directly to the company on at least a dollar for dollar matching basis. Applicants are encouraged to raise matching funds from new donors or from substantial increases in support from previous donors, and to make use of the Endowment's Treasury Fund method of support, described in the General Introductory Comments, for large projects. Further:

(1) Grants generally will not exceed \$100,000 and in most cases will be considerably less.

(2) Each application may cover one or more works by one or more choreographers. Budgets should be worked out separately for each work, in the same format as the application form, and attached to the application.

(3) The project budget on the application form may include all direct costs of the production prior to the premiere performance. Please note that performance royalties are therefore not an applicable expense. Applicable expenses include:

(a) choreographer's fee

(b) composer's fee

(c) designer(s)' fee

(d) rehearsal salaries for the required number of dancers for the required length of time (not to exceed four weeks, or a total of 100 hours per dancer). Dancers' wages must be at least scale as defined by the American Guild of Musical Artists. If dancers' salaries are already established in excess of scale, the company may apply for the actual costs incurred by those salaries.

(e) physical costs of mounting the production (sets, costumes, et cetera)



(f) costs of notating and/or making a simple black and white video or film record.

#### HOW TO APPLY

Please use "Project Grant Application/NEA-3 (Rev.)." The following information should appear on the application form under "IV. Summary of Project Description."

- (1) Name of choreographer
- (2) Title of work
- (3) Composer of music
- (4) Designer(s)
- (5) Number of dancers
- (6) Approximate length of work
- (7) Dates of rehearsal
- (8) Projected date and place of premiere

The following information should be attached to the application form:

(1) A listing of the company's current active repertoire.

(2) A budget for the 1973-74 season, and projected budget for the 1974-75 season.

(3) The performance schedule for the company's current year, and projections of the company's activity for the 1974-75 season.

(4) Budgets for each individual work if more than one work is included in the application (see No. 2 under "Funding" above).

(5) If the choreographer is not permanently associated with the applicant company, a letter of intent from the choreographer must accompany the application. The letter of intent to set the work must include reference to the choreographer's fee, the rehearsal dates and the travel arrangements, as well as the work itself.

(6) A copy of the company's IRS tax-exempt determination letter.

#### CATEGORY E—SPECIAL CHOREOGRAPHY FELLOWSHIPS

Fellowships to experienced professional choreographers with substantial professional recognition for extraordinary choreography projects not applicable under Categories A, B, C, or D described above.

#### PURPOSE

Recognizing that an experienced choreographer may wish to engage in choreographic activity which does not follow the structures covered by Categories A, B, C, and D, the Endowment will accept applications from individual choreographers for these projects. It should be emphasized that "Special Choreography Fellowships" will be made only in exceptional circumstances. If at all possible, projects should be applied for under the regular Categories.

#### REVIEW INFORMATION

Applications will be reviewed by the staff of the National Endowment, the Dance Advisory Panel, and the National Council on the Arts according to the following criteria:

- (1) The artistic significance of the proposed project.
- (2) The merit of the purpose of the project with relation to the stated purpose of this category.
- (3) The individual's capacity to achieve the stated objectives.
- (4) The demonstrated need for the fellowship requested.

#### FUNDING

Generally the individual fellowships awarded will not exceed \$10,000, and may cover only the directly related costs.

#### HOW TO APPLY

Please use the "Individual Grant Application/NEA 3 (Rev.)." At the top of the page, please enter "Category E, Special Choreography Fellowships". On the application, please describe the project in detail, clearly stating the reason for making application in this area, the goals of the project, and all

other information you feel will aid the National Endowment in reviewing the project. Also in the project description, please provide a breakdown of the funds being requested and how they will be used if awarded.

Attached to the application should be a letter of agreement between the choreographer and any other party or organization whose participation is necessary for accomplishing the project.

#### RESIDENT PROFESSIONAL DANCE COMPANIES PROGRAM

##### PURPOSE

The purpose of this program is to encourage and increase the availability of high quality professional dance activities on a regular and continuing basis in communities and regions across the country.

##### DEADLINE

All applications for assistance under this program must be postmarked by June 1, 1974. The Endowment regrets that because of review procedures applications postmarked after that date cannot be considered.

##### ELIGIBILITY

In general, assistance under this program is for professional companies which:

- (1) Are in permanent residence in a community, and which provide their community and the surrounding geographic region with a regular schedule of dance services such as concert seasons, community service programs, educational programs, specialized touring activities, training programs, etcetera.
- (2) Demonstrate high artistic and administrative standards.
- (3) Have attained a regular rehearsal and performance season in their community and region of at least 15 weeks (cumulative) in each of Fiscal Years 1973 and 1974 and which present at least three different public programs yearly in their community.

#### PROJECT EXAMPLES

Generally applications will be considered only for specific projects within the following areas of activity. However, a company may request special consideration for a project not covered by the areas listed below if it serves a particular need of the company, community, or region. Projects do not have to be new or innovative. Assistance may be requested for strengthening and continuing existing programs. Applications must outline in detail the specific project for which support is being requested, and must include a clear justification of need for this support.

Project areas considered applicable are:

- (1) Specialized Regional Services: Programs designed especially to serve the company's community and broad geographic region by providing the audiences and participants with an in-depth exposure to quality professional dance on a regular and continuing basis. Proposed programs should also be designed to encourage increased private support from the community and region. Such projects might include regular regional touring and residency programs, regular concert seasons in communities throughout the region, educational programs, etcetera.
- (2) Personnel Assistance: Assistance in the addition of new personnel (on a full or part-time basis) to the staff of the company. All positions considered must be new to the company, and the company must provide a clear justification of need for the new position as well as an assurance that the cost of this new position can be carried by the company in future years without continued Endowment support. The hiring of additional dancers for the company is not applicable. Applications for assistance with management and admin-

istrative staff should be made under "Management and Administration." For more information on this program, see page 20.

(3) Cooperative Projects: Special attention will be given applications requesting assistance for cooperative projects with other local or regional arts organizations (including dance organizations). Such projects might include the hiring of joint personnel where the need of an individual organization is not sufficient to justify a full-time position, the development of regional activities in which a number of arts organizations participate, etcetera. Applicants should include supportive statements from cooperating organizations or individuals.

(4) Stabilization of Season: Projects carefully designed to provide the company with a more stable existence in its community and region. Such projects might include:

- (a) Programs designed to develop new ways to improve earned and contributed income, increase audiences, and improve ticket sales.
- (b) Extension of the season through programs which make use of smaller ensembles and/or make it possible for the company to engage in other income-generating activities.

(NOTE: The Endowment will give careful study to requests for assistance to extend seasons. Evidence that the extension, without continued Endowment support, would not jeopardize the company's continued existence will be required.)

In developing projects please keep in mind:

- (1) Applications will not be considered for non-specific support.
- (2) The Endowment's assistance is not meant to discourage admission fees.

#### Review Information:

Applications will be reviewed by the staff of the National Endowment, the Dance Advisory Panel, and the National Council on the Arts according to the following criteria:

- (1) The artistic significance of the proposed project.
- (2) The merit of the purpose of the project with relation to the stated purpose of this program.
- (3) The company's organizational stability and proven artistic merit.
- (4) The company's capacity to achieve the stated objectives.
- (5) The professional service provided to the community and/or geographic region.
- (6) The demonstrated need for the support requested.

#### METHODS OF FUNDING

All grants will be matching grants. In general, grants will not exceed \$50,000 from direct Endowment program funds or \$100,000 from Treasury Funds (\$50,000 Endowment; \$50,000 private donation). In most instances grants will be in lesser amounts. The Endowment urges applicants to consider applying under the Treasury Fund method of support in order to encourage new or increased giving from the private sector.

#### HOW TO APPLY

Applicants should use the "Project Grant Application" form identified with "NEA-3 (Rev.)." in the upper left-hand corner of the first page.

Project Description: All essential elements of the proposal must be included in a concise project description in the space provided on the first page of the application form.

Budgetary Information: The budgetary information required must appear on the application form as indicated, but you may attach a more detailed budget if you feel it would be helpful in assessing the project.

Project Period: The grant period under this program is December 1, 1974 through December 31, 1975. Please note that this is a thirteen month period. The starting date



of the project may not be prior to December 1, 1974 and its length will normally not exceed thirteen months. (The beginning and ending dates of the project should be entered under "III. Period of Support Requested" on the application form.)

#### Information Required to Supplement the Grant Application:

(1) A copy of the company's Internal Revenue Service Determination Letter for tax-exempt status.

(2) The company's 1973-74 schedule and a projected 1974-75 schedule.

(3) The company's 1973-74 total operating budget and the 1974-75 total operating budget projection.

(4) A listing by number and title of the total staff (artistic, administrative and production) of the company. Please note part-time or volunteer positions.

#### Information Needed to Supplement Grant Application, If Not Supplied to the Endowment in Prior Years:

(1) A brief history of the company.

(2) A listing of the company's repertory.

(3) The size of the board of directors, and how often it meets.

(4) A selection of representative reviews (unedited).

Note.—If the information on file at the Endowment is not up-to-date, please send revised information.

#### MANAGEMENT AND ADMINISTRATION

The National Endowment for the Arts recognizes the need for professional management of dance companies, as well as for new approaches to arts administration. The Management and Administration program assists in improving dance company management through grants to individual companies for partial salary support for professional management; to multi-company managements and co-operative organizations; and to training and advisory programs in management and administration.

The project budget should include only those expenses necessary to accomplish the activities described. The amount requested from the Endowment should not exceed 50 percent of the total project costs and, together with "Contributions, Grants and Revenues," should equal the total project budget. Generally grants under this program do not exceed \$25,000 and are frequently substantially less. Please use "Project Grant Application/NEA-3 (Rev.)." It should be noted that support under this program is normally limited to a one-time grant.

#### PROJECT PERIOD AND DEADLINE:

The project period for this program is the fifteen month period beginning October 1, 1974 and ending December 31, 1975. The beginning date of the project applied for must fall within this period, and the duration of the project would generally not exceed fifteen months. Applications must be postmarked NO LATER THAN FEBRUARY 1, 1974.

#### SERVICES TO THE FIELD

Dance is served nationally by a variety of dance service organizations. The National Endowment for the Arts offers support to those national service organizations dealing in projects directly related to performing companies.

Organizations should submit applications for specific projects they wish to accomplish, describing these projects on the application form in the space provided. Projects do not have to be new or innovative. Assistance may be requested for strengthening and continuing existing programs. The Project Budget should include only those costs necessary to accomplish the described project(s). The "Total Requested from the NEA" must

not exceed 50 percent of the total project budget and, together with "Contributions, Grants and Revenues," should equal the total project cost. Please use "Project Grant Application/NEA-3 (Rev.)."

#### PROJECT PERIOD AND DEADLINE:

The project period for this program is the fifteen month period beginning October 1, 1974 and ending December 31, 1975. The beginning date of the project applied for must fall within this period, and the duration of the project should generally not exceed fifteen months. Applications must be postmarked NO LATER THAN FEBRUARY 1, 1974.

#### DANCE FILMS

In Fiscal Year 1975, the Endowment will make modest support available on a pilot basis for projects in dance films and video. Primary concern, given the limited funding that may be available in this area, is with preservation, recording, archival, and historical documentation projects. In addition, support for the creation of dance films or videotapes for public or media presentation will be considered.

Because of the pilot nature of this area of support, the Endowment does not wish to encourage formal applications in this area. Rather, applicants with potential projects in the areas described are encouraged to submit a one-page project description and a one-page budget summary for the project.

There is no deadline for submission of such proposals, but early submission of proposals will aid the Endowment in planning. Applicants should keep in mind that proposals should be made at least nine months prior to the beginning date for the proposed activity in order to allow the Endowment's staff and advisors advance planning time sufficient for a pilot project.

#### GENERAL PROGRAMS

The Endowment will consider applications for specific projects that do not fall into the categories outlined above. However, such projects must be in support of professional activity, and be of exceptional merit, outstanding quality, and demonstrated need. Where at all possible companies, individuals, and organizations should apply under the regular program Guidelines. Grants made under "General Programs" will usually be awarded on a matching basis.

Please note that there are some areas of activity the Endowment does not normally consider funding: scholarships to individuals; study or travel abroad; building or renovation of physical facilities; purchase of permanent equipment; publication or research; general operating support.

#### DEADLINES

Applications must be postmarked no later than February 1, 1974 for projects beginning between July 1, 1974 and November 30, 1974, or no later than June 1, 1974 for projects beginning between December 1, 1974 and June 30, 1975.

#### REMINDERS

(1) Each organizational application ("Project Grant Application Form NEA-3 (Rev.).") must be accompanied by a copy of the organization's IRS tax-exempt determination letter.

(2) The application must be signed and dated by the appropriate people.

Note: The Authorizing Official must be empowered to legally commit the Board of Directors.

(3) For both organizational and individual applications, please check carefully to be sure you have included all requested supplementary information for the program under which you are applying.

(4) All applications must be postmarked no later than the deadline date for the program under which you are applying, in most cases, February 1, 1974. The Endowment regrets that because of review procedures applications postmarked after the appropriate deadline cannot be considered.

(5) Grants are usually less than the maximum dollar amount stated in the program. Applicants are particularly urged to budget realistically and present minimum figures of Federal support needed to achieve the purpose of the project and high standards of artistic excellence.

#### RESOLUTION ON ACCESSIBILITY TO THE ARTS FOR THE HANDICAPPED

One of the main goals of the National Endowment for the Arts is to assist in making the arts available to all Americans. The arts are a right, not a privilege. They are central to what our society is and what it can be. The National Council on the Arts believes very strongly that no citizen should be deprived of the beauty and the insights into the human experience that only the arts can impart.

The National Council on the Arts believes that cultural institutions and individual artists could make a significant contribution to the lives of citizens who are physically handicapped. It therefore urges the National Endowment for the Arts to take a leadership role in advocating special provision for the handicapped in cultural facilities and programs.

The Council notes that the Congress of the United States passed in 1968 (P.L. 90-480) legislation that would require all public buildings constructed, leased or financed in whole or in part by the Federal Government to be accessible to handicapped persons. The Council strongly endorses the intent of this legislation and urges private interests and governments at the state and local levels to take the intent of this legislation into account when building or renovating cultural facilities.

(Adopted by the National Council on the Arts, September 15, 1973.)

[FR Doc.73-26810 Filed 12-18-73;8:45 am]

#### SMALL BUSINESS ADMINISTRATION

[License 02/02-0112]

#### CRITERION CAPITAL CORP.

##### Surrender of License

Notice is hereby given that Criterion Capital Corp., 10 Fiske Place, Mount Vernon, New York 10550, incorporated under the laws of the State of New York on October 27, 1961, has surrendered its License No. 02/02-0112, issued by the Small Business Administration (SBA) on January 23, 1962.

Criterion Capital Corp., has complied with all conditions set forth by SBA for surrender of its license. Therefore, under the authority vested by the Small Business Investment Act of 1958, as amended, and pursuant to the regulations promulgated thereunder, the surrender of the license of Criterion Capital Corp., is hereby accepted and it is no longer licensed to operate as a small business investment company.

Dated: December 5, 1973.

JAMES THOMAS PHELAN,  
Deputy Associate Administrator  
for Investment.

[FR Doc.73-26794 Filed 12-18-73;8:45 am]



[Notice of Disaster Loan Area 1026]

## OKLAHOMA

## Disaster Relief Loan Availability

As a result of the President's declaration of the State of Oklahoma as a major disaster area following severe storms and flooding, beginning about November 19, 1973, applications for disaster relief loans will be accepted by the Small Business Administration from flood victims in Cleveland, Kay and McClain Counties, and adjacent affected counties.

Applications may be filed at the:

Small Business Administration,  
District Office,  
30 North Hudson,  
Oklahoma City, Oklahoma 73102

and at such temporary offices as are established. Such addresses will be announced locally. Applications will be processed under the provisions of Public Law 93-24.

Applications for disaster loans under this announcement must be filed not later than February 12, 1974.

Dated: December 12, 1973.

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.73-26795 Filed 12-18-73;8:45 am]

INTERSTATE COMMERCE  
COMMISSION

[Notice No. 95]

MOTOR CARRIER APPLICATIONS AND  
CERTAIN OTHER PROCEEDINGS

## Correction

In FR Doc. 73-25780 appearing at page 33549 in the issue for Wednesday, December 5, 1973, in the 22d line of the first paragraph under the heading "Motor Carrier Passenger," the reference to "Oswego, N.Y." should read "Owego, N.Y."

[Notice 411]

## ASSIGNMENT OF HEARINGS

DECEMBER 14, 1973.

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. No amendments will be entertained after the date of this publication.

MC 115331 Sub 340, Truck Transport, Incorporated, now assigned January 28, 1974, at St. Louis, Mo., will be held in Court Room

No. 2, 5th Floor, U.S. Custom House, 1114 Market Street.

MC 40757 Sub 16, Creech Brothers Truck Lines, Inc., now assigned January 30, 1974, at St. Louis, Mo., will be held in Court Room No. 2, 5th Floor, U.S. Custom House, 1114 Market Street.

MC-F-11318, Superior Trucking Co., Inc.—Purchase—(Portion)—Daniel Hamm Drayage Co.; MC-F-11631, Ace Doran Hauling & Rigging Company—Purchase—(Portion)—Daniel Hamm Drayage Company; MC-F-11742, Ace Doran Hauling & Rigging Co.—Control—Daniel Hamm Drayage Company, now assigned February 4, 1974, at St. Louis, Mo., will be held in Court Room No. 2, 5th Floor, U.S. Custom House, 1114 Market St.

MC 9325 Sub 66, K Lines, Inc., now assigned January 28, 1974, at Olympia, Washington, will be held at Washington Utilities Transportation Commission, Highway License Building, 12th and Washington Street.

MC-108207 Sub 365, Frozen Food Express, Inc., MC-113678 Sub 497, Curtis, Inc., now assigned January 28, 1974, will be held in Room 301 C, City Hall, 200 East Wells Street, Milwaukee, Wis.

MC-134861 Sub 3, Dickenson Lines, Inc., now assigned January 21, 1974, will be held in Room 371, Main Post Office Bldg., 180 East Kellogg Blvd., St. Paul, Minn.

MC-114284 Sub 57, Fox-Smythe Transportation Co., now assigned January 21, 1974, will be held in Hearing Room, New Mexico Motor Carriers Association, 1500 Indian School Road NE, Albuquerque, N.M.

No. 35849, Barton Truck Line, Inc., Et Al V. Garrett Freightlines, Inc., now assigned January 23, 1974, will be held in Room 504, U.S. Post Office & Court Bldg., 350 South Main Street, Salt Lake City, Utah.

MC-135248 Sub 7, William H. Dees, DBA Dees Transportation, now assigned January 28, 1974, will be held in Room 504, U.S. Post Office & Court Bldg., 350 South Main Street, Salt Lake City, Utah.

MC-33919 Sub 7, Fairchild General Freight, Inc., now assigned February 4, 1974, will be held in Room 103, Pioneer Courthouse, 520 S.W. Morrison Street, Portland, Ore.

MC 82841 Sub 120, Hunt Transportation, Inc., now assigned February 6, 1974 will be held in Rm. 103, Pioneer Courthouse, 520 S.W. Morrison St., Portland, Ore.

I&S M 27194, Alaska Motor Carriers' Ratings, Accessorial and Arbitrary Charges, now assigned December 17, 1973, at Anchorage, Alaska, is cancelled the rates are being cancelled.

I&S M 27277, Classification of Plastic Syringes, Nationwide, now assigned January 17, 1974 at Washington, D.C., is cancelled.

MC-F 11923, Crouse Cartage Company—Purchase—Circle M. Truck Line, and MC 123389 Sub 16, Crouse Cartage Co., now assigned January 28, 1974 at Kansas City, Mo., is cancelled and reassigned to January 28, 1974 (2 weeks), in Rm. 616, Union Pacific Plaza, Omaha, Nebr.

MC 138512 Sub 1, Roland's Transportation Service, Inc., dba Wisconsin Provisions Express, now being assigned hearing February 19, 1974 (1 day), at Chicago, Ill., in a hearing room to be later designated.

MC 61592 Sub 309, Jenkins Truck Line, Inc., now being assigned hearing February 20, 1974 (3 days), at Chicago, Ill., in a hearing room to be later designated.

MC 138479 C & C Cartage, Inc., now being assigned continued hearing February 20, 1974 (3 days), at Chicago, Ill., in a hearing room to be later designated.

MC 138987, Meier Trucking Company, now being assigned hearing February 25, 1974 (2 days), at Chicago, Ill., in a hearing room to be later designated.

MC-F 11662, Denver-Midwest Motor Freight, Inc.—Purchase—Streator Transfer & Storage Co., MC 127602 Sub 12, Denver-Midwest Motor Freight, Inc., now being assigned continued hearing February 27, 1974 (3 days), at Chicago, Ill., in a hearing room to be later designated.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-26830 Filed 12-18-73;8:45 am]

[Notice 41]

MOTOR CARRIER ALTERNATE ROUTE  
DEVIATION NOTICES

DECEMBER 14, 1973.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969 (49 CFR 1042.4(c) (11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(c) (11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(c) (12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

No. MC-33641 (Deviation No. 53), IML FREIGHT, INC., P.O. Box 2277, Salt Lake City, Utah 84110, filed November 28, 1973. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Fallon, Nev., over U.S. Highway 95 to Las Vegas, Nev., thence over U.S. Highway 93 to Wickenburg, Ariz., thence over U.S. Highway 89 to Phoenix, Ariz., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Fallon, Nev., over U.S. Highway 50 to Ely, Nev., thence over U.S. Highway 93 to Glendale, Nev., thence over U.S. Highway 91 to Harrisburg, Utah, thence over Utah Highway 17 to LaVerkin, Utah, thence over Utah Highway 15 to Mt. Carmel Junction, Utah, thence over U.S. Highway 89 to Kanab, Utah, thence over Alternate U.S. Highway 89 to junction U.S. Highway 89 near Bitter Springs, Ariz., thence over Arizona Highway 79 and Interstate Highway 17 to Phoenix, Ariz., and return over the same route.



No. MC-33641 (Deviation No. 54), IML FREIGHT, INC., P.O. Box 2277, Salt Lake City, Utah 84110, filed November 28, 1973. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Fallon, Nev., over U.S. Highway 95 to Las Vegas, Nev., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Fallon, Nev., over U.S. Highway 50 to Ely, Nev., thence over U.S. Highway 93 to Glendale, Nev., thence over U.S. Highway 91 to Las Vegas, Nev., and return over the same route.

No. MC-33641 (Deviation No. 55), IML FREIGHT, INC., P.O. Box 2277, Salt Lake City, Utah 84110, filed November 28, 1973. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Fernley, Nev., over U.S. Highway 40 (Interstate Highway 80) to Winnemucca, Nev., thence over U.S. Highway 95 to junction Idaho Highway 55 near Marsing, Idaho, thence over Idaho Highway 95 to Nampa, Idaho, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Fernley, Nev., over U.S. Highway 95 to Fallon, Nev., thence over U.S. Highway 50 to Ely, Nev., thence over Alternate U.S. Highway 50 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to Nampa, Idaho, and return over the same route.

No. MC-33641 (Deviation No. 57), IML FREIGHT, INC., P.O. Box 2277, Salt Lake City, Utah 84110, filed November 28, 1973. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Fernley, Nev., over U.S. Highway 40 (Interstate Highway 80) to Wendover, Nev., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Fernley, Nev., over U.S. Highway 95 to Fallon, Nev., thence over U.S. Highway 50 to Ely, Nev., thence over Alternate U.S. Highway 50 to Wendover, Nev., and return over the same route.

No. MC-33641 (Deviation No. 58), IML FREIGHT, INC., P.O. Box 2277, Salt Lake City, Utah 84110, filed November 28, 1973. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Fernley, Nev., over U.S. Highway 40 (Interstate Highway 80) to Wells, Nev., thence over U.S. Highway 93 to

Filer, Idaho, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Fernley, Nev., over U.S. Highway 95 to Fallon, Nev., thence over U.S. Highway 50 to Ely, Nev., thence over Alternate U.S. Highway 50 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to Filer, Idaho, and return over the same route.

No. MC-33641 (Deviation No. 59), IML FREIGHT, INC., P.O. Box 2277, Salt Lake City, Utah 84110, filed November 28, 1973. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Reno, Nev., over U.S. Highway 395 to Alturas, Calif., thence over California Highway 299 to Canby, Calif., thence over California Highway 139 to the California-Oregon State line, thence over Oregon Highway 39 to junction Oregon Highway 140, thence over Oregon Highway 140 to Klamath Falls, Oreg., thence over U.S. Highway 97 to junction Oregon Highway 58, thence over Oregon Highway 58 to junction Interstate Highway 5 near Eugene, Oreg., thence over Interstate Highway 5 to Portland, Oreg., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Reno, Nev., over U.S. Highway 40 to Fernley, Nev., thence over U.S. Highway 95 to Fallon, Nev., thence over U.S. Highway 50 to Ely, Nev., thence over Alternate U.S. Highway 50 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 near Caldwell, Idaho, thence over U.S. Highway 20 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26 near Ontario, Oreg., thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., thence over U.S. Highway 30 to Portland, Oreg., and return over the same route.

No. MC-33641 (Deviation No. 60), IML FREIGHT, INC., P.O. Box 2277, Salt Lake City, Utah 84110, filed November 28, 1973. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Reno, Nev., over U.S. Highway 40 (Interstate Highway 80) to Sacramento, Calif., thence over Interstate Highway 5 to Portland, Oreg., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Reno, Nev., over U.S. Highway 40 to Fernley,

Nev., thence over U.S. Highway 95 to Fallon, Nev., thence over U.S. Highway 50 to Ely, Nev., thence over Alternate U.S. Highway 50 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 near Caldwell, Idaho, thence over U.S. Highway 20 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26 near Ontario, Oreg., thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., thence over U.S. Highway 30 to Portland, Oreg., and return over the same route.

No. MC-48958 (Deviation No. 51), ILLINOIS-CALIFORNIA EXPRESS, INC., P.O. Box 9050, Amarillo, Texas 79105, filed December 7, 1973. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Kansas City, Kans., over Interstate Highway 70 to Topeka, Kans., thence over U.S. Highway 54 to Tucumcari, N. Mex., thence over Interstate Highway 40 (U.S. Highway 66) to Albuquerque, N. Mex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Omaha, Nebr., over U.S. Highway 73 to Victory Junction, Kans., thence over U.S. Highway 40 to Kansas City, Mo., (2) From Peoria, Ill., over U.S. Highway 150 to Galesburg, Ill., thence over U.S. Highway 34 via Lincoln, Nebr., to junction U.S. Highway 281, thence over U.S. Highway 281 to Grand Island, Nebr., thence over U.S. Highway 30 via Brule, Nebr., to junction U.S. Highway 138, thence over U.S. Highway 138 to Sterling, Colo., thence over U.S. Highway 6 via Brush, Colo., to Denver, Colo., and (3) From Los Angeles, Calif., over U.S. Highway 66 via San Bernardino, Calif., to Albuquerque, N. Mex., thence over U.S. Highway 85 to Denver, Colo., and return over the same routes.

No. MC-48958 (Deviation No. 52), ILLINOIS-CALIFORNIA EXPRESS, INC., P.O. Box 9050, Amarillo, Texas 79105, filed December 10, 1973. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Dallas, Tex., over Interstate Highway 20 (U.S. Highway 80) to junction U.S. Highway 87, thence over U.S. Highway 87 to junction U.S. Highway 180, thence over U.S. Highway 180 to Hobbs, N. Mex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Dallas, Tex., over Texas Highway 114 to Rhame, Tex., thence over U.S. Highway 287 to Amarillo, Tex., thence over U.S. Highway 60 to Clovis, N. Mex., thence over U.S.



Highway 70 to Portales, N. Mex., thence over New Mexico Highway 18 to Hobbs, N. Mex., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 73-26826 Filed 12-18-73; 8:45 am]

[Notice 99]

# MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

DECEMBER 14, 1973.

The following publications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by the new Special Rule 1100 247 of the Commission's Rules of Practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

**Special notice.**—The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable by the Commission.

## MOTOR CARRIERS OF PROPERTY

No. MC 113678 (Sub-No. 464) (Republication), filed June 22, 1972, published in the FR issue of August 3, 1972, and republished this issue. Applicant: CURTIS, INC., 4810 Pontiac Street, P.O. Box 16004, Stockton Station, Commerce City, Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 80806, Lincoln, Nebr. 68501. A Decision and Order of the Commission, Review Board Number 1, dated November 12, 1973, and served November 15, 1973, finds that operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, transporting pet foods, pet supplies, pet accessories, and tonics, animal feed and supplements (except commodities in bulk from the plant sites and storage facilities of Hartz Mountain Pet Foods, Inc., and Sternco Industries, Inc., at or near Harrison and Jersey City, N.J., to points in Georgia, Florida, Alabama, Mississippi, Arkansas, Tennessee (except Memphis), Kentucky, Ohio, Indiana, Michigan, Illinois (except Chicago), Wisconsin, Minnesota, North Dakota, South Dakota, Wyoming, Montana, Idaho, Utah, and Nevada, restricted to transportation of shipments originating at the above-named origin points. The purpose of this republication is to include Sternco as an origin shipper. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would

be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file on appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 128527 (Sub-No. 36) (Republication), filed March 7, 1973, published in the FR issue of April 19, 1973, and republished this issue. Applicant: MAY TRUCKING CO., P.O. Box 398, Payette, Idaho 83661. Applicant's representative: C. Marvin May (same address as applicant). A Report of the Commission, Review Board Number 2, dated November 12, 1973, and served December 5, 1973, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of lumber, lumber mill products, moulding, flakeboard, particleboard, hardboard, and hardboard paneling, and iron and steel articles, gears and sprockets, aluminum sheets, aluminum roofing, aluminum sash, aluminum extrusions, and materials and supplies used in the manufacture of mobile homes, between points in Ada, Canyon, and Payette Counties, Idaho, on the one hand, and, on the other, points in Montana; that applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; that to the extent the grant of authority herein duplicates other authority held by applicant, it shall be construed as conferring only a single operating right. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 129727 (Sub-No. 5) (Republication), filed March 1, 1973, published in the FR issue of April 19, 1973, and republished this issue. Applicant: CARROLL TRUCK LINES, INC., Box 4, West, Miss. 39192. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty Bank Building, P.O. Box 22628, Jackson, Miss. 39205. An Order of the Commission, Review Board Number 1, dated November 26, 1973, and served December 5, 1973, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier, by motor vehicle, over irregular routes, of salt and salt products from Vicksburg, Miss., to

points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia under a continuing contract or contracts with Carey Salt Company, Division of Interpace Corporation of Hutchinson, Kans., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 113678 (Sub-No. 403) (Notice of filing of petition to modify an origin point and a restriction), filed November 27, 1973. Petitioner: CURTIS, INC., P.O. Box 16004, Stockyards Station, Denver, Colo. 80216. Petitioner's representative: Gailyn L. Larsen, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68051. Petitioner presently holds a motor common carrier certificate in No. MC 113678 (Sub-No. 403), issued July 18, 1972, authorizing transportation, over irregular routes, of meats, meat products, and meat by-products and articles distributed by meat packinghouses, as described in sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles and hides) from the plant sites and storage facilities of Wilson Certified Foods, Beefland International, Inc., American Beef Packers, Inc., Nebraska-Iowa Dressed Beef Co., J. F. O'Neill Packing Co., Inc., Omaha Steaks International, John Roth and Son, Inc. and Coast Packing Company, all at Omaha, Nebr., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania and Rhode Island, restricted to the transportation of shipments originating at the above-named plant sites and storage facilities. By the instant petition, petitioner seeks to modify its certificate by deleting the origin points described above, and substitute in lieu thereof, Omaha, Nebr. as a point of origin. Petitioner further seeks to modify its restriction accordingly to read: "restricted to the transportation of shipments originating at the above named origin point". Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the peti-



tion within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 119767 (Sub-No. 44) (NOTICE OF FILING OF PETITION TO AMEND A RESTRICTION), filed December 5, 1973. Petitioner: BEAVER TRANSPORT CO., a Corporation, P.O. Box 186, Pleasant Prairie, Wis. 53158. Petitioner's representative: Fred H. Figge (same address as petitioner). Petitioner presently holds a motor common carrier certificate in No. MC 119767 (Sub-No. 44) issued July 7, 1967, authorizing transportation, over irregular routes, of *edible animal fats, animal oils, vegetable oils, including products and blends thereof, in packages, and oleomargarine*, in packages, from the site of the refinery plant of Swift & Company at or near Bradley, Ill., to points in Minnesota, North Dakota, South Dakota and the Upper Peninsula of Michigan, restricted to traffic originating at the refinery plant site of Swift & Company, at or near Bradley, Ill. By the instant petition, petitioner seeks to amend its restriction to read: "restricted to traffic originating at the refinery plant site of Swift & Company, at or near Bradley, Ill. and from warehouse facilities utilized by Swift & Company in Kankakee, Ill." Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 125952 (Sub-No. 11) (NOTICE OF FILING OF PETITION FOR MODIFICATION OF PERMIT), filed November 19, 1973. Petitioner: INTERSTATE DISTRIBUTOR CO., 8311 Durango St. S.W., Tacoma, Wash. 98499. Petitioner's representative: George R. LaBissoniere, 1424 Washington Bldg., Seattle, Wash. 98101. Petitioner presently holds a motor contract carrier permit in No. MC 125952 (Sub-No. 11) issued August 19, 1971, authorizing transportation over irregular routes, of *Such merchandise as is dealt in by wholesale and retail grocery establishments (except frozen foods, and foods in vehicles equipped with mechanical refrigeration) from points in California to Buckley, Burien, and Tacoma, Wash., with no transportation for compensation on return, limited to transportation service to be performed under a continuing contract, or contracts, with Standard Buckley, Burien, and Tacoma, Wash., the instant petition, petitioner seeks to modify its permit by substituting "American Wholesale Grocery Company," in lieu of Standard Grocery Company as a contract shipper. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.*

No. MC 133000 (Sub-No. 9) (NOTICE OF FILING OF PETITION FOR MODIFICATION OF CERTIFICATE), filed October 29, 1973. Petitioner: DIAMOND

SAND & STONE CO., 744 Riverside Ave., P.O. Box 4667, Jacksonville, Fla. 32201. Petitioner's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Petitioner presently holds a motor common carrier certificate in No. MC 133000 (Sub-No. 9) issued August 21, 1973, authorizing transportation, over irregular routes, of *Ground dolomitic limestone and ground calcium limestone*, in bulk, in dump vehicles, from Marianna, Fla., to points in Alabama and Georgia, with no transportation for compensation on return except as otherwise authorized. By the instant petition, petitioner seeks to reissue certificate and to modify point of origin to read: "From the mining properties of Dixie Lime and Stone Company located in Jackson County, Fla., southeast of Marianna, Fla." Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 136833 (NOTICE OF FILING OF PETITION FOR MODIFICATION OF PERMIT), filed November 21, 1973. Petitioner: SHAW TRUCKING, INC., P.O. Box 214, Juniata, Nebr. 68955. Petitioner's representative: Patrick E. Quinn, P.O. Box 82028, 605 South 14th St., Lincoln, Nebr. 68501. Petitioner presently holds a motor contract carrier permit in No. MC 136833 issued February 9, 1973, authorizing as pertinent, transportation, by motor vehicle, over irregular routes, of (1) *Camper holddowns, spare tire carriers, swingup bumper steps, truck cab steps, bounce eliminators, snowmobiles and skis or wheels, camper jacks, jack pads, camper dollies, tractor-drive units, bumper steps, cab steps, and brace clamps*, from Wahoo, Nebr., to points in the United States (except Alaska, Hawaii, and Nebraska), with no transportation for compensation on return except as otherwise authorized; and (2) *Equipment, materials and supplies (except commodities in bulk), used in the manufacture of the commodities described in (1) above, from points in the United States (except Alaska and Hawaii), to Wahoo, Nebr., with no transportation for compensation on return except as otherwise authorized.* RESTRICTION: The operations authorized under the two commodity descriptions next-above, are limited to a transportation service to be performed, under a continuing contract, or contracts with Hellstar Corporation, of Wahoo, Nebr. By the instant petition, petitioner seeks to amend the commodity description in (1) stated above to read: "Motor vehicle and recreational equipment, supplies, and accessories." The remaining portion of the authority remains the same. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under Sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

#### MOTOR CARRIERS OF PROPERTY

APPLICATION FOR CERTIFICATE WHICH IS TO BE PROCESSED CONCURRENTLY WITH AN APPLICATION UNDER SECTION 5 GOVERNED BY RULE 240 TO THE EXTENT APPLICABLE

No. MC 123993 (Sub-No. 30), filed November 14, 1973. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, La. 70526. Applicant's representative: Thomas F. Sedberry, 1102 Perry Brooks Bldg., Austin, Tex. 78701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feeds, animal and poultry mineral mixtures, animal and poultry tonics and medicines, dry earth paint, insecticides, and premiums and advertising matter relating to such products, from the plant site of Moorman Manufacturing Company at or near Quincy, Ill., to points in Arkansas and Mississippi*, (2) (a) *Insecticides, dry animal and poultry feeds, dry animal and poultry mineral mixtures, dry animal and poultry feed ingredients, dry animal and poultry tonics and medicines, dry earth paint, and premiums and advertising matter relating to such products, from the plant site of Moorman Manufacturing Company at or near Quincy, Ill., to points in Louisiana*, (b) *Insecticide ingredients, dry ingredients for animal and poultry feeds, animal and poultry mineral mixtures, animal and poultry tonics and medicines, and dry earth paint, and bags and containers, from points in Louisiana, to the plant site of Moorman Manufacturing Company at or near Quincy, Ill.* (3) *Animal and poultry feed and animal and poultry feed ingredients (except chemicals and petroleum products), dry, in bulk, from points in Mississippi to the plant site of the Moorman Manufacturing Company at or near Quincy, Ill.*, (4) *Livestock and poultry feeders and equipment, from the plant site of the Moorman Manufacturing Company at or near Quincy, Ill., to points in Arkansas, Louisiana and Mississippi.*

NOTE.—Applicant presently holds contract carrier authority in MC 41116 and subs thereunder, therefore, dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this application is to convert portions of the contract carrier authority. The purpose of this application Inc. under MC 113865 Sub-Nos. 8, 9, and 13 to common carrier status. This is a matter directly related to a Section 5 purchase proceeding in MC-F-12046, published in the FR issue of November 21, 1973. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo. or New Orleans, La.



No. MC-F-12046. (Correction) (FOGLEMAN TRUCK LINE, INC.—PURCHASE (PORTION) — STAUFFER TRUCK SERVICE, INC.), published in the November 28, 1973, issue of the FEDERAL REGISTER on page 32862. Prior notice should be changed to read: Note MC-123993 (Sub-No. 30), is a matter directly related.

No. MC-F-12059. Authority sought for purchase by WINTERS TRUCK LINE, INC., 2620 McCormick, Wichita, KS 67213, of the operating rights and property of WILLIE L. WILES, doing business as WILES TRUCK LINE, 236 E. 12th St., Augusta, KS 67010, and for acquisition by GLEN H. WINTERS, of control of such rights through the purchase. Applicants' representative: Glen H. Winters, also of Wichita, KS 67213. Operating rights sought to be transferred: Under a certificate of registration in Docket No. MC-121619, covering the transportation of general commodities, as a common carrier, in interstate commerce, within the State of Kansas. Vendee is authorized to operate as a common carrier in Kansas. Application has been filed for a temporary authority under section 210a(b).

No. MC-F-12060. Authority sought for purchase by ANDERSON MOTOR SERVICE, INC., 1516 E. 14th St., St. Louis, MO 63106, of the operating rights and property of TOEDERBUSCH TRANSFER, INC., 1300 N. 10th St., St. Louis, MO 63106, and for acquisition by ROBERT H. BUTLER, also of St. Louis, MO 63106, of control of such rights and property through the purchase. Applicants' attorney: Gregory M. Rebman, 1230 Boatmen's Bank Bldg., St. Louis, MO 63102. Operating rights sought to be transferred: General commodities, with exceptions, as a common carrier over regular routes, between East St. Louis, Ill., and Kansas City, Kans., between Augusta, and St. Louis, Mo., between Wentzville, and St. Charles, Mo., between Blue Springs, and Kansas City, Mo., between St. Louis, and Weldon Springs, Mo., between junction Missouri Highway 94 and St. Charles County Highway N and junction St. Charles County Highway N and U.S. Highway 61; general commodities, with exceptions, over irregular routes, between the above specified Missouri points, on the one hand, and, on the other, points which applicant has been previously authorized to serve over the routes specified. Vendee is authorized to operate as a common carrier in Illinois, Indiana, Missouri and Ohio. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12061. Authority sought for purchase by FLEETLINE, INC., 1984 Oakdale Ave., St. Paul, MN 55118, of a portion of the operating rights of LEE'S TRUCKING, INC., 220 E. Island Ave., Minneapolis, MN 55401, and for acquisition by DEL A. SHOEMAKER, also of St. Paul, MN 55118, of control of such rights through the purchase. Applicants' attorney: Samuel Rubenstein, 301 N. Fifth St., Minneapolis, MN 55403. Op-

erating rights sought to be transferred: General commodities (except those of unusual value, class A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment) which are at the time moving on bills of lading of freight forwarders, as a common carrier over irregular routes, from Chicago, Ill., to Minneapolis, Minn., with restriction. Vendee is authorized to operate as a common carrier in Minneapolis, Wisconsin, Illinois, North Dakota, Indiana, South Dakota, Michigan, and Iowa. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-12062. Authority sought for control and merger by LYONS TRANSPORTATION LINES, INC., 138 E. 26th St., Erie, PA 16512, of the operating rights and property of WILSON TRANSPORTATION SERVICE, INC., P.O. Box 258, Ottawa, OH 45875, and for acquisition by JOHN M. COCHRAN, and PHILIP G. COCHRAN, both of Erie, PA 16512, of control of such rights and property through the transaction. Applicants' attorneys: John P. McMahon and A. Charles Tell, both of Suite 1800, 100 E. Broad St., Columbus, OH 43215. Operating rights sought to be controlled and merged: General commodities, with usual exceptions, as a common carrier, over irregular routes, between Holgate and Ottawa, Ohio, points within two miles of Holgate, and points within 15 miles of Ottawa, on the one hand, and, on the other, points within 200 miles of Ottawa, in Indiana, Illinois, Kentucky, Ohio, Pennsylvania, Michigan, and West Virginia, between Lima, Ohio, on the one hand, and, on the other, points within 3 miles of Lima; household goods, as defined by the Commission, between points in Putnam County, Ohio, on the one hand, and, on the other, points in Indiana and Ohio, and that part of Michigan, on and south of Michigan Highway 20, that part of Pennsylvania, on and west of U.S. Highway 219, and those in West Virginia on the Ohio River, between points in Mercer and Auglaize Counties, Ohio, on the one hand, and, on the other points in Kentucky, Michigan, Pennsylvania, and West Virginia, between Lima, Ohio, on the one hand, and, on the other, points in Ohio, Indiana, Michigan, Illinois, Kentucky, West Virginia, Pennsylvania, New Jersey, and New York, between points in Allen County, Ohio (except Lima, Ohio), on the one hand, and, on the other, points in Ohio, Indiana, Michigan, Illinois, Kentucky, West Virginia, Pennsylvania, New Jersey, and New York; household goods, between points in Mercer and Auglaize Counties, Ohio, on the one hand, and, on the other, points in Indiana; ice, from Lima, Ohio, to Fort Wayne, Ind.; bowling alley supplies and equipment, from Ottawa, Ohio, to Vulcan and Iron Mountain, Mich.; Richmond, Ill., St. Louis, Mo., Philadelphia and Pittsburgh, Pa., Buffalo, N.Y., Louisville, Ky., and certain specified points in Virginia and Ohio; lumber and bowling equipment, from Vulcan, Mich., to Ottawa,

Ohio; chemicals, from Buffalo, N.Y., to Ottawa, Ohio; television tubes, from Ottawa, Ohio, to Evanston, Ill., Louisville, Ky., Baltimore and Towson, Md., and St. Louis, Mo., from Ottawa, Ohio, to Bedford and Orleans, Ind.; television tubes, bulbs, and machinery and materials, used in the manufacture of television tubes, between Ottawa, Ohio, on the one hand, and, on the other, Emporium and Towanda, Pa., Seneca Falls, N.Y., and Huntington, W. Va.; television tubes, television bulbs, and machinery and materials used in the manufacture of television tubes, between Ottawa, Ohio, on the one hand, and, on the other, points in Massachusetts, New Jersey, New York, (except Seneca Falls, N.Y.) and Pennsylvania (except Emporium and Towanda, Pa., and points in Pennsylvania within 200 miles of Ottawa, Ohio); windows, from Ottawa, Ohio, to St. Louis, Mo., Decatur, Peoria, Springfield, Moline, Rockford, and Elgin, Ill., Milwaukee, Wis., Philadelphia and Altoona, Pa., and Baltimore, Md.; canned food, from Leipsic, Ohio to certain specified points in Pennsylvania, West Virginia, Ohio, New York, and Virginia, from Minster and St. Henry, Ohio, to certain specified points in Kentucky, West Virginia, Illinois, Michigan, New York, and Pennsylvania; canned vegetables, from Ohio City and Rockford, Ohio, to Chicago, Ill., Pittsburgh, Pa., and Wheeling, W. Va.; supplies and machinery used in the processing, sale and shipping of canned goods, and damaged or defective shipments of canned goods, from the destination points specified above to Minster and St. Henry, Ohio; used canning machinery, from Minster and St. Henry, Ohio, to Berlin, Wis.; new canning machinery, from Berlin, Wis., to Minster and St. Henry, Ohio; sugar beets, from Ohio City, Ohio, to Decatur, Ind.; livestock, between Ohio City, Ohio, and points in Ohio within 10 miles of Ohio City, on the one hand, and, on the other, Chicago, Ill., and points in that part of Indiana on, east, and north of U.S. Highway 31 and U.S. Highway 40 from the Indiana-Michigan State line to Indianapolis, thence along U.S. Highway 40 to Indiana-Ohio State line; malt beverages, from Newport, Ky., and St. Louis, Mo., to St. Henry, Ohio; and return with empty malt-beverage containers. LYONS TRANSPORTATION LINES, INC., is authorized to operate as a common carrier in New Jersey, New York, Ohio, Pennsylvania, and West Virginia. Application has been filed for temporary authority under section 210a(b).

## NOTICE

GEORGE P. BAKER, RICHARD C. BOND AND JERVIS LANGDON, JR., TRUSTEES OF THE PROPERTY OF PENN CENTRAL TRANSPORTATION COMPANY, DEBTOR, 6 Penn Center Plaza, Philadelphia, Pennsylvania 19104, represented by Mr. Robert H. Bierma, General Attorney, Penn Central Transportation Company, Room 532, Union Station, 516 W. Jackson Blvd., Chicago, Illinois 60606, hereby gives notice that on December 3, 1973, it filed in Finance Docket No. 27537 an application under



Section 5(2) of the Interstate Commerce Act for operation over the lines of the Baltimore and Ohio Railroad Company between Seymour and North Vernon, Indiana, a distance of 15.43 miles, pursuant to a contract granting such trackage rights which will be limited to bridge movements only. The charge for such operation will be \$3.00 per car loaded empty (excluding cabooses) subject to escalation. In the opinion of the applicant, the proposed acquisition of trackage rights will be consistent with the public interest and will have no adverse effect on the environment. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation-Nat'l Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra Part (b) (1)-(5), 340 I.C.C. 431, 461.

The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than 30 days from the date of first publication in the *FEDERAL REGISTER*.

GEORGE P. BAKER, RICHARD C. BOND, AND JERVIS LANDGON, JR. TRUSTEES OF THE PROPERTY OF PENN CENTRAL TRANSPORTATION COMPANY, DEBTOR.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-26828 Filed 12-18-73;8:45 am]

[Notice No. 26]

#### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

DECEMBER 14, 1973.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules—Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR

1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules—Motor Carriers of property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

#### MOTOR CARRIERS OF PASSENGERS

No. MC-2866 (Deviation No. 14), EDWARDS MOTOR TRANSIT COMPANY, 56 East Third Street, Williamsport, Pennsylvania 17701, filed December 3, 1973. Carrier's representative: S. Berne Smith, P.O. Box 1166, Harrisburg, Pennsylvania 17108. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over deviation routes as follow: (1) From junction Interstate Highway 80 and Pennsylvania Highway 93 over Interstate Highway 80 to junction Interstate Highway 95 north of Ridgefield Park, N.J., thence over Interstate Highway 95 (the New Jersey Turnpike) to junction New Jersey Highway 3 (at New Jersey Turnpike Toll Gate No. 17), thence over New Jersey Highway 3 to Lincoln Tunnel approaches, North Bergen, N.J. (2) From junction Interstate Highway 80 and Pennsylvania Highway 93 over Interstate Highway 80 to junction Interstate Highway 280 near Pine Brook, N.J., thence over Interstate Highway 280 to Newark, N.J., and (3) from junction Interstate Highway 80 and Pennsylvania Highway 93 over Interstate Highway 80 to junction New Jersey Highway 46 near Columbia, N.J., thence over New Jersey Highway 46 to junction New Jersey Highway 31 at Buttzville, N.J., thence over New Jersey Highway 31 to junction U.S. Highway 22 east of Clinton, N.J., with the following access routes: (a) From Hazleton, Pa., over U.S. Highway 309 to junction Interstate Highway 80, and (b) from Easton, Pa., over U.S. Highway 22 to junction Pennsylvania Highway 33, thence over Pennsylvania Highway 33 to junction Interstate Highway 80 near Bartonsville, Pa., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From Lincoln Tunnel approaches at North Bergen, N.J., to Toll Gate No. 16 of the New Jersey Turnpike, thence over New Jersey Turnpike to junction U.S. Highway 1 (near New Jersey Turnpike Toll Gate No. 15), thence over U.S. Highway 1 to Newark, N.J., thence over U.S. Highway 22 to Easton, Pa., thence over Pennsylvania Highway 248 to junction

Pennsylvania Highway 93, thence over Pennsylvania Highway 93 to junction Interstate Highway 80 north of Sybertsville, Pa., and return over the same route.

No. MC-13300 (Deviation No. 29), CAROLINA COACH COMPANY, 1201 South Blount Street, Raleigh, North Carolina 27602, filed December 5, 1973. Carrier's representative: Lawrence E. Lindeman, Suite 1032 Pennsylvania Building, Pennsylvania Avenue and 13th Street, N.W., Washington, D.C. 20004. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows: From Boykins, Va., over Virginia Highway 671 to Franklin, Va., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From Boykins, Va., over Virginia Highway 35 to Courtland, Va., thence over U.S. Highway 58 to Franklin, Va., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-26827 Filed 12-18-73;8:45 am]

[Rev. S.O. 994; Amt. 5, I.C.C. Order No. 75]

#### WESTERN MARYLAND RAILWAY CO.

##### Rerouting or Diversion of Traffic

TO ALL RAILROADS. Upon further consideration of I.C.C. Order No. 75 (Western Maryland Railway Company) and good cause appearing therefor:

It is ordered, That: I.C.C. Order No. 75 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) Expiration date. This order shall expire at 11:59 p.m., March 31, 1974, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., December 31, 1973, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and care hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., December 14, 1973.

INTERSTATE COMMERCE  
COMMISSION,

[SEAL] R. D. PFAHLER,  
Agent.

[FR Doc.73-26829 Filed 12-18-73;8:45 am]



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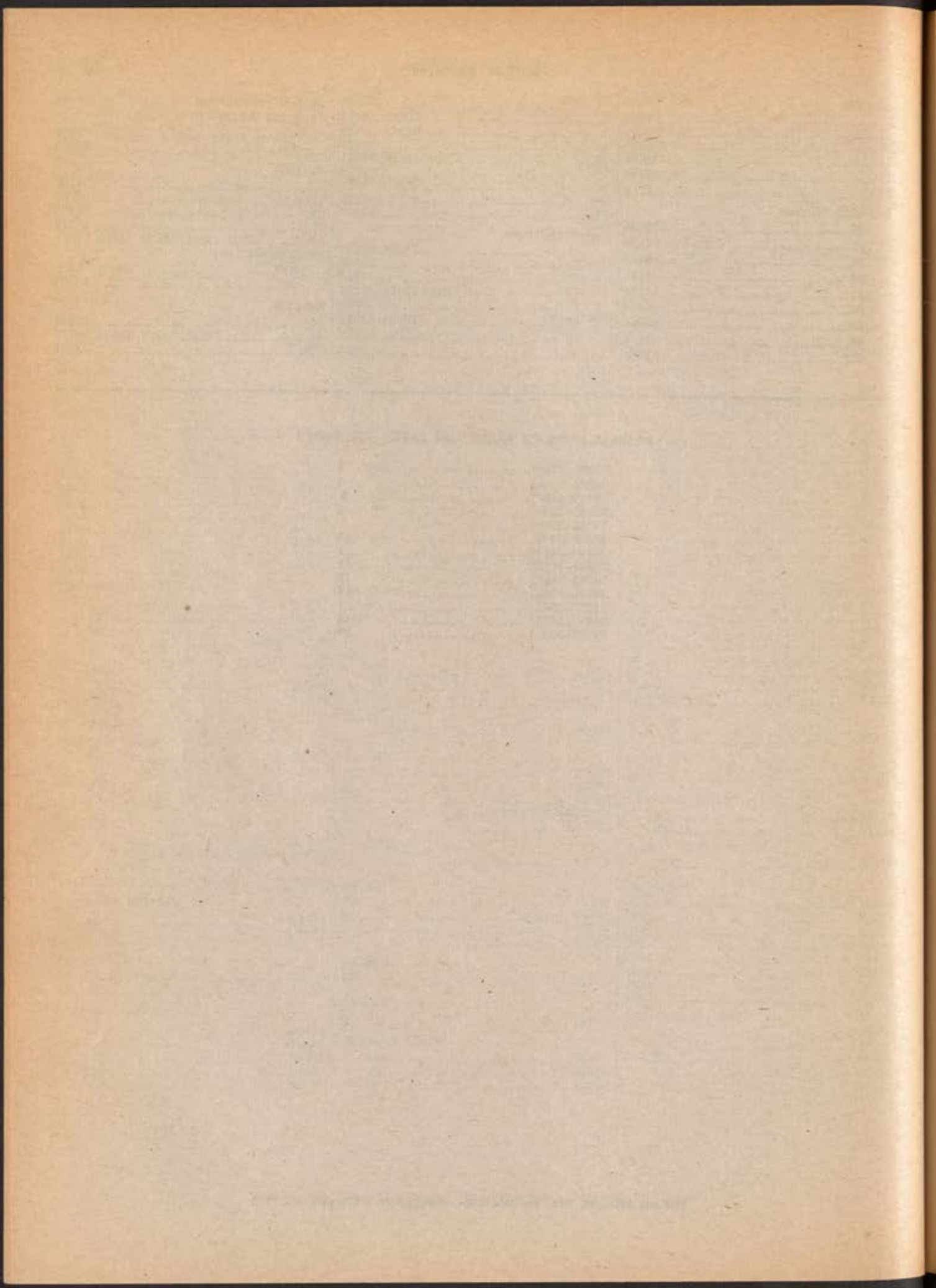
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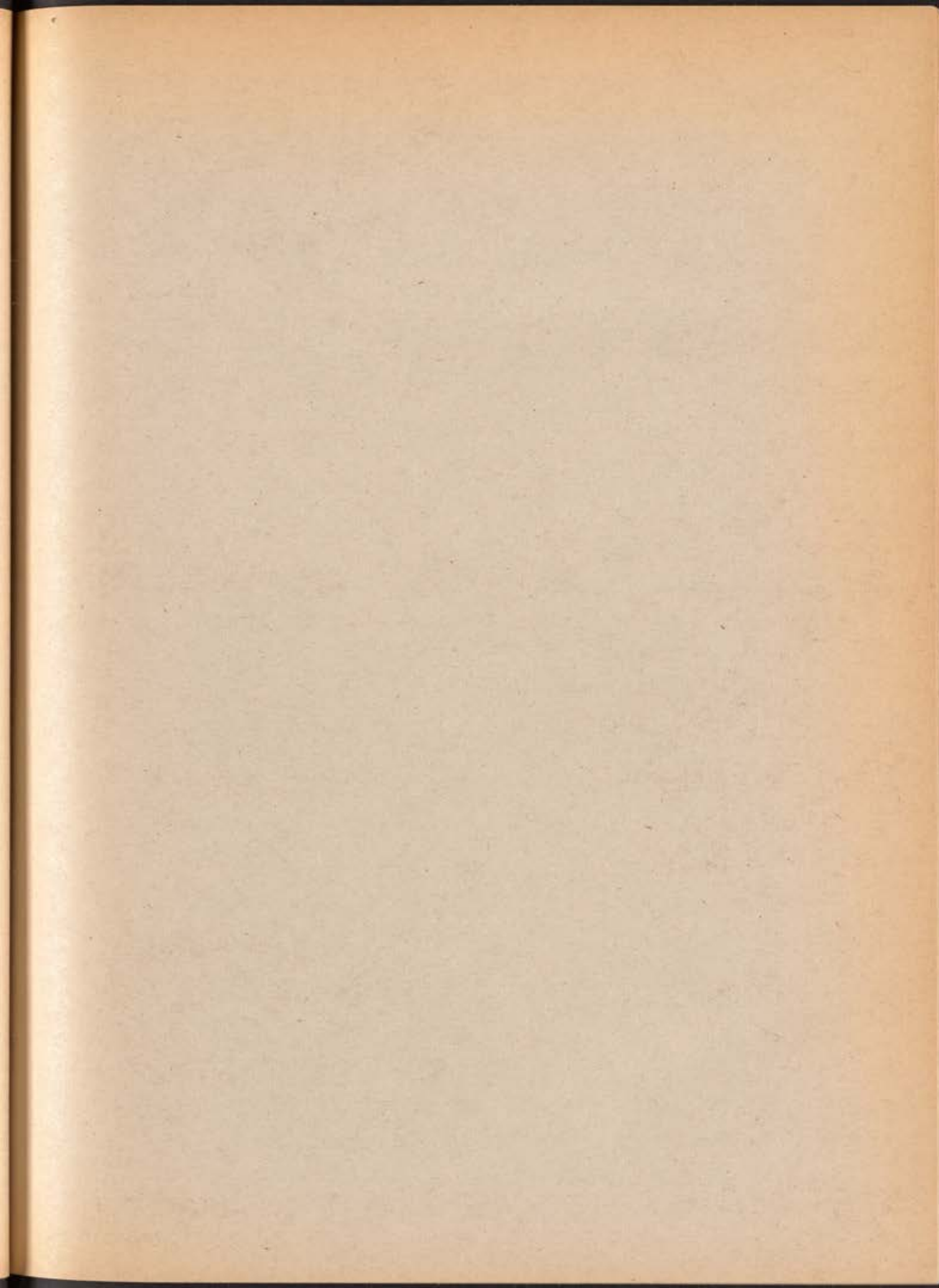
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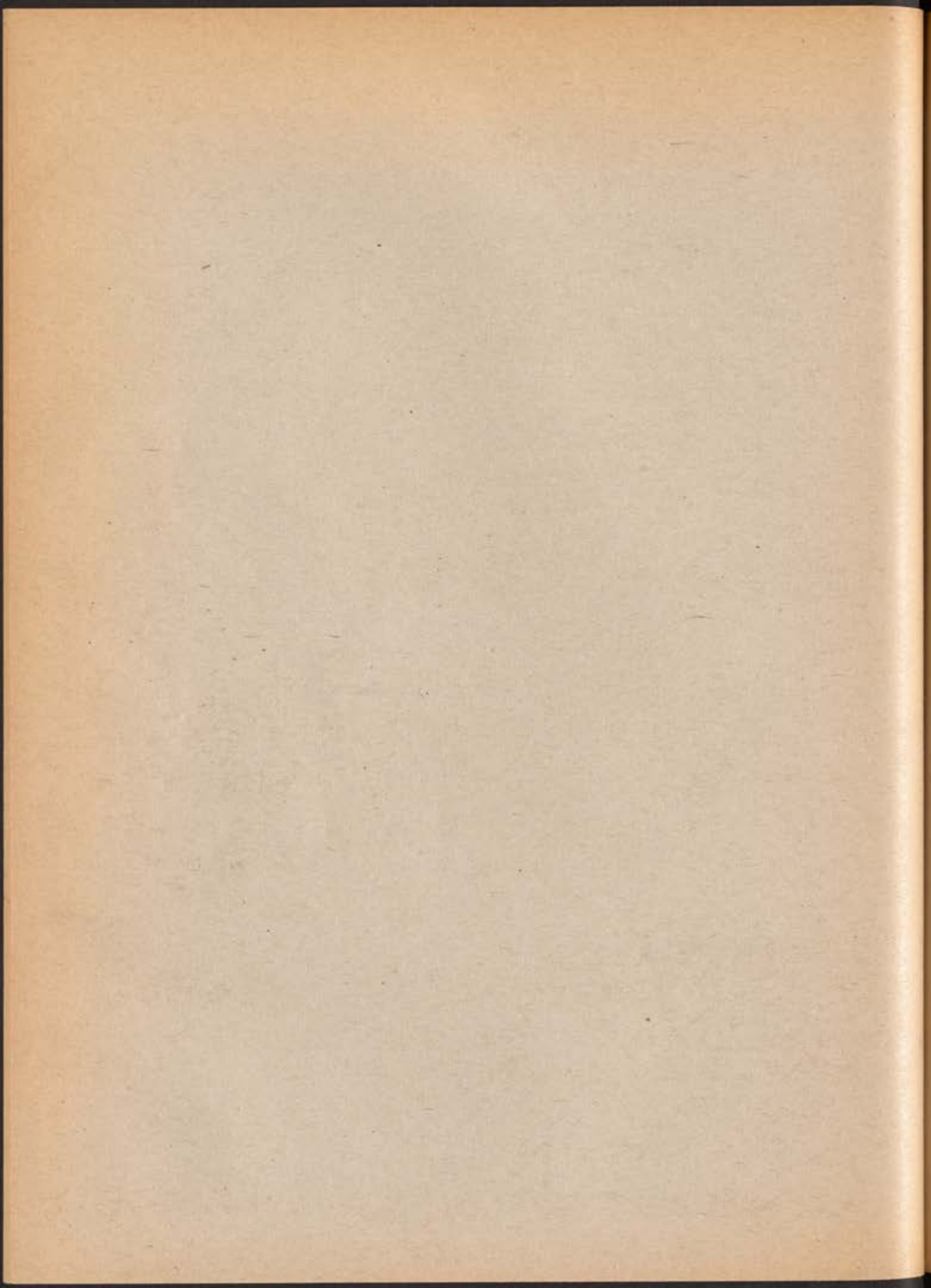




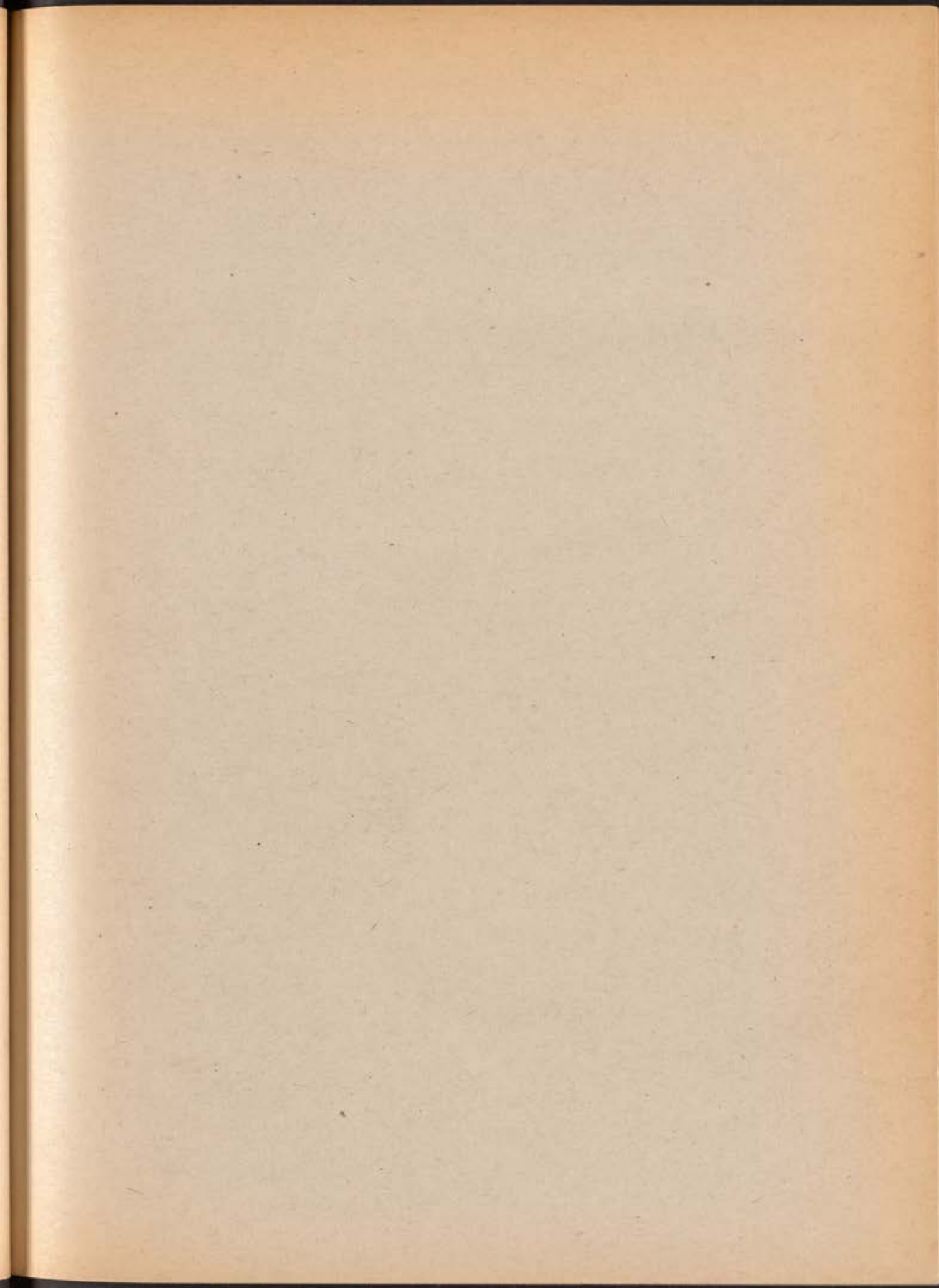




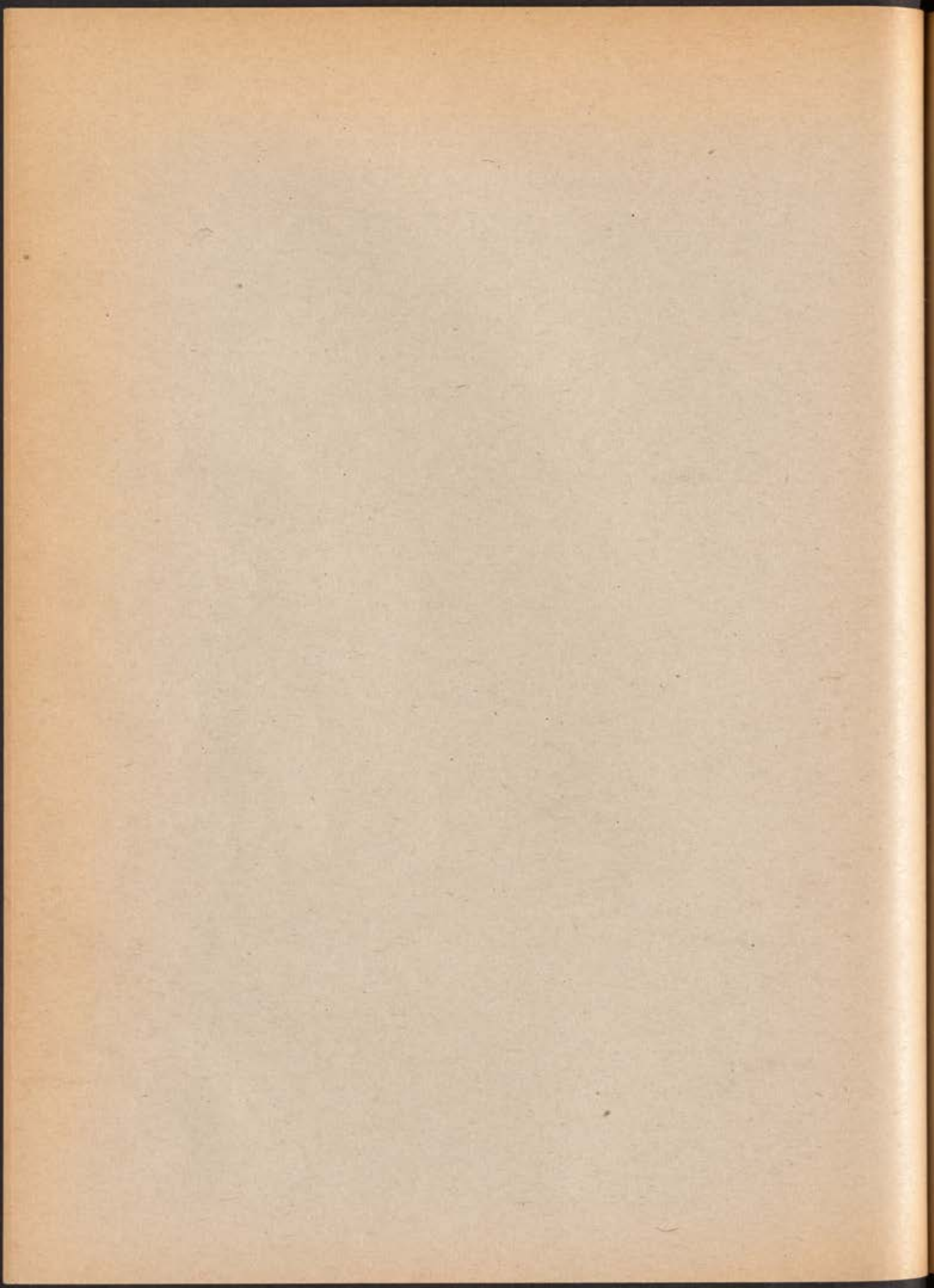














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